

MANUAL OF STAFF POLICIES ACADEMICS/LIBRARIANS CONTENTS

Section: CONTENTS	Code Number: 1.01.01
Item: Table of Contents	

	<u>Code No.</u>	<u>Page</u>
Table of Contents	1.01.01	1
Purpose of the University	N/A	3
Introduction to this Publication	N/A	4

GENERAL

General Policy Statements for Academics and Librarians

Objectives and Principles	2.01.01	5
Environmental Health and Safety Policy	2.01.02	6
Employment Equity Policy	2.01.03	7
Policy with Respect to AIDS	2.01.04	8
Policy and Procedures: Sexual Harassment	2.01.05	10
Statement on the Bearing of Firearms	2.01.06	35
Statement on Prohibited Discrimination and Discriminatory Harassment	2.01.07	36
Smoking Policy	2.01.08	40
Statement on Human Rights	2.01.09	44
Statement on Accommodation in Employment for Persons with Disabilities	2.01.10	45
Policy on Access to Information and Protection of Privacy	2.01.11	45
Freedom of Speech	2.01.12	58

Policies Concerning General Employment Conditions for Academics and Librarians

Payment of Monthly Paid Staff	2.02.01	59
Personal Information Changes	2.02.02	59
Benefit Plans	2.02.03	59
Public Holidays	2.02.04	61
Sick Pay	2.02.05	61
Payment of Salary on Death of Staff Member	2.02.06	62
Scholarship Program for Dependants of Faculty Members and Librarians	2.02.07	62
Tuition Waiver for Dependants of Part-Time Faculty and Librarians	2.02.08	65
Tuition Waiver for Dependants of Staff Who Died in Service or Retired from Service	2.02.09	66
Educational Assistance for Academic Staff and Librarians	2.02.10	68
Maternity Leave/Parental Leave	2.02.11	70
Adoption Leave	2.02.12	71
Family Care Leave (formerly Child Care Leave)	2.02.13	71
Leaves of Absence Without Pay	2.02.14	72
Short-Term Compassionate and Emergency Leaves	2.02.15	72
Semi-Retirement Provision of the University of Toronto Pension Plan	2.02.16	72

ACADEMIC STAFF

Policy on Appointment of Academic Administrators	3.01.01	74
Policy and Procedures on Academic Appointments	3.01.02	93
Faculty Citizenship	3.01.03	115
Part-time Academic Staff	3.01.04	116
Policy and Procedures Governing Promotions	3.01.05	119
Political Candidacy	3.01.06	127
Policies on Research at < http://www.research.utoronto.ca >	3.01.07	129
Code of Behaviour on Academic Matters	3.02.01	129
Policy on Conflict of Interest: Academic Staff	3.02.02	149
Vacations	3.02.04	156

INSERT: MEMORANDUM OF AGREEMENT

<u>Memorandum of Agreement</u>	3.03.01	
Article 1: Purposes		
Article 2: No Change in Basic Policies and Practices		
Article 3: Librarians		
Article 4: Research and Study Leaves		
Article 5: Academic Freedom and Responsibilities		
Article 6: Salary and Benefits		
Article 7: Grievance Procedure		
Article 8: Workloads and Working Conditions		
Article 9: No Discrimination		
Article 10: Personnel Files		
Article 11: Information		
Article 12: Joint Committee		
Article 13: Association Relations		
Article 14: Non-Applicability to Federated Universities		
Article 15: The University of Toronto Act and Severability		
Article 16: Amendments to the University of Toronto Act		
Article 17: Changes to Agreement		
Article 18: Copies of Agreement		
Article 19: Newly Appointed Faculty Members and Librarians		
Article 20: Correspondence		
Article 21: Term of Agreement		
Article 22: Entry into Force		

LIBRARIANS

Policies for Librarians	4.01.01	158
Part-time Librarians	4.01.02	171
Policy on Conflict of Interest: Librarians	4.01.03	172
Progress Through the Ranks	4.02.01	177
Vacations	4.02.02	179

END OF TABLE OF CONTENTS

Section: CONTENTS	Code Number: N/A
Item: Purpose of the University	

Purpose of the University

The University of Toronto is dedicated to fostering an academic community in which the learning and scholarship of every member may flourish, with vigilant protection for individual human rights, and a resolute commitment to the principles of equal opportunity, equity and justice.

Within the unique university context, the most crucial of all human rights are the rights of freedom of speech, academic freedom, and freedom of research. And we affirm that these rights are meaningless unless they entail the right to raise deeply disturbing questions and provocative challenges to the cherished beliefs of society at large and of the university itself.

It is this human right to radical, critical teaching and research with which the University has a duty above all to be concerned; for there is no one else, no other institution and no other office, in our modern liberal democracy, which is the custodian of this most precious and vulnerable right of the liberated human spirit.

Extracted from Governing Council, University of Toronto,
“University of Toronto Statement of Institutional Purpose”; October 15, 1992.

Section: CONTENTS	Code Number: N/A
Item: Introduction to This Publication	

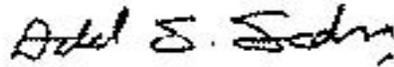
Introduction

The University of Toronto prides itself on being a good employer as reflected through progressive employment policies that show commitment to fair and equitable employment practices. The University of Toronto Faculty Association has played a major role in negotiating these policies. The Memorandum of Agreement between the University and the Faculty Association is reproduced in this handbook and is the cornerstone of the relationship between the University and its faculty and librarians.

We must all abide by these policies. In seeking to apply these policies to specific individual situations, much expertise can be found at the level of the departmental and divisional administrations. We at the central administration are also willing and available to help.

Faculty members and librarians should not feel constrained in asking for assistance in understanding how the policies apply to their own particular situations.

Now that they are so easily accessible, I urge all faculty members and librarians to take the time to reacquaint themselves with the policies and to keep this publication readily at hand.



Adel S. Sedra
Vice-President and Provost

General Policy Statements for Academics and Librarians

Section II: General	Code Number: 2.01.01
Item: Objectives and Principles	

INTRODUCTION

The University of Toronto recognizes that, for the achievement of its goals, no aspect of its operation is more important than the development of good staff relations. Requisite to good staff relations is a working environment in which staff members are able to realize their potential for positive and creative contributions to the aims of the University.

POLICY OBJECTIVES

The University's objectives with respect to its staff are:

- to develop and maintain a staff complement which has the qualifications and abilities required for the maintenance of high standards, and which meets but does not exceed the University's staffing requirements.
- to develop and maintain conditions of employment, including staff policies and practices, and the quality of administration which result in high quality performance, high level productivity and continued commitment of staff to the University.
- to provide opportunities for personal development and career advancement and establish a working environment that will encourage staff members to develop their abilities and leadership potential.
- to establish safe practices and working conditions that minimize risk of personal injury.
- by the attainment of these objectives, to contribute to its operational efficiency toward the realization of its goals.

SUPPORTING PRINCIPLES

The University believes that these objectives are best achieved when:

- staff policies, practices and procedures are in writing and their effective administration is assured.
- staff policies, practices and procedures are effectively communicated to all staff members and applied consistently at all levels.
- staff policies and programs comply with applicable legislation and sound administrative practice and, where feasible, provide leadership in advancing community standards in this respect.
- staff members are adequately compensated for their services to the university and compensation policies give appropriate recognition to qualifications and performance.
- the appraisal of staff members is conducted by reference to the qualifications required for the particular position and the individual's performance and demonstrated potential.
- current and future staff development needs are identified and staff training and/or educational programs are undertaken in preparation.
- staff members are accorded the maximum degree of freedom in their careers and personal lives that is consistent with the effective discharge of their responsibilities.

- administrators and other persons in positions of authority are kept informed of staff opinion, and channels are established through which problems or complaints concerning employment or working conditions may be discussed and resolved.
- recommendations submitted to senior university administration or the Human Resources Department by staff members, administrators, and representative groups are seriously considered and, where feasible, developed and presented to the appropriate governing bodies of the University.
- administrators and other persons in positions of authority recognize the importance of maintaining constructive relations with unions and other staff organizations.

Maintaining an environment that encourages individual initiative and effective use of human resources is the collective responsibility of:

- the Governing Council,
- senior University administration,
- the Human Resources Department,
- divisional and departmental administration.

The division of responsibility should be defined as clearly as possible. However, responsibilities are not mutually exclusive since the successful development and implementation of any staff policy depends on the effective interaction and co-operation of all the administrative bodies concerned:

- the Governing Council and/or its committees set policy and authorize the allocation of the resources required for its implementation.
- senior University administration develops, recommends and implements staff policy in consultation with the Human Resources Department where appropriate, directs the Human Resources Department on the development and implementation of staff policy, and is responsible for ensuring that divisional and departmental administrations follow approved staff policies, practices and procedures.
- the Human Resources Department develops and recommends staff policy under the direction of senior University administration and co-ordinates the implementation of approved policies, practices and procedures.
- divisional and departmental administrations are directly accountable for the management of their staffs within approved policies, practices and procedures.

END OF OBJECTIVES AND PRINCIPLES POLICY

Section II: General	Code Number: 2.01.02
Item: Health and Safety Policy	

The University of Toronto is committed to providing a safe and healthy work and study environment for its employees, students, visitors and contractors. The University will ensure that the measures and procedures prescribed by the Occupational Health and Safety Act and its regulations and other relevant legislation concerning health and safety are complied with. This includes establishing and maintaining programs to identify and appropriately control workplace hazards; providing for joint health and safety committees to identify and address workplace hazards and workplace health and safety issues; providing appropriate tools and equipment; and providing suitable training to employees concerning workplace health and safety.

Under the Occupational Health and Safety Act and its regulations all employees of the University, including faculty, librarians, administrative staff, and employees in bargaining units covered by collective agreements have responsibilities for ensuring health and safety in the workplace.

Supervisors have an obligation to ensure that employees work in the manner and with the protective devices, measures and procedures required by the Occupational Health and Safety Act and its regulations. This includes supervisors ensuring that appropriate safety procedures are followed by employees and advising employees of the existence of any potential or actual danger to their health and safety of which the supervisor is aware. Supervisors must also take every precaution reasonable in the circumstances for the protection of an employee. In addition, all employees, including supervisors, have an obligation to work in compliance with the Occupational Health and Safety Act and its regulations and to use or wear the equipment, protective devices or clothing that the University requires to be used or worn.

Employees, including supervisors, have knowledge of their actual working conditions and they have an obligation to report any safety hazards or possible contraventions of the Occupational Health and Safety Act and its regulations of which they are aware to their immediate supervisor, so that any safety hazards or contraventions can be remedied.

All employees who fail to meet their obligations concerning health and safety may, depending on the circumstances, face discipline up to and including discharge.

While students are not covered by the Occupational Health and Safety Act or its regulations, the University is also committed to fulfilling its responsibilities concerning the health and safety of its students, and the University believes that this policy helps to facilitate that objective. Students are responsible for conducting themselves in a manner which is consistent with the health and safety of themselves and others and shall be given appropriate training to do so. Students who fail to meet these responsibilities may, depending on the circumstances, face sanctions under the provisions of the Code of Student Conduct.

All members of the University community must accept their responsibilities concerning the provision of a safe environment in which to work and study.

END OF HEALTH AND SAFETY POLICY

Section II: General	Code Number: 2.01.03
Item: Employment Equity Policy	

The University of Toronto is committed to employment equity and to achieving and maintaining a workforce representative of those pools of qualified individuals available for recruitment by the University.

The University upholds the Ontario Human Rights Code and will not under any circumstances permit employment practices and procedures in contravention of it. While remaining alert and sensitive to the issue of fair and equitable treatment for all, the University has a special concern with the participation and advancement of members of four designated groups that have traditionally been disadvantaged in employment: women, visible minorities, aboriginal peoples and persons with disabilities.

To act on its commitment to employment equity, the University will, on an ongoing basis:

- Endeavour to ensure that University policies and practices do not have an adverse impact on the participation and advancement of designated group members.
- Set goals consistent with this Policy, and timetables and plans for achieving them.
- Implement programs to facilitate the participation and advancement of designated groups.
- Make reasonable accommodation for differences related to designated group membership.

Subject to University policies on academic freedom, all staff are responsible for the encouragement of behaviour, language and attitudes which will create a favourable University environment, free of discriminatory actions and stereotyping. The Vice-President and Provost and the Vice-President — Administration and Human Resources are responsible for setting overall University goals for faculty and librarians, and administrative staff, respectively, consistent with the policies and collective agreements which govern the various staff groups.

The University will maintain open communication on this Policy and on the results of employment equity initiatives, by reporting annually to the University community.

END OF EMPLOYMENT EQUITY POLICY

Section II: General	Code Number: 2.01.04
Item: Policy with Respect to AIDS	

AIDS (Acquired Immune Deficiency Syndrome) describes the most serious form of an infection caused by a virus called the human immunodeficiency virus (HIV).

- (a) to alleviate fear and misapprehension surrounding the AIDS issue; and
- (b) to ensure fair and equitable treatment of any person who has AIDS or is infected by HIV.

This policy applies to all faculty, staff and students of the University of Toronto.

The University of Toronto has an obligation to take every reasonable precaution to provide a safe environment for employees and students. The University also recognizes and respects the rights of its employees as set out in federal and provincial laws, collective agreements and the Manual of Staff Policies.

AIDS is a serious medical condition, and neither a cure nor a vaccine has been found. For these reasons, many people have deep concerns about contracting HIV, which may lead to AIDS, and need assurance that their safety will be protected. The University will address these concerns through an ongoing program of information and education for its staff and students.

The Ontario Human Rights Code prohibits discrimination against or harassment of any individual on the basis of handicap or perceived handicap, including that caused by an illness such as AIDS. The University recognizes that employees and students handicapped by illness have a right to pursue those activities which their medical condition allows, including continuing to work or study. The existence of HIV infection will not, in itself, be a factor in the admission or enrolment of students, or in the hiring, promotion or dismissal of employees.

Any case of HIV infection or AIDS will be responded to in accordance with the particular facts of the case. Specific guidelines will be developed by the Departments of Human Resources and Student Affairs. These guidelines will derive from the best currently available medical information about HIV infection and AIDS, and will apply to all students, faculty and staff.

Employees or students with HIV infection may continue in their jobs or pursue their studies as long as they are physically and mentally able to meet performance standards, and as long as their presence does not pose a safety or health hazard to themselves or others. Any medical information concerning infected individuals will be held in confidence, recognizing the potential for discrimination and abuse, and the individual's right of privacy.

In Divisions of the University where there is a risk of exposure to HIV-contaminated blood, body fluids or viral preparations, any additional appropriate policies or procedures developed by the divisions will be applied.

RESPONSIBILITIES

1. Each individual has a responsibility to minimize his/her risk of HIV infection and transmission by taking appropriate precautions. Persons who know or are concerned that they are infected with HIV are urged to seek medical advice about their health circumstances in order to help ensure proper medical care and education, and are obliged to conduct themselves responsibly in accordance with this knowledge for the protection of members of the community.
2. The University Health Service is responsible for AIDS education programs for students, and the Occupational Health Service is responsible for AIDS education programs for faculty and staff. The University Health Service and the Occupational Health Service are also responsible for ensuring that such education programs are continuously reviewed and updated to take into account current medical information.
3. Divisions whose academic, research, clinical and work programs involve a risk of exposure to HIV-contaminated blood, body fluids or viral preparations are responsible for preparing and depositing with the Director Environmental Health & Safety appropriate additional policies and procedures, including provision for the training and education of those potentially at risk and coordination with affiliated institutions, such as hospitals, which may have their own policies and procedures.
4. Other groups potentially at risk, which include, but may not be limited to, Campus Health Services, Campus Police and first-aid providers will comply with all appropriate guidelines and procedures.

END OF POLICY WITH RESPECT TO AIDS

INFORMATION ABOUT AIDS

The following summary is based on current medical information, and will be updated as required.

AIDS (Acquired Immune Deficiency Syndrome) describes the most serious form of an infection caused by a virus called the human immunodeficiency virus (HIV). It is not known what percentage of individuals infected with HIV will develop the symptoms of AIDS.

Although HIV has been isolated from blood, semen, saliva, tears, breast milk and other body fluids of infected individuals, extensive studies have shown that transmission occurs in four main ways:

- (1) through intimate sexual contact where there is an exchange of infected blood, semen or vaginal fluid;
- (2) through the use of contaminated needles or syringes;
- (3) through the transfusion of infected blood or blood products;
- (4) from an infected mother to her unborn child or during breast feeding.

While a person who has tested positive for HIV antibodies does not necessarily have AIDS, that person is capable of infecting others through the means indicated.

The HIV virus is fragile and survives for only a short time outside the human body. Extensive studies of families of persons with AIDS have not found a single case of the virus being spread through everyday contact. There is no recorded case of any risk created by living in the same house or working in the same office as an infected person, non-invasive care for an infected person, eating food handled by an infected person, being coughed or sneezed upon by an infected person, casual kissing or swimming in a pool with an infected person.

On the other hand, the avoidance of the use of contaminated needles or syringes and the practicing of "safer sex" are the best means of guarding against this disease. The consistent and conscientious use of latex condoms, for example, greatly reduces the chance of transmission of HIV through sexual intercourse. Regarding blood transfusions, blood and blood products have been tested by the Red Cross since November, 1985, and transmission in this manner has been dramatically reduced.

END OF INFORMATION WITH RESPECT TO AIDS

Section II: General	Code Number: 2.01.05
Item: Policy and Procedures: Sexual Harassment	

Preamble To The Policy

Responsibility shared

Against whom complaints may be made

By whom complaints may be made

Adoption of Policy by federated institutions

Part A: Interpretation

1(a) "Academic staff"

1(b) "Administrative staff"

1(c) "Complainant"

1(d) "Days"

1(e) "Record of resolution"

1(f) "Sexual harassment"

1(g) "Student"

1(h) "Vice-President"

1(i) Words defined in the University of Toronto Act

1(j) Marginal notes and headings

1(k) Notification

1(l) Time limits

Part B: Principles

2. This Policy to assist the University to fulfill its obligation
3. Fairness to each party
4. The importance of confidentiality
5. Complainants and witnesses not to be anonymous
6. Remedy without resort to formal disciplinary proceedings may be appropriate,
7. But some cases warrant disciplinary action.
8. Duties of those having authority
9. Complainant not compelled to proceed
10. Respondent entitled to specific disposition of case
11. Matters not covered under the definitions contained in this Policy

Part C: Sexual Harassment Officer

12. Appointment by President
13. Responsibilities of Officer
- 13(a) Application of this Policy
- 13(b) Role as educator
- 13(c) Counsellor and advisor
- 13(d) Referral to advisors
- 13(e) Referral to Mediators
- 13(f) Maintenance of records
- 13(g) Annual Report to University Affairs Board

Part D: Establishment Of A University Hearing Panel

14. Establishment
15. President to invite nominations and comment on the nominations
16. Selection of Hearing Panel
17. Term and eligibility for membership in Hearing Panel
18. Appointment of Chair of Panel

Part E: Establishment Of A University Appeals Board

19. Establishment
20. President to invite nominations
21. Selection of Appeals Board
22. Term of office and conditions of continuing eligibility

Part F: Initiation Of A Complaint

23. Complaint made to the Officer
24. Report made on behalf of another
25. Options of the complainant
26. Complainant's decision not to proceed
27. Officer to determine if complaint falls under these procedures
28. Complaints falling within coverage of a collective agreement
29. Two procedures available
- 30(1) Waiving of right to Formal Hearing
- 30(2) Substance of such a complaint may later be included as evidence in certain cases
- 31(1) Time limit for filing complaint
- 31(2) Respondent informed
- 31(3) Officer's discretion to vary time limit

- 31(4) Arrangements for evaluation of academic work by another
- 31(5) Arrangements for alternative work assessment or temporary reassignment for member of administrative staff
- 31(6) Limit on information conveyed to administrator
- 32. Complainant's right to withdraw complaint
- 33. Such withdrawal to bring matter to an end
- 34. Officer's discretion to dismiss cases that are frivolous, vexatious or unfounded in fact, or when confidentiality breached by complainant.
- 35. Complainants not to be penalized for making complaint
- 36. Other Administrative Action

Part G: Informal Resolution

- 37. Informal resolution and mediation fundamental
- 38. Attendance required
- 39. Officer's role in informal resolution
- 40. Statements and disclosures without prejudice
- 41. Resolution Report of informal resolution
- 42. Time limit for informal resolution
- 43. Officer to determine informal resolution failed or inappropriate
- 44. Time limit for initiating mediation

Part H: Mediation

- 45. Selection of mediator
- 46. Officer's role in informing mediators and approving training
- 47. Time limit for mediation
- 48. Resolution Report of mediation
- 49. Officer to determine mediation failed or inappropriate
- 50. Time limit for initiating formal complaint
- 51. Final position of respondent during mediation

Part I: Formal Hearing

- 52. Initiation of request to Vice-President
- 53. Referral of complaint to University Discipline Counsel
- 54. Discretion of Vice-President to undertake prosecution of the complaint
- 55. Time limit for notification of decision
- 56. Vice-President to give notice
- 57. "The parties"
- 58. Vice-President to have carriage of University's case
- 59. The Hearing Board
- 60. Duties of Chair of Hearing Panel in striking a Hearing Board
- 61. Right to challenge members of Hearing Board
- 62. Release time for members of Hearing Boards
- 63. Conduct of Hearings
- 64. Right to attend sessions
- 65. Attendance by others and exclusion of witnesses
- 66. Time limit for Hearings
- 67. Standard of proof
- 68. Limitation on questions posed to complainant
- 69. Secretary of Governing Council responsible for administration of Formal Hearing
- 70. Record of Proceedings
- 71. Decision of Hearing Board

- 72. Votes required for finding for complainant
- 73(a) Information to be provided in determining penalty or remedy
- 73(b) Arguments as to penalty or remedy
- 74. Penalties for members of staff
- 75. Penalties for students
- 76. Order for educational counselling
- 77. Recommendations for dismissal or expulsion
- 78. Remedies
- 79. Award of costs
- 80. Written decision of Hearing Board
- 81. Publication of decision
- 82. Responsibility for enforcing any penalty or remedy
- 83. Reimbursement of University by federated institutions
- 84. Power to vary procedural time limits
- 85. Stay of penalty pending appeal

Part J: Appeals To The University Appeals Board

- 86. Right of appeal
- 87. Appeal not a trial de novo
- 88. Access to record of proceedings
- 89. Decisions available to the Appeals Board
- 90. Variation of penalty or remedy
- 91. Majority required
- 92. Decision final

Part K: Confidentiality

- 93(1) Confidentiality enjoined
- 93(2) Confidential material to be provided to those who are to take action
- 93(3) Officer and mediator not to be witnesses
- 94. No confidentiality where risk of serious physical harm
- 95. Breach of confidentiality may be taken into account
- 96. Breaches of confidentiality by Officer or mediator

Part L: Records

- 97. Confidentiality of records
- 98. Records to be kept
- 99. Time limits on the keeping of records

Part M: Right To Counsel

- 100. Right to counsel

Part N: Other Matters

- 101. Suspension of proceedings if complaint lodged elsewhere
- 102. Code of Behaviour on Academic Matters to have precedence

Preamble To The Policy

Sexual harassment in any situation is reprehensible. In particular, within the University community it fosters a hostile or unfair environment which counteracts the spirit of cooperation and education.

All members of the University community share responsibility for Responsibility

bringing about and maintaining an environment free of sexual harassment, but a particular burden is placed on those in positions of academic and administrative authority to attempt to ensure that allegations of sexual harassment which are brought to their attention are dealt with in the appropriate fashion as laid out in this Policy and Procedures.

shared

Complaints may be made against any member of the University community - including, but not limited to, students, academic staff, librarians, administrative staff - under this Policy and Procedures, except that where provisions for dealing with sexual harassment are contained in a collective agreement, the terms of that collective agreement shall be applicable.

Against whom complaints may be made

Complaints may also be made against former members of the University about sexual harassment alleged to have been committed by the former member while the former member is or was on University premises or while the former member is or was in the pursuit of a University activity or business.

Complaints may be made about sexual harassment alleged to have been committed by a member of the University community while the complainant is or was on University premises, while the complainant is or was participating in a University activity or business, or while the member is or was in the pursuit of a University activity or business.

By whom complaints may be made

Institutions federated or affiliated with the University, and affiliated employee and student associations with paid staff, may adopt this Policy and, if the President of the University so permits, have access to its Procedures. In granting such permission, the President may impose terms and conditions on such access.

Adoption of Policy by federated institutions

Part A: Interpretation

1. In this Policy:

(a) “academic staff” means, but is not limited to, persons holding a fulltime, part-time, sessional or contractual paid, status-only or honorary academic or instructional appointment, visiting scholars, retired instructors, extra-mural readers, persons holding clinical or adjunct appointments, field and practicum supervisors, librarians, and undergraduate and graduate students when performing duties as teaching assistants;

1(a) “Academic staff”

(b) “administrative staff” means staff not referred to in 1(a) and includes, but is not limited to, full-time, part-time, sessional, contract, casual and temporary employees, both budget- and grant-funded, and research associates; and

1(b) “Administrative staff”

(c) “complainant” means the person or persons who make a written complaint to the Officer.

1(c) “Complainant”

(d) “days” means the days from Monday to Friday inclusive, but

1(d) “Days”

excluding University holidays.

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| <p>(e) “record of resolution” means:</p> <p>(i) in the case of informal resolution or mediation, the Resolution Report signed by both the complainant and the respondent which shall normally include a description of the complaint or incident(s), and details of any remedial action agreed upon by the parties; or</p> <p>(ii) in the case of a Formal Hearing where the decision of the Hearing Board has not been appealed, the decision of the Hearing Board; or</p> <p>(iii) in the case of an appeal, the decision of the Appeals Board.</p> | <p>1(e) “Record of resolution”</p> |
| <p>(f) “sexual harassment”, which shall constitute an offence under this Policy, means:</p> <p>(i) making submission to an unsolicited sexual advance or solicitation, expressly or by implication, a term or condition of a person’s right to employment or academic success, or continuation of employment or academic success, or advancement in employment or academic success; and/or</p> <p>(ii) using, or threatening to make use of, rejection of an unsolicited sexual advance or solicitation as a basis for employment, academic or other decisions affecting the person or the person’s progress; and/or</p> <p>(iii) physical conduct, occurring either on University premises or in the pursuance of a University activity or business, that emphasizes the sex or sexual orientation of one or more individuals in a manner which the actor knows, or ought reasonably to know, creates for that individual, or those individuals, an intimidating, hostile or offensive working or learning environment; and/or</p> <p>(iv) verbal conduct or other forms of communication, occurring either on University premises or in the pursuance of a University activity or business,</p> <p>that is directed at one or more specific individuals, and</p> <p>that emphasizes the sex or sexual orientation of that individual or those individuals in a manner which the actor knows or ought reasonably to know creates for that individual or those individuals an intimidating, hostile or offensive</p> | <p>1(f) “Sexual harassment”</p> |

working or learning environment, and

that exceeds the bounds of freedom of expression or academic freedom as these are understood in University policies and accepted practices, including but not restricted to, those explicitly adopted.

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| (g) | “student” means any person registered as a participant in any course or program of study offered by or through a college, faculty or school of the University, any person entitled to a valid student card who is between sessions but is entitled because of student status to use University facilities, and post-doctoral fellows. | 1(g) | “Student” |
| (h) | “Vice-President” means the Vice-President and Provost, unless the context otherwise requires; however, where the respondent is under the authority of a different Vice-President, the term shall refer to that Vice-President. | 1(h) | “Vice-President” |
| (i) | except for words that are specifically defined in this Policy, all words that are defined in the University of Toronto Act, 1971, as amended from time to time, have the same meaning herein as in that Act. | 1(i) | Words defined in the University of Toronto Act |
| (j) | the marginal notes and headings in the body of this document form no part of the Policy and Procedures: Sexual Harassment, but shall be deemed to be inserted for convenience of reference only. | 1(j) | Marginal notes and headings |
| (k) | Any notification required under this Policy may be given orally or in writing, unless otherwise specified; notification shall be deemed to have been given five days after notification has been sent by registered letter to the most current address contained in the personnel or student file of the person being notified. | 1(k) | Notification |
| (l) | Although time limits are prescribed from time to time in this Policy, it is to be understood that such limits describe the maximum time generally allowed and that it is usually appropriate that procedures be completed as quickly as possible consistent with the principles of the Policy and the concerns of any party to a complaint. | 1(l) | Time limits |

Part B: Principles

In establishing a Policy and Procedures for dealing with allegations of sexual harassment, the University is guided by the following principles:

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| 2. | The University does not tolerate any form of sexual harassment and is committed to a process of educating and informing the members of the community. The Procedures laid out herein are provided to deal with allegations of sexual harassment in a fair and appropriate way. | 2. | This Policy to assist the University to fulfill its obligation |
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| <p>3. A spirit of fairness to each party must guide the proceedings. This includes not only the complainant's right to seek a remedy and the respondent's right to know both the allegations and the accuser, but also the rights of each party to a fair and impartial hearing.</p> | <p>3. Fairness to each party</p> |
| <p>4. The highest standards of confidentiality must be maintained in order to protect any party against unsubstantiated claims which might result in harm or malicious gossip.</p> | <p>4. The importance of confidentiality</p> |
| <p>5. Confidentiality must be distinguished from anonymity. Any complainant who wishes to seek a remedy through these Procedures, or a witness in any complaint procedure of this Policy, must be prepared to be identified to the respondent. This Policy does not, however, prevent anyone from seeking counselling or advice on a confidential basis from the Sexual Harassment Officer.</p> | <p>5. Complainants and witnesses not to be anonymous</p> |
| <p>6. It should be taken into account that a complainant may have suffered harm or injustice as a result of sexual harassment and may wish only to see that harm remedied or redressed and not pursue disciplinary action or seek sanctions against the respondent. Thus, provision is made for a complainant to seek a remedy without necessarily instituting a formal proceeding for disciplinary action.</p> | <p>6. Remedy without resort to formal disciplinary proceedings may be appropriate,</p> |
| <p>7. On the other hand, in specific cases where sexual harassment has occurred, a mere remedy, without disciplinary action against the individual whose misconduct is at issue, may not be appropriate. It is also necessary to avoid situations in which a remedy implies some wrong doing on an individual's part, without allowing that individual due process. Overall, this Policy is structured to encourage solutions with the help of the Officer and/or mediator.</p> | <p>7. But some cases warrant disciplinary action.</p> |
| <p>8. It is the obligation of all those in academic or administrative authority to be aware of this Policy and, in particular, to know what constitutes sexual harassment and to encourage an environment which is free of sexual harassment. They should inform the staff they supervise about this Policy, and should refer any cases of sexual harassment to the Sexual Harassment Officer, treating such referrals in the strictest confidence.</p> | <p>8. Duties of those having authority</p> |
| <p>9. A complainant shall not be compelled to proceed with a complaint or disciplinary action, or be required to testify against her or his will.</p> | <p>9. Complainant not compelled to proceed</p> |
| <p>10. If a complaint has reached the stage of a Formal Hearing, the respondent is entitled to a specific disposition of the issue; or, where the complaint is withdrawn once a Formal Hearing has begun, but before it is concluded, to a dismissal of the</p> | <p>10. Respondent entitled to specific disposition of</p> |

- proceedings.
11. A course of conduct that emphasizes sex or sexual orientation, but that does not constitute sexual harassment as defined in s. 1(f) of this Policy, may nevertheless be a matter of University concern to the extent that it affects the working or learning environment of members of the University or of members of the public in the course of their relations in or with the University. Any person may refer such a matter to the person responsible for the appropriate academic, administrative or disciplinary procedure, who shall make appropriate inquiries, take appropriate action if warranted, and report on the disposition of the matter to the person who has referred the matter to her or him.
11. case
Matters not covered under the definitions contained in this Policy
- Part C: Sexual Harassment Officer
12. The President, on advice of a broadly representative advisory committee, shall appoint an individual to act as Sexual Harassment Officer (the “Officer”) for a specified and renewable term of office. The appointment shall be reported for information to the University Affairs Board of the Governing Council.
12. Appointment by President
13. The Officer shall be responsible to the President and shall:
13. Responsibilities of Officer
- (a) be responsible for the application of this Policy and Procedures as provided herein;
- 13(a) Application of this Policy
- (b) act as educator and provide the University community with information about the issue of sexual harassment and about this Policy;
- 13(b) Role as educator
- (c) function as an impartial counsellor and advisor to any member of the University community who has questions regarding the issues raised in this Policy, providing referrals where appropriate;
- 13(c) Counsellor and advisor
- (d) ensure that both male and female advisors are available to provide assistance or advice to individuals requesting it;
- 13(d) Referral to advisors
- (e) maintain a list of trained mediators;
- 13(e) Referral to Mediators
- (f) maintain confidential case records and pertinent statistics on all matters of alleged sexual harassment referred to the Officer; and
- 13(f) Maintenance of records
- (g) report annually to the University community through the President to the University Affairs Board on matters relating to sexual harassment including, without names, the disposition of the cases before the Hearing and
- 13(g) Annual Report to University Affairs Board

Appeals Boards.

Part D: Establishment Of A University Hearing Panel

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| 14. A University Hearing Panel shall be established to hear formal complaints of sexual harassment under this Policy and such other complaints as may be referred to it by other University enactments. | 14. Establishment |
| 15. The President of the University shall invite the Association of Part-time Undergraduate Students, the Graduate Students' Union, the Students' Administrative Council, the University of Toronto Faculty Association as well as the University community at large to nominate members for the University Hearing Panel on the basis of their general good judgment and fairness. The President shall circulate all the names of those so nominated to the representatives of the various constituencies for their comment. | 15. President to invite nominations and comment on the nominations |
| 16. The Hearing Panel shall consist of thirty (30) members, chosen by the President from the nominations received. The Hearing Panel shall be composed as follows: | 16. Selection of Hearing Panel |
| <ul style="list-style-type: none"> (a) twelve (12) undergraduate students, eight (8) of whom are full-time and four (4) of whom are part-time; (b) six (6) graduate students; (c) six (6) academic staff, including librarians; and (d) six (6) administrative staff. | |
| 17. Members of the Hearing Panel shall be appointed for two-year terms, which may be renewed twice. No member may remain on the Panel if that member is: | 17. Term and eligibility for membership in Hearing Panel |
| <ul style="list-style-type: none"> (a) no longer a part of the constituency from which that person was nominated; or (b) a complainant or respondent in a case of sexual harassment being dealt with under this Policy. | |
| 18. A Chair shall be appointed by the President for a two-year, renewable term, from among the Panel members. | 18. Appointment of Chair of Panel |

Part E: Establishment Of A University Appeals Board

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| 19. A University Appeals Board shall be established to hear appeals from decisions of a University Hearing Board. | 19. Establishment |
| 20. The President of the University shall invite each of the constituencies named in s. 15 to nominate members for the | 20. President to invite |

University Appeals Board.	nominations
<p>21. The President shall appoint five (5) members to the Appeals Board as follows:</p> <p>(a) one (1) undergraduate student, one (1) graduate student, one (1) member of the academic staff and one (1) member of the administrative staff, chosen from among the nominations received from each constituency; and</p> <p>(b) one (1) additional member, who shall be:</p> <p style="padding-left: 40px;">(i) the Chair of the Appeals Board, and</p> <p style="padding-left: 40px;">(ii) a lawyer.</p>	<p>21. Selection of Appeals Board</p>
<p>22. Members of the Appeals Board shall be appointed for two-year terms. No member other than the Chair may remain on the Appeals Board if that member is:</p> <p>(a) no longer a part of the constituency from which that person was nominated; or</p> <p>(b) no longer a member of the University community nor serves on any board or committee of the Governing Council.</p>	<p>22. Term of office and conditions of continuing eligibility</p>
Part F: Initiation Of A Complaint	
<p>23. A complaint may be made to the Officer by an individual or individuals who claim to have been directly affected by sexual harassment.</p>	<p>23. Complaint made to the Officer</p>
<p>24. (1) Any member of the University community may report an incident of alleged sexual harassment to the Officer on behalf of another or others.</p> <p>(2) Where such a report is made on behalf of another, a complaint shall not proceed in any manner unless the Officer receives a written complaint from an individual on whose behalf the report was made.</p>	<p>24. Report made on behalf of another</p>
<p>25. Following consultation with the Officer, a person or persons may:</p> <p>(a) take no further action; or</p> <p>(b) make a written complaint which shall contain a written statement giving details of the alleged sexual harassment, and authorization for the Officer to proceed with the complaint.</p>	<p>25. Options of the complainant</p>
<p>26. If the complainant decides to take no further action, the Officer shall not proceed with the complaint.</p>	<p>26. Complainant's decision not to</p>

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| 27. The complaint shall be accepted by the Officer unless the Officer determines that the complaint does not fall within the definition of sexual harassment in this Policy, or that the Policy is superseded by a collective agreement, or that the respondent is not a person governed by this Policy. | 27. proceed
Officer to determine if complaint falls under these procedures |
| 28. If the Officer determines that the complaint falls within the coverage of a collective agreement which includes a procedure for dealing with sexual harassment, the Officer shall inform the complainant how to proceed; in such cases, the Officer shall remain available to counsel and advise impartially both the complainant and the respondent. | 28. Complaints falling within coverage of a collective agreement |
| 29. If the complainant requests the Officer to attempt a resolution of the complaint, the complainant must elect, in writing, to proceed with the complaint by one of two procedures:

(a) Informal Resolution and Mediation only, as set out in ss. 37 to 49, without access to a Formal Hearing; or
(b) Informal Resolution, Mediation and, if necessary, a Formal Hearing as set out below. | 29. Two procedures available |
| 30. (1) The Officer shall advise the complainant that, should the complainant elect to proceed by the procedure described in s. 29(a), that is, by waiving in advance the right of access to a Formal Hearing with respect to the subject matter of the complaint, the complainant may not later proceed to a Formal Hearing with respect to the subject matter of that complaint, except as provided in s. 30(2). | 30(1) Waiving of right to Formal Hearing |
| (2) Notwithstanding the foregoing, where it is alleged that there is a continuation of the behaviour that has been complained of or new behaviour by the same person that may constitute sexual harassment, the complainant may make a new complaint and may elect to proceed with the complaint by either of the two procedures described in s.29. In such a case, the substance of the earlier complaint shall not be excluded as evidence in a Formal Hearing by reason only of the fact that the right to a Formal Hearing was waived by the complainant with respect to the substance of the earlier complaint. | 30(2) Substance of such a complaint may later be included as evidence in certain cases |
| 31. (1) The Officer may accept a written complaint only within six (6) months from the date of the alleged incident, except for such additional period as provided in s. 31(3). | 31(1) Time limit for filing complaint |
| (2) After accepting the written complaint, the Officer shall forthwith inform the respondent of the allegation(s) and provide the respondent with a copy of the written complaint. | 31(2) Respondent informed |
| (3) In circumstances where the complainant and the respondent | 31(3) Officer's |

are related as student and instructor or as staff member and supervisor, the Officer may accept the complaint and/or delay informing the respondent that a complaint has been made until reasonable opportunity has been afforded for the complainant to complete immediate academic work in progress or apply for alternative work. This additional period may extend up to two months after the deadline for submitting academic work involving the complainant and respondent as student and instructor or supervisor but in no case shall the total period during which a complaint may be accepted exceed twelve months from the date of the alleged incident.

discretion to vary time limit

(4) Where the complainant is, at the time of the making of the complaint, either a student or instructor of the respondent, the University, through the Officer, may, after the respondent has been informed that a complaint has been made, and at the request of the complainant or the respondent, make arrangements through the appropriate administrator for the work and examinations, if any, of the student to be evaluated by a disinterested party. The Officer shall inform the respondent and the complainant that such arrangements are being made.

31(4) Arrangements for evaluation of academic work by another

(5) Where the complainant is an administrative staff member or librarian whose performance is normally evaluated by the respondent, the University shall assure fair employment treatment of the complainant, and protection from adverse employment related consequences of the complainant-respondent reporting relationship during the complaint resolution procedure of this Policy. To that end, the University, through the Officer, may, in consultation with the complainant:

31(5) Arrangements for alternative work assessment or temporary reassignment for member of administrative staff

- (a) have the complainant’s performance assessed by another administrator, where practicable; or
- (b) temporarily reassign the complainant to other, but equivalent, duties until the complaint is resolved; or
- (c) delay the complainant’s performance appraisal and awarding of merit pay until the complaint is resolved, in which case subsequent payment for merit shall be retroactive to the date it would normally have been received and the University banker’s prime rate of interest shall be paid on the amount owed.

(6) In any action under ss. 31(4) or 31(5), the Officer shall reveal in confidence to the appropriate administrator only that a complaint has been made and shall not in any manner reveal the alleged facts.

31(6) Limit on information conveyed to administrator

32. The complainant has the right to withdraw, in writing, the

32. Complainant’s

- complaint at any time prior to the decision of the Vice-President on whether to undertake prosecution of the case.
33. The decision to withdraw the complaint by the complainant shall bring the matter to an end under this Policy.
34. An attempt to resolve the matter by informal means and by mediation shall occur unless it is the opinion of the Officer that the complaint is frivolous, vexatious or unfounded in fact, or that the complainant has not maintained the required standard of confidentiality. In any such case the Officer shall provide written reasons for this determination to the complainant and the respondent. Such determination by the Officer may also be made during the course, or at the end, of informal resolution or mediation. In every such case proceedings shall cease and the complaint shall be dismissed.
35. No supervisor or other person acting on behalf of the University shall:
- (a) dismiss or threaten to dismiss a member of the academic staff or administrative staff;
 - (b) discipline or suspend, or threaten to discipline or suspend a student, or a member of the academic staff or administrative staff;
 - (c) impose any penalty upon a student, or a member of the academic staff or administrative staff; and/or
 - (d) intimidate or coerce a student or member of the academic staff or administrative staff because that person, acting bona fide, has filed an allegation of sexual harassment pursuant to this Policy or has sought the enforcement of this Policy or has been a witness in any hearing or appeal under the procedures of this Policy.
36. (1) Although this Policy contemplates that the procedures outlined in ss. 23 to 35 will be the ordinary procedures for dealing with allegations of sexual harassment, if there is good reason to believe that risk of serious physical harm exists for any person arising from the conduct of any member of the University community unless administrative action is taken, any person may bring the matter to the attention of an appropriate Vice-President, even though the alleged conduct appears to be sexual harassment as defined in this Policy, and notwithstanding ss. 23 to 35.
33. right to withdraw complaint
Such withdrawal to bring matter to an end
34. Officer's discretion to dismiss cases that are frivolous, vexatious or unfounded in fact, or when confidentiality breached by complainant
35. Complainants not to be penalized for making complaint
36. Other Administrative Action

(2) When such a matter is referred to a Vice-President, or where the Vice-President has knowledge of fact which requires the University to fulfill obligations relating to sexual harassment but no complaint has been made under the procedures of this Policy, the Vice-President shall ascertain whether or not administrative action is appropriate in the circumstances.

(3) Where the Vice-President decides that administrative action is necessary and the conduct appears to be sexual harassment, the Vice-President shall forthwith:

- (a) refer any person who appears to have been sexually harassed to the Officer; and
- (b) inform, in writing, the person against whom the complaint has been made of the administrative action being taken, setting out the nature of the complaint in sufficient detail to allow the person to identify the circumstances that led to the administrative action.

Any member of the academic staff or administrative staff against whom such administrative action has been taken may grieve that action in accordance with the established procedures applying to that person.

Part G: Informal Resolution

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| 37. Informal resolution and mediation are the fundamental tools for achieving both the educational and the remedial goals of this Policy. The objective of informal resolution and mediation is to secure a reasonable settlement which, in the opinion of the Officer, is consistent with the spirit of this Policy and its fundamental principles. | 37. | Informal resolution and mediation fundamental |
| 38. The complainant and the respondent must attend as requested at informal resolution and mediation meetings. | 38. | Attendance required |
| 39. Under informal resolution, the Officer shall discuss the written complaint with both the complainant and the respondent with a view to reaching a mutually agreed upon resolution. | 39. | Officer's role in informal resolution |
| 40. During attempts at informal resolution and mediation, all statements and disclosures made, information furnished and documents and things provided or presented to the Officer and mediator, if any, are without prejudice and may not be introduced in a Formal Hearing to the prejudice of the maker or presenter without her or his consent. | 40. | Statements and disclosures without prejudice |
| 41. If a resolution acceptable to both parties is achieved through | 41. | Resolution |

- informal means, a Resolution Report shall be signed by the complainant and the respondent, and the matter will proceed no further, except that the Officer may assist in bringing about whatever administrative or other action is reasonably needed to implement the resolution.
42. (1) The Officer shall conduct the discussion required under Informal Resolution of the written complaint within ten (10) days of the respondent's receiving notification that a written complaint has been made, unless both the complainant and respondent agree to an extension of the time limit. The informal resolution shall be concluded within a further ten (10) days, unless both the complainant and respondent agree to an extension of the time limit.
- (2) Notwithstanding sub-section (1), where it appears to the Officer that a delay is reasonable owing to the particular circumstances of either the respondent or the complainant, the Officer may extend the time limit without the agreement of both the complainant and the respondent.
43. If the Officer determines that possibilities for informal resolution have been exhausted or that informal resolution is not appropriate in the specific case or that the respondent has not maintained the required standard of confidentiality, both the complainant and the respondent shall be so informed in writing and the complainant may:
- (a) request, in writing, that the Officer initiate mediation; or
- (b) withdraw, in writing, the individual complaint.
44. Within twenty (20) days of being notified in writing that informal resolution has failed, if the complainant has not asked the Officer, in writing, to initiate mediation, the complaint shall be deemed to be withdrawn.
45. (1) If a complainant proceeds to mediation, the Officer, after informal consultation with the complainant and the respondent, shall select a mediator, who may be from within the University community. The mediator shall be chosen and the mediation process shall begin within ten (10) days from the time of the request to initiate mediation, unless both the complainant and respondent agree to an extension of the time limit.
- (2) Notwithstanding sub-section (1), where it appears to the Officer that a delay is reasonable owing to the particular circumstances of either the respondent or the complainant, the Officer may extend the time limit without the agreement of both
- Report of informal resolution
42. Time limit for informal resolution
43. Officer to determine informal resolution failed or inappropriate
44. Time limit for initiating mediation
45. Selection of mediator

Part H: Mediation

the complainant and the respondent.

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| <p>46. The Officer shall make all mediators aware of this Policy and Procedures and the basic nature and principles of sexual harassment conflict and resolution through training approved by the Officer.</p> | <p>46. Officer’s role in Informing mediators and approving training</p> |
| <p>47. (1) The mediation process shall be concluded within ten (10) days, unless both the complainant and respondent agree to an extension of the time limit.</p> <p>(2) Notwithstanding sub-section (1), where it appears to the Officer that a delay is reasonable owing to the particular circumstances of either the respondent or the complainant, the Officer may extend the time limit without the agreement of both the complainant and the respondent.</p> | <p>47. Time limit for mediation</p> |
| <p>48. If a resolution is achieved as a result of mediation, a Resolution Report shall be signed by the complainant and the respondent, and the matter will proceed no further, except that the Officer may assist in bringing about whatever administrative or other action is needed to implement the resolution.</p> | <p>48. Resolution Report of mediation</p> |
| <p>49. If the Officer determines that mediation is not appropriate in the specific case or that the respondent has not maintained the required standard of confidentiality or, after consultation with the mediator, determines that possibilities for resolution through mediation have been exhausted, or if the respondent substantively or vexatiously fails to comply with any provision of a Resolution Report, the Officer shall inform both the complainant and respondent in writing and the complainant shall:</p> <p>(a) withdraw the complaint, in writing; or</p> <p>(b) request, in writing, that the Officer proceed to a Formal Hearing.</p> | <p>49. Officer to determine mediation failed or inappropriate</p> |
| <p>50. Within twenty (20) days of being notified in writing that mediation has failed, if the complainant has not asked the Officer, in writing, to proceed to a Formal Hearing, the complaint shall be deemed to be withdrawn.</p> | <p>50. Time limit for initiating formal complaint</p> |
| <p>51. Where the complainant requests a formal hearing, the mediator may, with the consent of the respondent, forward to the Vice President the final resolution offered by the respondent during mediation; however, the final resolution offered by the respondent in mediation may not be used in evidence at a Formal Hearing.</p> | <p>51. Final position of respondent during mediation</p> |

Part I: Formal Hearing

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| <p>52. (1) A Formal Hearing may not be initiated unless (a) the complainant requests that a Formal Hearing be held and (b) the University agrees to prosecute the complaint.</p> <p>(2) The complainant's request for a Formal Hearing shall be in writing and shall be made to the Officer.</p> <p>(3) The Officer shall notify the Vice-President and the respondent of the complainant's request.</p> | 52. | Initiation of request to Vice-President |
| <p>53. The Vice-President shall forthwith request the University Discipline Counsel to evaluate the evidence arising from the complaint and to recommend, in confidence, whether or not the complaint should proceed to a Formal Hearing, having regard to whether the complaint is frivolous or vexatious, whether the matter complained of falls under the Policy, whether there is a prima facie case that sexual harassment has been committed and any other relevant consideration.</p> | 53. | Referral of complaint to University Discipline Counsel |
| <p>54. The Vice-President, after receiving the confidential recommendation of the University Discipline Counsel, shall decide whether the University will prosecute the complaint.</p> | 54. | Discretion of Vice-President to undertake prosecution of the complaint |
| <p>55. Within thirty (30) days of the complainant's written request for a Formal Hearing, the Vice-President shall notify both the complainant and respondent of the decision. Where the University declines to prosecute the complaint, the letter notifying the complainant and respondent of the decision must also contain the reasons for the decision.</p> | 55. | Time limit for notification of decision |
| <p>56. If the University agrees to prosecute the complaint, the Vice-President shall request the Chair of the Hearing Panel to initiate the procedures to strike the Hearing Board to adjudicate the complaint.</p> | 56. | Vice-President to give notice |
| <p>57. The two parties to a Formal Hearing are the University and the respondent.</p> | 57. | "The parties" |
| <p>58. On behalf of the University, the Vice-President, who may designate another University officer to act on her or his behalf, shall instruct counsel, if any, throughout the proceedings, and may consult with the complainant.</p> | 58. | Vice-President to have carriage of University's case |
| <p>59. The complaint shall be heard by a five-member Hearing Board.</p> | 59. | The Hearing Board |
| <p>60. The Chair of the Hearing Panel shall strike a Hearing Board comprising four (4) voting members and a non-voting Chair, proceeding as follows. He or she shall:</p> | 60. | Duties of Chair of Hearing Panel in striking a |

Hearing Board

- (1) ask the respondent
 - (a) to specify the constituency from which one member of the Hearing Board shall be drawn; for this purpose, the constituencies are:
 - (i) undergraduate students;
 - (ii) graduate students;
 - (iii) academic staff, including librarians; and
 - (iv) administrative staff; and
 - (b) to specify, if the respondent so desires, the sex of the member; and
- (2) appoint two (2) members from the Panel to serve on the Hearing Board as follows:
 - (a) one member from the constituency specified and of the sex specified by the respondent under ss. 60(1)(a) and (b); and
 - (b) where the respondent declines or fails to specify a constituency, one member from the respondent's constituency; and
 - (c) one member from the complainant's constituency;
- (3) appoint two (2) other members from the Panel to serve on the Board;
- (4) arrange with the Senior Chair of the University Tribunal for the University Tribunal Senior Chair or a Co-Chair to preside over the Formal Hearing as a non-voting member;
- (5) inform each party, in writing, of the composition of the Hearing Board; and
- (6) set a date, time and place for the Formal Hearing, in consultation with the parties.

- 61. Either party may object to any Board member within five (5) days of receiving notification of the composition of the Board. The grounds for the objection shall be submitted to the Chair of the Hearing Panel in writing. The Chair of the Hearing Panel shall make a ruling within five (5) days thereafter.
- 62. Administrative staff and librarians who are members of the Hearing Board, or who are called to provide evidence before it, shall be given release time to participate in the Formal Hearing.

- 61. Right to challenge members of Hearing Board
- 62. Release time for members of Hearing Boards

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| 63. The Hearing Board shall conduct a hearing in accordance with the Statutory Powers Procedure Act. | 63. Conduct of Hearings |
| 64. Subject to s. 65, the parties, the complainant, and counsel for each, the Officer, and the Chair of the Hearing Panel are entitled to attend all Formal Hearing sessions, including any in camera portions thereof. | 64. Right to attend sessions |
| 65. Attendance at the Formal Hearing of any persons other than those specified in s. 64 and the witnesses called by a party to the Formal Hearing for the purpose of giving relevant evidence, is at the discretion of the Chair of the Hearing Board. The Chair may also direct that a witness be excluded from the Formal Hearing until her or his testimony is to be given. | 65. Attendance by others and exclusion of witnesses |
| 66. The Formal Hearing shall be concluded as expeditiously as possible, not to exceed sixty (60) days from the first day of hearing, unless both the parties agree to an extension of the time period. | 66. Time limit for Hearings |
| 67. The standard of proof that the sexual harassment complained of has been committed by the respondent shall be that of proof on clear and convincing evidence. | 67. Standard of proof |
| 68. The complainant may not be questioned on previous behaviour or character for purposes other than that of establishing credibility as a witness. | 68. Limitation on questions posed to complainant |
| 69. The Secretary of the Governing Council, or a person designated by the Secretary, shall be responsible for the administration of any Formal Hearing or appeal. | 69. Secretary of Governing Council responsible for administration of Formal Hearing |
| 70. A record of the proceedings before the Hearing Board shall be made by tape recording or other suitable means. | 70. Record of Proceedings |
| 71. Within twenty (20) days of the conclusion of the Formal Hearing, the Hearing Board shall submit a written decision to the parties regarding whether the alleged sexual harassment occurred or its determination on any matter related to its jurisdiction to hear the case. | 71. Decision of Hearing Board |
| 72. The decision of the Hearing Board need not be unanimous but at least three (3) votes shall be required to sustain the complaint; unless there are at least three (3) such affirmative votes, the complaint shall be dismissed. | 72. Votes required for finding for complainant |
| 73. If a finding of guilt has been made: | |

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| <ul style="list-style-type: none"> (a) the Hearing Board shall request that the Officer place before them any records of resolution concerning the respondent that remain on file with the Officer as described in s. 99; and (b) within ten (10) days, the Hearing Board shall reconvene to hear evidence and arguments concerning the penalty to be imposed and/or remedy to be offered, including arguments regarding the impact of penalties or remedies which might be levied. | <ul style="list-style-type: none"> 73(a) Information to be provided in determining penalty or remedy 73(b) Arguments as to penalty or remedy |
| <p>74. The Hearing Board may impose the following penalties upon any respondent who is a member of the academic staff or administrative staff in any case where it finds that sexual harassment has occurred:</p> <ul style="list-style-type: none"> (a) oral and written reprimand by the Hearing Board; and (b) inclusion of the decision of the Hearing Board in a specified personnel file(s) of the respondent, for a specified time; and/or (c) exclusion of the respondent from a designated portion(s) of the University's buildings or grounds, or from one or more designated University activities, where such a penalty is appropriate to the offence and where the penalty does not prevent the respondent from carrying out her or his duties; and/or (d) an order that the respondent receive no merit increase or a reduced merit increase for that year, or an order that any recommendation that the respondent receive a merit increase have an effective date of up to one year less a day after the usual effective date; and/or (e) a recommendation that dismissal proceedings be commenced. | <p>74. Penalties for members of staff</p> |
| <p>75. The Hearing Board may impose the following penalties upon any respondent who is a student in any case where it finds that sexual harassment has occurred:</p> <ul style="list-style-type: none"> (a) oral and written reprimand by the Hearing Board; and (b) inclusion of the decision of the Hearing Board in specified student file(s) or the recording of a specific statement on a student's academic record, for a specified period of time; and/or (c) exclusion of the respondent from a designated portion(s) | <p>Penalties for students</p> |

of the University's buildings or grounds, or from one or more designated University activities, where such a penalty is appropriate to the offence and where the penalty does not prevent the respondent from pursuing her or his studies; and/or

- (d) an order that the respondent be suspended from attendance in a course(s), a program, a teaching division or unit, or the University for a period of not more than one (1) year; and/or
 - (e) a recommendation that expulsion proceedings be commenced.
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| 76. In any case where sexual harassment is found to have occurred, the Hearing Board may, in addition to any penalty imposed, order that the respondent meet with the Officer for educational counselling regarding sexual harassment. | 76. Order for educational counselling |
| 77. Dismissal and/or expulsion may only be recommended. Such recommendations shall be dealt with in accordance with established policies and procedures and by the terms of existing contracts of employment or collective agreements. | 77. Recommendations for dismissal or expulsion |
| 78. The Hearing Board may also order remedies which it deems appropriate to redress any harm or injustice suffered by either party. | 78. Remedies |
| 79. The Hearing Board may award costs. | 79. Award of costs |
| 80. Within ten (10) days of the conclusion of the hearing for penalty, the Hearing Board shall submit a written decision regarding the penalty and any remedy to the parties. | 80. Written decision of Hearing Board |
| 81. The Secretary of the Governing Council, or a person designated by the Secretary, shall publish a notice of the Hearing Board's decision, including the nature of the offence and any penalty assessed, but without identifying the complainant or respondent by name, in the appropriate campus media. | 81. Publication of decision |
| 82. The Vice-President shall be responsible for enforcing any penalty or remedy. | 82. Responsibility for enforcing any penalty or remedy |
| 83. Where an institution federated or affiliated with the University has adopted this Policy, and where that institution, or a member of its staff, is a party to a Formal Hearing or appeal under this Policy, it shall reimburse the University for staff time, any fees of the University Discipline Counsel, and incidental expenses associated with the Formal Hearing or appeal. | 83. Reimbursement of University by federated institutions |

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| 84. The procedural time limits expressed in this Policy are intended to assure that proceedings are conducted, and resolution is achieved, expeditiously for both parties. In circumstances which a Hearing Board or Appeals Board considers to be exceptional, it may enlarge any of the times provided in s. 55, s. 66, s. 71, and s. 73 of this Policy. | 84. | Power to vary procedural time limits |
| 85. Any penalty or remedy shall be stayed pending the outcome of any appeal initiated under s. 86, unless otherwise determined by the Appeals Board hearing the appeal. | 85. | Stay of penalty pending appeal |

Part J: Appeals To The University Appeals Board

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| 86. Within twenty (20) days of the publication of the decision of the Hearing Board, either the Vice-President or the respondent may request an appeal of the decision of a Hearing Board as to guilt or innocence or the Board's decision as to penalty or redress, except for a finding which is one of fact alone, by giving notice of such request in writing to the Secretary of the Governing Council. | 86. | Right of appeal |
| 87. An appeal shall not be a trial de novo, but in circumstances which it considers to be exceptional, the Appeals Board may allow the introduction of further evidence on appeal which was not available or was not adduced at the Formal Hearing, in such manner and upon such terms as the Appeals Board may direct. | 87. | Appeal not a trial de novo |
| 88. If a party wishes to refer in the argument of an appeal to the transcript of oral proceedings recorded at the Formal Hearing, five copies of such transcript certified by the reporter or recorder thereof shall be ordered by and normally at the expense of that party. A transcript of the entire proceedings shall be produced unless the parties can agree to dispense with certain portions. | 88. | Access to record of proceedings |
| 89. The Appeals Board may: <ul style="list-style-type: none"> (a) sustain the decision of the Hearing Board in its entirety and dismiss the appeal; or (b) sustain a finding of guilt but substitute a different penalty, redress or restitution; or (c) order a new Formal Hearing. | 89. | Decisions available to the Appeals Board |
| 90. Where the Appeals Board substitutes a different penalty or remedy, the penalty or remedy must be one that the Hearing Board was empowered to make. | 90. | Variation of penalty or remedy |

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| 91. Decisions of the Appeals Board shall be the vote of the majority of the members. | 91. Majority required |
| 92. The decision of the Appeals Board shall be final except where dismissal or expulsion is recommended, in which case the policies and procedures referred to in s. 77 shall be followed. | 92. Decision final |

Part K: Confidentiality

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| 93. (1) The Officer, the mediator, the Vice-President, the Vice-President's representative, if any, the complainant, and the respondent are enjoined to maintain strict confidentiality, except as provided in s. 31, s. 93(2) and s. 94 and excepting what disclosure may be required to gather discreetly evidence to prove or disprove a complaint, or to implement and monitor the terms of any resolution properly. | 93(1) Confidentiality enjoined |
| (2) Except as provided in this Policy, confidentiality must be maintained until the complainant initiates proceedings for a Formal Hearing. After the proceedings for a Formal Hearing have been initiated, the Officer may communicate the information that has been provided by the complainant to those who need to take appropriate action. | 93(2) Confidential material to be provided to those who are to take action |
| (3) The Officer and mediator, if any, shall not be witnesses in Formal Hearings or appeals, except to produce and identify any record of resolution or, in circumstances which the Board considers to be exceptional, other documents of record in the Sexual Harassment Office. | 93(3) Officer and mediator not to be witnesses |
| 94. If, in the course of receiving a complaint or discharging any other function of her or his office, the Officer receives information that causes the Officer to believe that risk of serious physical harm exists for any person arising from the conduct of any member of the University community unless administrative action is taken, the Officer shall bring the matter to the attention of an appropriate Vice-President as set out in s. 36. | 94. No confidentiality where risk of serious physical harm |
| 95. In coming to its decision on penalties or remedial measures, a Hearing Board or the Appeals Board may hear evidence on, and having heard such evidence, may take into account any breach of confidentiality by the complainant or respondent. | 95. Breach of Confidentiality may be taken into account |
| 96. As the Officer and the mediator are agents of the University, breaches of confidentiality on their part are subject to administrative discipline. | 96. Breaches of confidentiality by Officer or mediator |

Part L: Records

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| 97. All records shall be kept in confidence with the following | 97. Confidentiality |
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exceptions:

- (a) any decision of the Hearing Board or the Appeals Board;
- (b) any records that have been agreed to be released by the parties as part of a resolution at either the informal or mediation stages;
- (c) files or parts of files that are requested by the Ombudsperson in writing that are required by the Ombudsperson in the conduct of an investigation undertaken under the terms of reference of the Office of the Ombudsperson.

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records

98. The Officer shall keep a record of:

- (a) all informal complaints and incident reports which do not proceed to a formal complaint stage;
- (b) withdrawn complaints; and
- (c) documents and all other materials relating to formal complaints.

98. Records to be kept

99. All records shall remain on file for seven years plus one day and while any proceedings are pending in the University or any external Court or tribunal and until after all rights of appeal have been exhausted and times for appeal have expired, and for such longer period during which it may be reasonable to expect that the University may be under any liability or responsibility at law in connection with the matters recorded. Following that time, the records shall forthwith be destroyed and anonymous data shall continue to be recorded by the Officer for statistical purposes only.

99. Time limits on the keeping of records

Part M: Right To Counsel

100. The complainant and the respondent may at any stage of any of the procedures outlined in this Policy be accompanied by another person of her or his choice, who may be a solicitor.

100. Right to counsel

Part N: Other Matters

101. Should the complainant make a complaint to or commence proceedings before the Ontario Human Rights Commission or commence or take steps that lead to proceedings in the courts or in any other tribunal with respect to the subject matter of a complaint being dealt with under this Policy or should the same matter be in progress of being dealt with in accordance with

101. Suspension of proceedings if complaint lodged elsewhere

another established University policy or procedure including the procedures under s. 36 of this Policy, proceedings under this Policy, except any contemplated by s. 36 of this Policy, shall be suspended until the other proceedings are discontinued or brought to a conclusion.

Where the subject matter of a complaint under this Policy has been dealt with on its own merits under another policy or proceeding and where the Vice- President is satisfied that the University has no additional or further interest in the matter, proceedings under this Policy shall be stayed.

Where the respondent in a complaint under this Policy is subject to regulation under the jurisdiction of another institution in respect to the subject matter of the complaint, and where that other institution has taken carriage of the complaint, the Officer may decline to accept or to proceed with the complaint under this Policy.

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| <p>102. Where the subject matter of a complaint is such that proceedings could be brought under this Policy or the Code of Behaviour on Academic Matters:</p> <ul style="list-style-type: none"> (a) no proceedings shall be initiated under this Policy if proceedings have been initiated under the Code of Behaviour on Academic Matters; and (b) if proceedings have been initiated under this Policy, such proceedings shall forever cease if proceedings are initiated under the Code of Behaviour on Academic Matters. | <p>102. Code of Behaviour on Academic Matters to have precedence</p> |
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S. 101 amended by the University Affairs Board, November 25, 1997
(addition of second and third paragraphs)

END OF POLICY AND PROCEDURES: SEXUAL HARASSMENT

Section II: General	Code Number: 2.01.06
Item: Statement on the Bearing of Firearms	

The University of Toronto prohibits anyone other than a peace officer or a member of the Canadian Forces in the course of duty from having or using firearms on the premises of the University of Toronto, without the permission of the Vice President, Administration and Human Resources. Permission to conduct research involving firearms or ammunition should be sought through the Provost of the University.

END OF STATEMENT ON THE BEARING OF FIREARMS

Section II: General	Code Number: 2.01.07
Item: Statement on Prohibited Discrimination and Discriminatory Harassment	

1. The University aspires to achieve an environment free of prohibited discrimination and harassment and to ensure respect for the core values of freedom of speech, academic freedom and freedom of research. The purpose of this Statement is to promote a greater awareness of the rights and responsibilities entailed by these aspirations and to describe the manner in which the University deals with prohibited physical and verbal harassment (apart from harassment based on sex or on sexual orientation, which are dealt with in Policy and Procedures: Sexual Harassment).

The approach taken in the Statement is to reiterate the University's commitment to the rights of freedom from prohibited discrimination and harassment and to the rights of freedom of expression and inquiry, to recognize that the task of implementing and respecting those values within the unique environment of the University is a delicate one that precludes the use of blunt instruments, and to describe the responsibilities of various members of the University community and the institutional arrangements available to fulfill the commitment to a working and learning environment free from prohibited discrimination and harassment.

Foundation Documents

2. The University of Toronto Statement on Physical and Verbal Harassment is based upon the principles set out in the following foundation documents:
 - (a) The University of Toronto Statement of Institutional Purpose
 - (b) The University of Toronto Statement on Human Rights
 - (c) The Ontario Human Rights Code
 - (d) The University of Toronto Statement on Freedom of Speech
 - (e) The University of Toronto Employment Equity Policy

Discrimination and Harassment

3. In its Statement of Institutional Purpose the University affirms its dedication "to fostering an academic community in which the learning and scholarship of every member may flourish, with vigilant protection for individual human rights, and a resolute commitment to the principle of equal opportunity, equity and justice." This principle is further explained in the University's Statement on Human Rights which states that the University

acts within its purview to prevent or remedy discrimination or harassment on the basis of race, gender, sexual orientation, age, disability, ancestry, place of origin, colour, ethnic origin, citizenship, creed, marital status, family status, receipt of public assistance or record of offence.

4. The Ontario Human Rights Code provides that employees have a right to freedom from harassment in the workplace by the employer or agent of the employer or by another employee because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, record of offenses, marital status, family status or handicap.

The Human Rights Code further provides that occupants of accommodation have a right to freedom from harassment by the landlord or agent of the landlord or by an occupant of the same building because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, age, marital status, family status, handicap or the receipt of public assistance.

5. Under the Human Rights Code, harassment is defined as "engaging in a course of vexatious comment or conduct that is known or ought reasonably to be known to be unwelcome". As well as being expressly prohibited as indicated above, such conduct may constitute discrimination when based on prohibited grounds.
6. In addition, the Human Rights Code provides that:
 - Every person has a right to equal treatment with respect to services, goods and facilities, without discrimination because of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status, or handicap.

This provision has been interpreted to include the provision of education to students.

The Human Rights Code further requires that employees of the University be accorded equal treatment without discrimination on prohibited grounds, as well as according the right to equal treatment with respect to the occupancy of accommodation without such discrimination. Discrimination against employees on the basis of record of offenses, and in respect of accommodation on the basis of receipt of public assistance is also prohibited.

7. According to the Human Rights Commission, offensive or threatening comments or behaviour which create a "poisoned environment" in the workplace or in the provision of services or accommodation, whether or not amounting to harassment, may violate the right to equal treatment without discrimination.
8. Accordingly, the University of Toronto and all members of its community are both morally and legally bound to foster a learning and working environment free from prohibited discrimination and harassment.

Freedom of Speech, Academic Freedom and Freedom of Research

9. The University's commitment to a learning and working environment free from prohibited discrimination and harassment must take account of what the University of Toronto's Statement of Institutional Purpose has defined as "the most crucial of all human rights" within the unique context of the university, "the rights of freedom of speech, academic freedom and freedom of research". The Statement of Institutional Purpose also affirms these rights (of freedom of speech, academic freedom and freedom of research) are meaningless unless they entail the right to raise deeply disturbing questions and provocative challenges to the cherished beliefs of society at large and of the university itself.
10. These rights are further explained in the University's Statement on Freedom of Speech.

Reconciling Competing Rights

11. The task of respecting the rights of freedom from prohibited discrimination and harassment together with freedom of expression and inquiry is difficult and complex, and raises issues which lie at the very core of the University's purpose and mission. Attempts to formulate a

comprehensive code of conduct which defines precisely what is permitted and what is forbidden are impractical because of the difficulty of anticipating the range of possible conflicts and determining in advance the proper balance.

12. The University aspires to achieve an appropriate balance between these rights in order to maximize the capacity of every individual to flourish to the fullest extent possible. A detailed code or policy runs the serious risk of giving one right or value undue emphasis or priority, and thereby inhibiting and interfering with the ability of the University to live up to its highest aspirations.

Responsibilities of Individuals

13. It is the responsibility of every member of the University community, including visitors and persons on campus in the conduct of University business to adhere to University policies and to support and promote its aim of creating a climate of understanding and mutual respect for the dignity and rights of each individual. It is the responsibility of every member of the University community to respect both the rights of freedom of expression, academic freedom and freedom of research, and the University's institutional commitment and obligation to provide a learning and working environment free from prohibited discrimination and harassment.

Responsibilities of Academic and Non-academic Administrators and Supervisors

14. The University confers particular responsibilities upon its administrators and supervisors to implement University policies and to work diligently within their departments or divisions towards fulfilling the University's institutional commitment to provide a learning and working environment free of prohibited discrimination and harassment. This includes the responsibility to foster a non discriminatory environment, to inform those under their authority of their responsibilities to avoid prohibited behaviour, to monitor activities within their jurisdiction, and to deal effectively with reports of prohibited conduct.

The Race Relations Office

15. In furtherance of its commitment to a learning and working environment free from prohibited discrimination and harassment, the University has established a Race Relations Office. The mandate of the Race Relations Officer is to provide the President and other members of the University community with advice and assistance in fostering the principles of equal opportunity and equity.

Responsibilities of Student Leaders and Organizations

16. While student leaders and organizations are not given specific institutional powers with respect to the implementation of University policies, they are encouraged to adopt policies and practices which will enhance the capacity of the University to provide a learning and working environment free of prohibited discrimination and harassment. In particular,
 - (a) newspapers publishing on the campuses of the University of Toronto are encouraged to develop a voluntary University of Toronto press council similar to the Ontario Press Council
 - (b) college and residence student organizations are encouraged to promote an awareness of anti discrimination and harassment policies and to review their

activities in light of University policy.

Information and Education

17. The University, through the offices of the Provost, the Race Relations Office, the Sexual Harassment Office, the Office of the Vice-President Human Resources, the Equity Issues Advisory Group and the Student Affairs Office, has a responsibility actively to foster a learning and working environment free of prohibited discrimination and harassment by providing all members of the University community with access to appropriate information regarding the University's policies in this regard. In particular, the University has the responsibility to:
 - (a) inform and remind administrators and supervisors of their responsibilities, provide supervisors and academic administrators with appropriate training, advice and information to fulfill their responsibilities, and
 - (b) make available appropriate written materials to all members of the University community describing the University's policies regarding prohibited discrimination and harassment and the University's institutional arrangements for ensuring respect for such policies.

Complaints

18. Complaints of harassment based on sex or sexual orientation should in all cases be referred to the Sexual Harassment Office in accordance with the Policy and Procedures: Sexual Harassment.

As with any violation of University policy, complaints of discriminatory or harassing behaviour should, in the first instance, be directed to the administrative officer or supervisor responsible for the department or division in which the incident is alleged to have occurred. Complainants may also seek the advice and assistance of the Sexual Harassment Office in the case of harassment on the grounds of family or marital status, or the Race Relations Office in the case of harassment on the grounds of race, ancestry, place of origin, colour, ethnic origin, citizenship or creed. General advice about dealing with complaints of harassment may be sought from the Equity Issues Advisory Group, who may refer them to the appropriate office or assist directly in dealing with complaints of harassment based on age, handicap, receipt of public assistance or other grounds.

Administrative officers to whom concerns of harassment based on sex or sexual orientation are addressed should refer the complainant to the Sexual Harassment Officer. In the case of concerns based on other grounds, they are encouraged to seek the advice of the Convenor of the Equity Issues Advisory Group, the Sexual Harassment (for concerns based on family or marital status) or Race Relations office as the case may be and to make appropriate but discrete inquiries, take appropriate action if warranted, and report as appropriate on the disposition of the matter to the person who has referred the matter to her or him.

The Sexual Harassment Office, the Race Relations Office and the Convenor of the Equity Issues Advisory Group may also be asked to mediate any dispute should the complainant so wish. In dealing with incidents raised under this policy, administrative officers or supervisors shall act in accordance with the existing and applicable academic, administrative or disciplinary policies or procedures. Should a complaint result in adverse consequences for the person complained of, existing channels for questioning that decision will be available to that person. A complainant who is not satisfied with the handling of a

complaint by the administrative officer responsible may pursue the matter with the person to whom that administrative officer reports or pursue the matter in accordance with the existing and applicable academic, administrative or disciplinary policies or procedures.

Members of the University community retain the right to bring a complaint directly to the Ontario Human Rights Commission in accordance with the provisions of the Ontario Human Rights Code.

19. Persons may seek enforcement of this policy without reprisal or threat of reprisal by any person acting on behalf of the University for so doing.
20. To better enable the University community, including the University's officers, to fulfill effectively its commitment to a learning and working environment free from prohibited discrimination and harassment, the Equity Issues Advisory Group shall make annual reports, through the President, to Governing Council assessing the efficacy of these policies.

END OF STATEMENT ON PROHIBITED DISCRIMINATION AND DISCRIMINATORY HARASSMENT

Section II: General	Code Number: 2.01.08
Item: Smoking Policy	

UNIVERSITY OF TORONTO SMOKING POLICY

There is a solid body of medical evidence which indicates that exposure to secondhand tobacco smoke is hazardous to health and can cause disease, including lung cancer, in healthy non-smokers. The University is committed to providing a safe and healthful environment for its staff and students, and will endeavour to control involuntary exposures to the harmful substances produced by tobacco smoking. The rationale for controlling secondhand smoke is attached as an Appendix.

Provincial legislation and municipal by-laws have been enacted to regulate smoking in the workplace and in postsecondary educational institutions. The University must comply with the law. In addition, as an educational institution, the University should not endorse or condone practices which harm health, and should provide leadership to the community by endeavouring to eliminate a controllable health hazard from its buildings.

It is the policy of the University of Toronto that smoking is prohibited in all University buildings with the exception of Designated Smoking Areas as hereinafter described. In furtherance of that policy, no employee or student will be required to perform any activities or meet any obligations in a Designated Smoking Area (except for repairs and servicing of the space). Moreover, cigarettes, tobacco, and other tobacco products will not be sold on premises occupied by the University of Toronto.

A. Designated Smoking Areas

1. Smoking areas may be designated only in the following areas:

- (1) a residence, or

- (2) a regular campus pub.
2. Cafeterias cannot be or contain Designated Smoking Areas.
3. Private offices cannot be or contain Designated Smoking Areas.
4. Regular campus pubs may permit smoking provided that smoke does not intrude into other areas of the building, and that the smoking area is clearly designated by signs.
5. A list of Designated Smoking Areas with any associated restrictions will be maintained and approved by the Vice-President, Administration and Human Resources.
6. First Nations House is designated as a location where tobacco may be smoked for traditional aboriginal cultural or spiritual purposes.

B. Enforcement

This policy applies to all users of the University of Toronto including employees, students and visitors. All supervisors are responsible for the enforcement of this policy in the same manner as other University policies and rules. For regular campus pubs, the pub managers are responsible for enforcement of this policy. The University of Toronto Police will, if necessary, enforce the no smoking provisions under the appropriate legislation and by-laws.

C. Residences

University residences will establish their own smoking policies, which should be based on the following criteria:

- (1) smoking in common areas should be restricted to clearly identified smoking areas;
- (2) residents in single rooms (and their guests) may smoke in the room, provided the door is closed; and
- (3) residents in double or multiple rooms (and their guests) may not smoke in the room unless the other resident or residents agree;
- (4) smoking policies in residences must comply with any relevant municipal, regulatory or legislative requirements.

D. Public Events

Organizers and attendees at public events using University facilities, such as conferences, meetings, public lectures, social events and cultural events, will be required to abide by the University Smoking Policy. Organizers of such events are responsible for communicating this policy to attendees and for enforcing the policy.

E. Signs

The Facilities and Services Department will, in accordance with municipal, regulatory and legislative requirements and with this Policy, place appropriate signs at the entrances to all University buildings. Pub managers will post and maintain signs identifying the smoking areas.

F. Education

Research indicates that between fifteen and thirty percent of smokers are still unaware of or do not accept important health risks of smoking. The University, through the Student Health Services and the Occupational Health Service, will undertake education efforts to inform members of its community as to the serious health effects of direct and secondhand smoke.

G. Smoking Cessation Programmes

There continues to be individuals who are still unaware of or do not accept the health risks of smoking. The University, through the Occupational Health Service, undertakes counseling to educate and inform members of its community as to the serious health effects of direct and secondhand smoke.

H. Legislative Basis

Ontario Tobacco Control Act, 1994.

Ontario Regulation 613/94.

Ontario Smoking in the Workplace Act, 1989.

City of Toronto, By-Law 643-91, Respecting smoking in the workplace.

City of Toronto, By-Laws 406-79, 501-92, Respecting smoking in public places and the designation of non-smoking areas in restaurants.

APPENDIX

RATIONALE FOR CONTROLLING SECONDHAND TOBACCO SMOKE

Passive or involuntary smoking are terms often used to describe the inhalation of tobacco combustion products by non-smokers who share the same air space or ventilation system with active smokers. Three categories of tobacco smoke have been distinguished: (1) mainstream, inhaled directly by the smoker; (2) side stream, given off by the burning tip of a cigarette, pipe or cigar; and (3) smoke exhaled by the smoker.

Inhalation of tobacco smoke during active smoking is the largest single preventable cause of premature death and disability in Canada. Health and Welfare Canada estimates that over 30,000 Canadians die annually from preventable, tobacco-related diseases; about 12,000 from lung cancer, 6,000 of emphysema, and 14,000 of coronary heart disease. The US Surgeon General, in his 1985 report, concludes that, for the majority of American workers who smoke, cigarette smoking represents a greater cause of death and disability than their workplace environment. The health risks of involuntary or passive smoking are smaller than the risks of active smoking but are qualitatively the same. The 1986 report of the US Surgeon General concludes unequivocally that involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers.

This conclusion is based on a growing body of reputable experimental and epidemiologic evidence. In the United States it has been estimated that there are about 5,000 lung cancer deaths per year in non-smokers due to exposure to ambient tobacco smoke. The Canadian Laboratory Centre for Disease Control estimates that up to 330 non-smoking Canadians may die yearly from lung cancer caused by regular exposure to the second-hand tobacco smoke of others.

In addition to the long-term effects of exposure to second-hand smoke there are the common acute effects of irritation of the eyes and respiratory mucous membranes.

Constituents of Second-Hand Smoke

Side stream smoke, because it results from a lower combustion temperature than mainstream smoke, is far more hazardous. It contains twice as much nicotine, three times more tar, and 50 times higher carbon monoxide levels. It also contains large numbers of toxic and carcinogenic chemicals. Among these, are benzo(a)pyrene, N-nitrosamines, 2-naphthylamine, and 4-aminobiphenyl which are powerful carcinogens for which the acceptable exposure limit set by the American Conference of Governmental Industrial Hygienists is zero. The regulations of the Ontario Ministry of Labour state that all exposures to these chemicals should be avoided. Tobacco smoke also contains relatively high amounts of other carcinogens such as benzene, cadmium, nickel, and radioactive polonium-210. Any of these chemicals, if found in an industrial or laboratory environment, would be subject to strict regulatory control.

It has been shown that the constituents of second-hand tobacco smoke are present in the bodies of non-smokers. The level of cotinine (a metabolic breakdown product of nicotine) in urine and blood is accepted by most experts as a reliable indicator of smoke exposure. Cotinine levels in non-smokers in a typical work site where about one-third of the workers smoked were similar to those of light smokers. A Japanese study showed elevated levels of cotinine among non-smokers living in homes where someone regularly smoked a pack or more cigarettes per day. A US study has concluded that a non-smoker who shares a medium-sized office with two other people, one of whom smokes, inhales the equivalent of five low-tar cigarettes per day.

Epidemiologic Evidence

At least six epidemiologic studies conducted around the world show a statistically significant correlation between lung cancer and involuntary exposure to tobacco smoke. A number of the studies have shown a dose-response relationship between the level of environmental tobacco smoke and the lung cancer risk. The data do not permit an accurate determination of the magnitude of the risk to non-smokers; however, some estimates by Health and Welfare Canada and the US Environmental Protection Agency suggest it could be as high as six to seven lung cancer deaths per year per 100,000 involuntary smokers.

Exposure to second-hand smoke increases the prevalence of acute respiratory infections such as bronchitis and pneumonia, and exacerbates existing health conditions such as heart disease, asthma, allergies, cystic fibrosis, emphysema, bronchitis and obstructive lung disease. Exposure of pregnant women to second-hand tobacco smoke can affect the fetus and lead to reduced birth weight.

Conclusions

The rationale for restricting exposures to second-hand tobacco smoke is expressed best in the conclusions of the 1986 report of the US Surgeon General on the health effects of environmental tobacco smoke exposure. These are:

- (1) Involuntary smoking is a cause of disease, including lung cancer, in healthy non-smokers; and
- (2) The simple separation of smokers and non-smokers within the same air space may reduce, but does not eliminate, the exposure of non-smokers to environmental tobacco smoke.

References

The Health Consequences of Smoking: Cancer and Chronic Lung Disease in the Workplace, a report of the Surgeon General, US Department of Health and Human Services, 1985.

The Health Consequences of Involuntary Smoking, a report of the Surgeon General, US Department of Health and Human Services, 1986.

Reducing the Health Consequences of Smoking, 25 Years of Progress, a report of the Surgeon General, US Department of Health and Human Services, 1989.

"Smoke gets in your eyes: the perils of involuntary smoking," Health News, University of Toronto Faculty of Medicine, Volume 4, Number 5, 1986.

"Tobacco Smoke in the Workplace: an occupational health hazard," Neil E. Collishaw, John Kirbride, Donald T. Wigle, Canadian Medical Association Journal, Vol. 131, November 15, 1984, p.1199.

Smoking and Health in Ontario: A Need for Balance, Report of the Task Force on Smoking Submitted to the Ontario Council of Health, May 1982.

"A Quantitative Estimate of Nonsmokers' Lung Cancer Risk from Passive Smoking," J.L. Repace and A.H. Lowrey, Environmental International, Vol. 11, pp. 3-22, 1985.

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END OF SMOKING POLICY

Section II: General	Code Number: 2.01.09
Item: Statement on Human Rights	

Acknowledging its fundamental and distinctive commitment to freedom of thought, inquiry, and expression, the University of Toronto affirms its commitment to the value of equal opportunity, equity and social justice. In this affirmation, the University

- acknowledges that it conducts its teaching, research and other activities in the context of a richly diverse society;
- recognizes that the attainment of excellence in pursuit of its mission is furthered by the contribution made by persons reflecting this rich diversity;
- acts within its purview to prevent or remedy discrimination or harassment on the basis of race, gender, sexual orientation, age, disability, ancestry, place of origin, colour, ethnic origin, citizenship, creed, marital status, family status, receipt of public assistance or record of offence;
- acts conscientiously in keeping with its own policies and existing legislation related to human rights, such as its *Code of Behaviour on Academic Matters*, its *Policies and Procedures: Sexual Harassment*, its *Employment Equity Policy* and the *Human Rights Code of the Province of Ontario*.

END OF STATEMENT OF HUMAN RIGHTS

Section II: General	Code Number: 2.01.10
Item: Statement on Accommodation in Employment for Persons with Disabilities	

The University has adopted a statement on Accommodation in Employment for Persons with Disabilities. It states that the University accepts all of the obligations that are imposed on it by the Workers' Compensation Act and the Ontario Human Rights Code.

Guidelines have been developed by Human Resources to assist managers in the consistent application of these obligations. You will note that there is provision for central funding of some of the costs relating to accommodation and the criteria are specified in the guidelines.

Any questions or comments regarding the guidelines and their application should be directed to Dr. David Gorman, Director, Environmental Health and Safety at 978-7831.

STATEMENT ON ACCOMMODATION IN EMPLOYMENT FOR PERSONS WITH DISABILITIES

The University of Toronto will act in keeping with the Human Rights Code of the Province of Ontario. Consistent with its Employment Equity Policy, the University of Toronto acknowledges that "every person has a right to equal treatment with respect to employment without discrimination because of handicap" in accordance with the Human Rights Code. The University is committed to the principle of equitable treatment pursuant to the Human Rights Code and will accommodate employees and applicants for employment with disabilities in accordance with its obligations under that legislation.

The University will fulfill its obligations under the Workers' Compensation Act including obligations with respect to re-employment and accommodation where applicable.

END OF STATEMENT ON ACCOMMODATION IN EMPLOYMENT FOR PERSONS WITH DISABILITIES

Also See Guidelines

Section II: General	Code Number: 2.01.11
Item: Policy on Access to Information and Protection of Privacy	

University of Toronto Policy on Access to Information and Protection of Privacy

I. PURPOSE

1. The Basic Principles

As a publicly-funded institution which operates with a high degree of autonomy and self-regulation, the University of Toronto affirms the importance of the principle of freedom of information and the obligation to conduct its operations as much as possible in ways that are open to public scrutiny. The University is also committed to the protection of the privacy of those who work and study at the University.

The purpose of this Policy is to create standards on freedom of information and privacy protection which reflect the underlying principles of the Ontario Freedom of Information and Protection of Privacy Act and apply them in a manner appropriate to the university setting. The following principles form the basis of this Policy:

- (a) as a general rule, information contained in University records should be available to members of the University community and to members of the public;
- (b) the necessary exemptions from the general principle favouring access should be as limited and specific as possible. Where the University has the discretion to refuse to provide access to a record, the discretion must be exercised with due regard to the following:
 - (i) the need to balance the harm that may result from disclosure against the presumption in favour of access, and
 - (ii) the presumption that records become less sensitive as they become older;
- (c) the collection, retention, use and disclosure of personal information contained in University records should be regulated in a manner that will protect the privacy of individuals who are the subject of such information; and
- (d) means should be established within the University community for the resolution of disputes concerning access to information and privacy protection matters.

In the event of ambiguity or incompleteness in the interpretation or application of this Policy, the matter should be resolved by resort to these basic principles.

Except for words that are specifically defined in this Policy, all words that are defined in the University of Toronto Act, as amended from time to time, have the same meaning herein as in the Act.

2. Continuation of Existing Practices of Disclosure

This Policy is not intended to replace or restrict presently existing procedures and practices within the University community relating to access to information that is not personal information, where such procedures and practices give access equal to or greater than that provided in this Policy.

3. Scope of the Policy

3(1). This Policy applies to:

- (a) records created or made by or within the University on or after September 1st, 1995, and within the custody or under the control of the University's administrative officers, and
- (b) records created or made outside the University and received into the custody and control of administrative officers on or after September 1st, 1995.

Access to records created, made or received before the above date shall be governed by the policies and procedures applicable thereto and in effect immediately prior to that date.

"Record" means: any document containing information, however recorded, whether in manuscript, printed, on film or in electronic form or otherwise.

"Administrative officer" means: the President, a Vice-President, Assistant Vice-President, Deputy or Vice-Provost, Chief Financial Officer, Dean, Chair, Director or other University employee who is the head or acting head of an academic or non-academic unit, or who has custody of records which are subject to this Policy.

3(2). Records under the control of the University's administrative officers include those relating generally to the operation of the University, information relating to students, teaching and administrative staff individually, and records in these categories placed in the University Archives by or under the authority of administrative officers.

The research and study notes, teaching materials, reports, manuscripts, publications and personal communications, whether in printed, manuscript, on film or in electronic or other form, of individual faculty members, staff and students are not subject to this Policy, unless prepared under contract for the University or in the context of University administrative work.

3(3). This Policy does not apply to records placed in the University Archives by or on behalf of a person or organization other than the University, and also not to records more than 75 years old in the custody or control of University officers, including the University Archivist.

4. Nature of the Access Right

The right of access conferred by this Policy should normally be implemented by making available, upon written request, the record in question or a copy of it, subject to prior payment of the applicable fees.

5. Severability

Where a request for access pertains to a record containing material which is exempt from the general principle of access together with material which is not exempt, the University shall make reasonable efforts to sever and disclose the non-exempt material.

6. Relationship with Other Access and Confidentiality Regimes

Where a written policy has, heretofore or hereafter, been adopted under the authority of the University's governing statute, its explicit provisions shall, in the event of conflict, take precedence over this Policy. For example, explicit policies on access or confidentiality may be adopted in the context of collective agreements, discipline codes and dispute resolution mechanisms. Such policies should be developed in the light of the basic principles set forth in this Policy. All such policies shall be referred to the Commissioner for review and comment under section 32.¹

II. ACCESS TO INFORMATION

¹ Examples of specific policies that take precedence over this general Policy are: Articles 10 (Personnel Files) and 11 (Information) of the UTFA Agreement; Policy on Access to Administrative Staff Personnel Files; Policy on Access to Student Records; Policy and Procedures: Sexual Harassment; Code of Student Conduct; Statement on Prohibited Discrimination and Discriminatory Harassment; Policy on Publication of Research; Ombudsperson Terms of Reference; and Policy and Procedures on Academic Appointments.

7. The General Principle

Any person shall be granted access to University records in the custody or under the control of University administrative officers, upon and subject to the terms and conditions of this Policy and any other applicable policies of the University.

Exemptions from the General Principle

8. Deliberative Processes

8(1). The University may refuse to disclose records containing matter in the nature of, or relating to, opinions, references, assessments, advice or recommendations obtained, prepared or recorded, or consultations or deliberations that have taken place, in the course of, or for the purposes of, the deliberative processes of the University where such disclosure would undermine the effectiveness of those processes. Thus, the University may refuse to disclose a record where disclosure would reveal the advice or recommendations of a person employed in the service of the University or a consultant or advisor retained by it. The disclosure of purely factual information would, in the normal case, not be considered to undermine the effectiveness of such processes.

8(2). Without restricting the generality of sub-section (1), the University may refuse to disclose a record where disclosure would reveal the substance of deliberations of the committee of senior executives, or its sub-committees, including:

(a) an agenda, minute or other record of the deliberations or decisions of the committee of senior executives or its sub-committees;

(b) a record containing policy options or recommendations submitted, or prepared for submission, to the committee of senior executives;

(c) a record that does not contain policy options or recommendations referred to in clause

(b) and that does contain background explanations or analyses of problems submitted, or prepared for submission, to the committee of senior executives or its sub-committees for their consideration in making decisions, before those decisions are made and implemented;

(d) a record used for or reflecting consultation among senior executive officers on matters relating to the making of University decisions or the formulation of University policy;

(e) a record prepared to brief a senior executive officer in relation to matters that are being or are proposed to be brought before the committee of senior executives or its sub-committees, or are the subject of consultations among senior executive officers relating to University decisions or the formulation of University policy; and

(f) draft University legislation, policy statements, regulations, or procedures.

(3) For the purposes of clause 8(2), "senior executive officer" means the President, a Vice-President, Assistant Vice-President, Deputy or Vice-Provost, or Chief Financial Officer. "Committee of senior executives" means any committee of all or some of the aforementioned.

(4) The exemption referred to in subsections 8(1) and 8(2) shall not be exercised with respect to a record more than 20 years old.

9. Conflict Resolution, Law Enforcement and Discipline

The University may refuse to disclose a record where disclosure could be reasonably expected to interfere with a law enforcement matter, investigation of misconduct or poor performance or a disciplinary proceeding, complaint or conflict resolution process of some kind within the University.

10. Relations with Governments and Other Organizations

The University may refuse to disclose a record where disclosure could reasonably be expected to

(a) prejudice the conduct of relations between the University and federal, provincial or municipal governmental authorities or other agencies providing funding to the University or any of its constituent units;

(b) reveal information received in confidence from federal, provincial, municipal or foreign governmental authorities;

(c) reveal information received in confidence from institutions federated or affiliated with the University or from other universities, colleges and similar institutions and from organizations formed for the purpose of representing the interests of such organizations or various constituencies within them.

11. Confidential Information

The University may refuse to disclose records where disclosure would reveal information supplied in confidence implicitly or explicitly where the disclosure would result in any undue prejudice, loss or gain to any person, group of persons, committee, organization or financial institution or agency or could result in similar information no longer being supplied to the University.

12. Economic and Other Interests of the University

The University may refuse to disclose records containing

(a) trade secrets or financial, commercial, scientific or technical information that belongs to the University or one of its constituent units or members and has potential monetary value;

(b) information where the disclosure could reasonably be expected to prejudice the economic or financial interests or the competitive position of the University;

(c) positions, plans, procedures, criteria, instructions, or other material to be applied to any negotiations carried on or to be carried on by or on behalf of the University or one of its constituent units;

(d) plans relating to the management of personnel or the administration of the University or one of its constituent units that have not yet been put into operation or made public;

(e) information including the proposed plans, policies or projects of the University or one of its constituent units where the disclosure could reasonably be expected to result in premature disclosure of a pending policy decision or in undue financial benefit or loss to a person.

13. Research

The University may refuse to disclose information concerning the past, present or proposed research activities of members of the University community where disclosure would be contrary to the public interest, would interfere with the project, or would jeopardize the legitimate interests of the researchers, staff, students, or research sponsors involved in the project.

14. Solicitor-Client Privilege

The University may refuse to disclose records that are the subject of solicitor-client privilege or that have been prepared by or for counsel employed by or retained by the University for use in giving legal advice or in contemplation or for use in litigation.

15. Threat to Safety or Health

The University shall refuse to disclose a record where disclosure could reasonably be expected to seriously threaten the safety or health of an individual.

16. Unjustified Invasion of Personal Privacy

The University shall refuse to disclose information to any person other than an individual to whom the information relates where disclosure would constitute an unjustified invasion of the personal privacy of that person or of any other individual.

17. Examinations, Tests and Audits

The University may refuse to disclose records where disclosure would undermine the effectiveness or fairness of an auditing procedure or of an examination, testing procedure or other means of evaluation of student performance.

18. Frivolous or Vexatious Request

The University may refuse to disclose records where one of the Officers appointed under section 27 considers, upon reasonable grounds, that the request for disclosure is frivolous or vexatious.

19. Financial Data

In addition to any disclosure of financial information otherwise required by this Policy, the University shall make reasonable efforts to prepare annually aggregated university financial data, which can be disclosed without infringing the various interests protected by the above exemptions from the access scheme and shall, in any event, make available its annual financial statements.

III. PROTECTION OF PRIVACY

20. Collection of Personal Information

- (1) "Personal information" means recorded information about an individual, including:
- (a) information related to the race, national or ethnic origin, colour, religion, age, sex, sexual orientation, disability or marital or family status of the individual;
 - (b) information relating to the educational, medical, psychiatric, psychological, criminal, or employment history or remuneration of the individual or about financial transactions involving the individual;
 - (c) any identifying number, symbol or other identifier assigned to the individual;
 - (d) the home address or telephone number of the individual;
 - (e) the individual's personal opinions or views, except where they relate to someone else;
 - (f) correspondence or other communications received from the individual that is implicitly or explicitly confidential and replies to them that would reveal the contents of the originals;
 - (g) the views or opinions of another person about the individual;
 - (h) the individual's name where it appears with other personal information relating to the individual or where the disclosure of the name would reveal other personal information about the individual.

Information about an individual who has been dead for more than 30 years is not personal information.

(2) The University shall collect and/or record only such personal information as is either reasonably necessary to the proper administration of the University and its academic and other programs or is required by virtue of data collection or reporting requirements lawfully imposed upon the University by federal or provincial governmental authority.

21. Use of Personal Information

The University shall not use personal information in its custody or under its control except:

- (a) where the person to whom the information relates has identified that information in particular and has consented to its use;
- (b) for the purpose for which it was obtained or compiled or for a consistent purpose;
- (c) for statistical analyses, provided that such analyses do not identify individuals or disclose other personal information; or
- (d) in other circumstances, where the use of the information is necessary and proper in the discharge of the University's functions and responsibilities.

22. Disclosure of Personal Information

22(1). The University shall not disclose personal information in its custody or under its control except,

- (a) under the access to information Policy set out above;
- (b) where the person to whom the information relates has identified that information in particular and has consented to its disclosure;
- (c) for the purpose for which it was obtained or compiled or for a consistent purpose;
- (d) to an officer or employee of the University who needs the record in the performance of his or her duty, including the preparation or checking of employment references;
- (e) for the purpose of complying with a requirement to provide information lawfully imposed upon the University by a federal or provincial governmental authority;
- (f) where disclosure is to an institution or a law enforcement agency in Canada, on presentation of a court order or otherwise under compulsion of law;
- (g) where disclosure is necessary to aid in the investigation of allegations that individuals have made false statements or engaged in other misleading conduct (1) concerning their attendance or performance or status within or completion of an academic program of the University or (2) with respect to an employment relationship;
- (h) where disclosure is made to another educational institution or to a professional licensing authority or board of certification or similar institution, provided that the University has made reasonable efforts to inform affected individuals of the existence of a practice of making such disclosures;
- (i) in compelling circumstances affecting the health or safety of an individual if upon disclosure notification thereof is mailed to the last known address of the individual to whom the information relates;
- (j) in compassionate circumstances, to facilitate contact with the next of kin or a friend of an individual who is injured, ill or deceased;
- (k) to a person who has been authorized by the individual to whom the information relates to make an enquiry on that individual's behalf or, where that individual is incapacitated, has been authorized by the next-of-kin or legal representative of that individual;
- (l) to the University Archives, for archival purposes.
- (m) to any person for research or statistical purposes if the University Archivist, or other officer having custody of the records:
 - (i) is satisfied that the purpose for which the information is to be disclosed is not contrary to the public interest and cannot reasonably be accomplished unless the information is provided in a form that would identify the individual to whom it relates; and
 - (ii) has approved conditions relating to the following;

- security and confidentiality,
 - the removal or destruction of individual identifiers at the earliest reasonable time,
 - the prohibition of any subsequent use or disclosure of that information in individually identifiable form without the express authorization of the University Archivist or other officer having custody of the records; and
- (iii) obtains from the person a written agreement to comply with the approved conditions, this Policy and any other applicable University policy or procedure relating to the confidentiality of personal information.

(n) where disclosure is made to a physician or other health professional, to provide information for the assessment of disability, medical leave or similar claims.

22(2). The restrictions on disclosure set out in this Policy do not apply to disclosure of the fact that an individual is or is not, or was or was not, registered in a particular college, school, faculty or other division in a particular session or to the fact that an individual has or has not successfully graduated or completed a program on a particular date or has or has not received particular academic or other University honours and distinctions.

23. Retention and Disposal of Personal Information

Administrative officers shall take reasonable precautions to protect the security of records containing personal information, shall retain such information only for reasonable periods of time and shall make reasonable arrangements for the disposition of such records in consultation with the University Archives when that reasonable period has expired.

24. Access and Correction Rights

24(1). Subject to section 25, every member of the teaching and administrative staff and students of the University shall be granted access to records containing personal information concerning the member with respect to which the member is able to provide sufficiently specific information to render the record reasonably retrievable by the University.

24(2). Every individual who is given access in accordance with sub-section 24(1) is entitled to

- (a) request correction of the personal information where the individual believes there is an error or omission;
- (b) require that a statement of disagreement be attached to the information reflecting any correction that was requested but not made.

25. Exemptions from the Access Right

The University may refuse to disclose personal information to the individual to whom the information relates,

- (a) where the exemptions set out above to the general access principle in sections 8 to 18 above would apply to the disclosure of that personal information and where the personal information cannot be severed from the information falling under the exemptions;

- (b) where the disclosure would constitute an unjustified invasion of another individual's personal privacy;
- (c) if it is evaluative or opinion material compiled solely,
 - (i) for the purpose of determining suitability, eligibility, or qualification for employment, promotion, transfer, or for the awarding of a contract with the University;
 - (ii) for the purpose of determining eligibility or admission to an academic program of the University;
 - (iii) for the purpose of determining eligibility or suitability for the awarding of a scholarship, bursary or other form of financial assistance; or
 - (iv) for the purpose of peer review processes related to determinations concerning eligibility or suitability for the granting of an appointment, renewal of appointment, tenure or promotion, research grants or other benefits to members of the University community or for similar purposes; where the disclosure could reveal the identity of a source who furnished information in circumstances where it may reasonably have been assumed that the identity of the source would be held in confidence;
- (d) that is medical or health-related information where the disclosure could reasonably be expected to prejudice the mental and physical health of the individual; or
- (e) that is a research or statistical record.

26. Policy Statements Concerning Systems of Records Containing Personal Information

- (1) The University shall adopt written policy statements with respect to systems or collections of records containing sensitive personal information that are organized or intended to be retrieved by the individual's name or by an identifying number, symbol or other particular assigned to the individual. Such policy statements shall be adopted, for example, with respect to student records and employee personnel records. Such policy statements, which shall be given reasonable publicity within the University community, shall deal with the following matters;
- (a) the types of personal information maintained;
 - (b) the principal uses of the information and the typical categories of users to whom disclosures from the system are made;
 - (c) any other uses and purposes for which personal information and the personal information bank is used or disclosed on a regular basis;
 - (d) the categories of individuals for whom records are maintained in the system;
 - (e) the policies and practices applicable to the system with respect to storage, retrievability, access controls, retention, and disposal of personal information maintained in the system;
 - (f) the obligation, if any, of the University to maintain a record of any use or disclosure of the record by the University;
 - (g) procedures for gaining access to the records.

(2) Policies developed after the date of approval of this Policy pursuant to subsection 26(1) shall be approved on behalf of Governing Council by the President, after consultation with the Commissioner and advance notice to representatives of affected groups and the appropriate Board of Governing Council.

IV. IMPLEMENTATION, MONITORING AND DISPUTE RESOLUTION

27. University Freedom of Information and Privacy Protection Officers

The President shall appoint one or more University Freedom of Information and Privacy Protection Officer(s) (the "Officer(s)"), who shall be responsible for the implementation of this Policy within the University.

28. Responsibilities of the Officer(s)

28(1). The Officer(s) shall encourage within the University the adoption of record-keeping and disclosure practices consistent with this Policy and with University policy and regulations concerning records management as may be approved from time to time by the Presidential Advisory Committee on Archives and Records Management or its successor.

28(2). The Officer(s) shall receive requests for access to information or for the correction of personal data either directly from members of the University community or upon referral, from other members of the community who have themselves been requested to supply information or correct personal data in circumstances which raise questions concerning the proper application of this Policy. All members of the University community who receive a request for access to information or for the correction of personal data in circumstances which raise a question concerning the proper application of this Policy shall refer the request to the appropriate Officer.

28(3). The appropriate Officer shall make a decision concerning a request received under subsection 2 and communicate the decision in writing to the person making the request. In communicating a decision to deny a request, the Officer shall indicate in writing the reasons for denying the request and the nature of the process available to the requestor for seeking a review of that decision by the Commissioner under section 31 below.

28(4). The Officer(s) shall co-operate with the Commissioner in the investigation of complaints received by the Commissioner under section 30 and will, where required to do so under section 31, make a decision in response to a recommendation of the Commissioner and communicate that decision to the Commissioner and the person seeking access to information or correction of personal data.

29. University Commissioner for Freedom of Information and Privacy Protection

The Governing Council shall appoint, on the recommendation of the President, a University Commissioner for Freedom of Information and Privacy Protection (the "Commissioner"). The Commissioner shall exercise judgment on matters assigned to him or her by this Policy independently of other University administrative authorities.

30. Complaints to the Commissioner

A member of the University community who is aggrieved by a decision of a Freedom of Information and Privacy Officer with respect to a request for access to information or the correction of personal data or fees to be charged in association therewith may complain, in writing, to the Commissioner.

31. Investigations and Recommendations

31(1). The Commissioner shall receive, investigate and report on complaints from members of the University community who allege they have not been granted access to information or that their request for correction of personal data has been denied in contravention of this Policy.

31(2). Subject to the maintenance of the personal privacy of the involved persons, the Commissioner shall have full authority to determine the manner in which a complaint shall be investigated and the procedures to be followed in any hearing interview or proceeding that the Commissioner may consider appropriate in order to effect a proper disposition of the complaint.

31(3). If, at the conclusion of an investigation, the Commissioner finds that the complainant has been treated in accordance with this Policy, the Commissioner shall so inform the complainant and the relevant Officer. If the Commissioner finds that the complainant is not being treated in accordance with this Policy, the Commissioner shall make a recommendation to the Officer whose decision is being appealed, together with a request that the Officer report on the nature of such action as has been taken in response to the recommendation within a specified period of time to the Commissioner and to the person requesting access to information or correction of personal data. A copy of the report shall be forwarded to the complainant. The Commissioner shall file with the President written reports concerning any such investigations, recommendations and reports from affected administrative officers to the President. The recommendations of the Commissioner shall not be binding on the affected administrative officer or the President of the University.

31(4). In any case where an Officer or the President makes a final determination not to accept the recommendation of the Commissioner, the President shall make a report on the matter and the reasons for the decision to the appropriate body of Governing Council. In the case of student and faculty records, the appropriate body is the Academic Board. In the case of administrative staff records, the appropriate body is the Business Board. In all other cases, the appropriate body is the Executive Committee. A copy of any such report shall be sent to the Commissioner.

32. Other Responsibilities and Powers of the Commissioner

The Commissioner shall have the following additional responsibilities and powers:

- (a) to review and make recommendations with respect to the amendment of written policy statements prepared by administrative officers of the University pursuant to section 26 above;
- (b) where, in the opinion of the Commissioner, a collection of records containing personal information in the custody or under the control of the University is of such a nature that it creates significant risks of privacy invasion, to require the appropriate administrative officer or officers of the University to prepare a written policy statement concerning that collection pursuant to section 26;
- (c) to recommend, from time to time, appropriate amendments to this Policy;

(d) to review and comment on written policies on access and confidentiality adopted under the authority of the University's governing statute; and

(e) to prepare and present to the Governing Council an annual report concerning the implementation of this Policy within the University and, in particular, the nature and disposition of any complaints made pursuant to section 30.

33. Fees

33(1). The University may require the person who makes a request for access to a record or for correction of a record to pay,

(a) a search charge for every hour of manual search required in excess of two hours to locate a record;

(b) the costs of preparing the record for disclosure;

(c) computer and other costs incurred in locating, retrieving, processing and copying a record;

(d) shipping costs;

(e) where the requestor is not a student of the University, a member of the teaching or administrative staff, or a representative campus group an application fee;

(f) the cost of adding to a record, pursuant to section 24(2)(b).

33(2). The Officer shall, before giving access to a record, give the person requesting access a reasonable estimate of any amount that will be required to be paid pursuant to subsection (1) that is over \$25.

33(3). The Officer may waive the payment of all or any part of an amount required to be paid under subsection (1) where, in the Officer's opinion, it is fair and equitable to do so after considering,

(a) the extent to which the actual cost of processing, collecting and copying the record varies from the amount of the payment required by subsection (1);

(b) whether the payment will cause a financial hardship for the person requesting the record;

(c) whether dissemination of the record will benefit public health or safety;

(d) whether the record contains personal information relating to the person who requested it; and

(e) any other relevant matter.

33(4). A person who is required to pay a fee under subsection (1) may ask the Commissioner to review the Officer's decision to charge a fee or the amount of the fee.

**END OF POLICY ON ACCESS TO INFORMATION AND
PROTECTION OF PRIVACY**

Section II: General	Code Number: 2.01.12
Item: University of Toronto Statement on Freedom of Speech	

In policies approved by the Governing Council, the University community has held that the essential purpose of the University is to engage in the pursuit of truth, the advancement of learning and the dissemination of knowledge. To achieve this purpose, all members of the University must have as a prerequisite freedom of speech and expression, which means the right to examine, question, investigate, speculate, and comment on any issue without reference to prescribed doctrine, as well as the right to criticize the University and society at large. The purpose of the University also depends upon an environment of tolerance and mutual respect. Every member should be able to work, live, teach and learn in a University free from discrimination and harassment.

The existence of an institution where unorthodox ideas, alternative modes of thinking and living, and radical prescriptions for social ills can be debated contributes immensely to social and political change and the advancement of human rights both inside and outside the University. Often this debate may generate controversy and disputes among members of the University and of the wider community. In such cases, the University's primary obligation is to protect the free speech of all involved. The University must allow the fullest range of debate. It should not limit that debate by preordaining conclusions, or punishing or inhibiting the reasonable exercise of free speech.

Of necessity, there are limits to the right of free speech, for example, when members of the University use speech as a direct attack that has the effect of preventing the lawful exercise of speech by members or invited guests, or interfering with the conduct of authorized University business, the University may intervene. Similarly, although no member of the University should use language or indulge in behaviour intended to demean others on the basis of their race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, handicap, age, marital status, family status, the receipt of public assistance or record of offence, the values of mutual respect and civility may, on occasion, be superseded by the need to protect lawful freedom of speech. However, members should not weigh lightly the shock, hurt anger or even the silencing effect that may be caused by use of such speech.

The right to free speech is complemented by the right of freedom of association. The right to free speech extends to individuals cooperating in groups. All members have the freedom to communicate in any reasonable way, to hold and advertise meetings, to debate and to engage in peaceful assemblies and demonstrations, to organize groups for any lawful activities and to make reasonable use of University facilities, in accordance with its policies as they are defined from time to time and subject to the University's rights and responsibilities.

This policy statement does not exhaust University policy with respect to freedom of speech and is not intended to amend or qualify University policies on academic freedom, as currently expressed, for example, in Article 5 of the Memorandum of Agreement between the University of Toronto and the University of Toronto Faculty Association.

END OF POLICY STATEMENT ON FREEDOM OF SPEECH

Policies Concerning General Employment Conditions for Academics and Librarians

Section:	GENERAL	Code Number: 2.02.01
Item:	Payment of Monthly-Paid Staff	

The University's method of payment for staff on its monthly payroll is by direct bank deposit into a designated account in the Bank or Trust Company of the staff member's choice. Staff members should complete a Bank Authorization Card providing the departmental business officer with the name and address of their bank or Trust Company and the number of the account into which their pay cheque is to be deposited. Any changes to this information must be reported to the departmental business officer on a new card as soon as possible in order that the deposit can be made according to the staff member's preference.

A monthly statement of earnings and deductions is sent to staff members at the time the bank deposit is made.

END OF POLICY ON PAYMENT OF MONTHLY-PAID STAFF

Section:	GENERAL	Code Number: 2.02.02
Item:	Personal Information Changes	

It is the responsibility of all staff members to notify their divisional personnel office of personal changes such as changes in marital status, home or University address, home phone number and degrees or fellowships obtained.

The department should record these changes.

END OF POLICY ON PERSONAL INFORMATION CHANGES

Section:	GENERAL	Code Number: 2.02.03
Item:	Benefit Plans	

A wide range of benefit plans are available to academic, librarian and administrative staff members of the University who hold full-time appointments or part-time appointments consisting of 25% or more of full-time employment (including persons on sessional appointments).

Full information on all the benefit plans is given to new staff members at the orientation program or documentation interview when they begin their employment with the University or is available from your divisional personnel office or Human Resources. The Human Resources Department notifies staff members of all subsequent changes to the plans.

Changes, such as in marital status which could affect coverage in any of the Benefit Plans, should be recorded by staff members on a Benefits Application Form and forwarded to the divisional personnel office or Human Resources. If staff members wish to change their coverage in Benefit Plans, new application forms should be completed and sent to the divisional personnel office or Human Resources in order that the new arrangements for salary deductions and revised coverage can come into effect. The definition of spouse in the University's employee group benefit plans and for the purpose of pension benefits means a person living with the employee in a conjugal

relationship, whether or not the persons are legally married to each other, and includes persons who are of the same sex or of the opposite sex of the employee.

CONTINUATION OF BENEFIT PLANS WHILE ON LEAVE

Staff members going on leave can arrange for the continuation of the Benefit Plans in which they are enrolled. It is the responsibility of the individual staff member to make the necessary arrangements with the departmental business officer for the continuation and prepayment of the Benefit Plans in which they wish to remain enrolled. Questions regarding interpretation of the provisions affecting staff members on specific types of leave, as described below, should also be directed to the divisional personnel office.

1. Staff members on Leave of Absence

The University will continue its normal subsidy based on full salary for staff members granted leave of absence with 25% or more of their full salary and paid on a monthly basis. Regular monthly contributions will automatically be deducted during the period of the leave since participation continues in the Benefit Plans in which they are enrolled.

The University will also continue its normal subsidy for staff members on leave of absence without salary for one calendar month or less.

Staff members on leave of absence without salary or receiving less than 25% of their salary and paid on a monthly basis (excluding staff members on research leave) for more than one calendar month may choose the Benefit Plans they wish to continue during the period of their leave and remain enrolled in these by paying both the University's and their own contributions toward the cost of coverage in advance in the form of a lump sum payment or monthly post-dated cheques.

2. Staff members on Research Leave Grant

The University will continue its normal subsidy based on full salary where staff members are granted a research leave grant with partial salary equal to or greater than one-sixth of their regular salary and paid on a monthly basis. Regular monthly contributions will automatically be deducted during the period of the leave since participation continues in the Benefit Plans in which they are enrolled.

3. Staff members on Disability Insurance

Staff members will continue to accrue pension credits during their period of disability. Premiums on Long Term Disability and Group Life Insurance are waived. Staff members are required to pay their normal contributions towards all other plans. Benefits premiums will be deducted from the monthly benefits cheques.

4. Staff members on Worker Compensation

The University will continue its normal subsidy based on full salary. Staff members are required to pay their normal contributions towards all Benefit Plans in which they are participating. These must be paid in advance in the form of a lump sum payment or monthly post-dated cheques if the staff member is not receiving payment through the University payroll to cover these costs.

END OF POLICY ON BENEFIT PLANS

Section: GENERAL	Code Number: 2.02.04
Item: Public Holidays	

Eleven public holidays are normally observed by the University. These are: New Year's Day, Good Friday, Victoria Day, Canada Day, Civic Holiday, Labour Day, Thanksgiving Day, Christmas Day, Boxing Day and two days designated as the day before Christmas Day and the day before New Year's Day, but scheduled annually by the University depending on the day of the week on which Christmas Day and New Year's Day fall.

END OF POLICY ON PUBLIC HOLIDAYS

Section: GENERAL	Code Number: 2.02.05
Item: Sick Pay	

INTRODUCTION

All staff members share in the efficient operation of the University and thereby have an obligation to carry out the responsibilities of their positions to the fullest extent possible. At the same time, however, the University, recognizing that unavoidable absence may occur because of illness or injury, provides a degree of income protection for staff members who find themselves in this position. The following practice defines the circumstances and extent to which the University will provide continuance of salary in the event of unavoidable absence due to illness or injury.

ELIGIBILITY

This practice applies to all full-time salaried staff, sessional staff and regularly appointed part-time staff (subject to the exclusions listed below) who have completed three (3) months' service.

Exclusions

- Staff members whose conditions of employment are negotiated collectively,
- full-time enrolled students,
- staff employed for temporary periods of less than three (3) months,
- casual and temporary staff.

PROVISIONS

For all eligible staff members leave with full salary will be granted for periods up to fifteen (15) weeks during unavoidable absence due to illness or injury.

For staff members with less than three (3) months' service, leave with full salary may be granted at the discretion of the Department Head for no more than two (2) weeks.

Staff members who are employed for specified periods of time of more than three (3) months will not be eligible for benefits beyond the contractual period unless re-appointed or the disability commenced more than two (2) months prior to the contractual termination date.

PROCEDURES

Staff members prevented by illness from attending regular duties or who must leave work due to illness should notify their Section or Department Head as soon as possible.

Where the nature and anticipated duration of the illness indicates a possible claim under the University's Disability Plan, the Department Head should notify the Human Resources Department so that, if applicable, a claim may be registered with the University insurers.

A physician's certificate may be required by the University for any absence due to illness, regardless of the duration. Furthermore, following prolonged or serious illness, the University may require a staff member to be certified medically fit before returning to regular duties.

SUBSTITUTION OF SICK LEAVE

If a medical emergency or illness interrupts the use of all or part of a scheduled vacation period, an employee is entitled to substitute sick leave for the period of illness. Where possible the employee should contact his/her supervisor to notify them as soon as possible where this occurs. Illness shall constitute a period of three days or more and must be accompanied by a doctor's note.

END OF POLICY ON SICK PAY

Section:	GENERAL	Code Number:	2.02.06
Item:	Payment of Salary on Death of a Staff Member		

In the event of the death of a staff member, the University will pay his/her estate the full salary for the month in which the death occurred. The University will also make settlement for vacation pay earned by the staff member to the date of death.

END OF POLICY ON PAYMENT OF SALARY ON DEATH OF A STAFF MEMBER

Section:	GENERAL	Code Number:	2.02.07
Item:	Scholarship Program for Dependants of Faculty Members and Librarians		

Introduction

This full-time studies Scholarship Program is meant to replace the tuition waiver program currently in effect for dependants of faculty members and librarians. However, the tuition waiver program shall remain in force for the purpose of part-time studies.

Description

Scholarships shall be awarded by the University of Toronto to eligible students who are dependants of faculty members and librarians and who are enrolled in an eligible program of study at an eligible institution.

Value of Scholarship

The scholarship awarded to those who qualify shall, in each year, be an amount equal to one-half of the amount of the tuition for Arts and Science at the University of Toronto in that same year, excepting that, where the eligible faculty member or librarian holds an appointment of less than 76% FTE, but greater than 24% FTE, the ordinary amount shall be pro-rated to the actual FTE.

Definitions

"Dependant" means a son, step-son, daughter, step-daughter, or spouse of a faculty member or librarian.

"Eligible Faculty Member or Librarian" means a faculty member or librarian who holds a regular staff appointment, whether full-time, part-time of 25% or more, or sessional.

"Eligible Institution" means any four-year-degree-granting institution (or its equivalent if the institution is outside North America) which is recognized by the University of Toronto for transfer credit purposes.

"Eligible Program of Study" means a program of study leading to a first undergraduate degree or certificate and which does not require prior undergraduate preparation.

"Eligible Student" means a student who is the dependant of a faculty member or librarian and who is enrolled as a full-time student in an eligible institution in an eligible program of study and who:

- (a) did not complete a full year of studies in an eligible institution in an eligible program to study between the academic years 1989-90 and 1993-94, inclusive; and
- (b) having attained at least an 80% average in the student's best six OAC mid-term or final marks or the equivalent, is enrolling in the first year of studies ("Admission Scholarship"); or
- (c) has attained an average of at least B in the student's most recent year of eligible program of studies ("In-program Scholarship"); or
- (d) having been granted a scholarship under this program in the previous year, continues to be eligible to proceed in the student's eligible program of study and who is not on academic probation (Continuing Scholarship").

"Spouse" means a person who is living with the faculty member or librarian in a conjugal relationship, whether or not the persons are legally married to each other, and includes persons who are of the same sex or of the opposite sex of the faculty member or librarian.

Procedures

1. For the student seeking an Admission Scholarship, the student shall submit an application and a transcript of marks to Admissions and Awards at the time the student makes application for admission to one or more eligible institutions in an eligible program. The student is entitled to submit further transcripts in the event that the first transcript submitted does not qualify the student for the scholarship but a later one does.

2. For the student seeking an In-program Scholarship, the student shall submit an application and a transcript of the student's-final marks for the most recent year of eligible program of studies.
3. For the student seeking a Continuing Scholarship, the student shall submit a transcript of the student's marks in the most recent year of studies or such other evidence as may demonstrate that the student meets the criteria.
4. If the student qualifies for a scholarship, the University of Toronto shall issue a cheque payable to the student in the amount of the scholarship upon submission by the student of evidence that the student is in full-time attendance at an eligible institution.
5. For the student enrolled at the University of Toronto (including the University of Toronto student studying elsewhere under an exchange program), the value of the scholarship shall be credited to the student's fees account.

Duration of the Scholarship Program

The Scholarship Program shall be in effect for an initial period of five years, commencing with the academic year 1994-95.

Transition

All students who are receiving a tuition waiver for the academic year 1993-94 shall be allowed to continue to receive the tuition waiver so long as they continue to qualify for it. Nothing prevents the student, however, from applying for the scholarship outlined in this document. Should a student apply for and be granted the scholarship, however, the student extinguishes all rights to receive the tuition waiver so long as the Scholarship Program is in force.

Any student who is not an "eligible student" under this Policy by reason only of the fact that the student completed a full year of study in an eligible institution in an eligible program of study between the academic year 1989-90 and 1993-94, inclusive, but who otherwise would have qualified for a tuition waiver if that Policy had remained in force for full-time students, continues to be eligible for a tuition waiver under the Tuition Waiver Policy.

Expiry of Policy

In the event that the Scholarship Program is not continued after the initial period, all students who are already receiving the scholarships shall be permitted to continue to receive the scholarships (provided they continue to otherwise qualify) on the terms set out in this Policy. Moreover, the tuition waiver Policy shall immediately be reinstated as a benefit for all faculty members and librarians (although no dependant shall receive in the same year both a tuition waiver and a scholarship awarded under this Program).

**END OF POLICY ON SCHOLARSHIP PROGRAM FOR DEPENDANTS OF
FACULTY MEMBERS AND LIBRARIANS**

Section: GENERAL	Code Number: 2.02.08
Item: Tuition Waiver for Dependants of Part-Time Faculty and Librarians	

INTRODUCTION

In order to assist part-time faculty and librarians who have dependants of University age or dependants who, at a later age, wish to pursue University studies, the University will extend to the dependants of such staff members a waiver of the academic tuition fee for specific University of Toronto programmes. The terms and conditions of this staff benefit are described below.

TERMS OF REFERENCE

- A dependant must have met the admission requirements for the qualifying programmes and have followed the normal procedures regarding application for admission and registration before application is made for tuition to be waived under this policy.
- For the purposes of this policy, "dependants" shall mean a son, daughter or spouse, including same sex spouse, of an eligible staff member.
- "Academic tuition fee" by definition excludes application, registration, service, examination and other incidental fees.

ELIGIBILITY

This benefit is available to:

Staff: All part-time faculty and librarians of the University and of the Federated Colleges (as described in the Memorandum of Understanding) holding regular part-time staff appointments of 25% or more, or part-time sessional appointments. The benefit will be pro-rated in accordance with the part-time appointment. The benefit will also be available to staff members on leave with salary and may be available to staff members on leave without salary in accordance with the policy on BENEFIT PLANS, Continuation of Benefit Plans While on Leave (2.02.03).

Student: Dependants proceeding towards a degree or certificate in a qualifying programme (not special students). Qualifying programmes are described under Provisions (below).

PROVISIONS

The academic tuition fee waiver is applicable to programmes which lead to a first undergraduate degree or certificate and which do not require prior undergraduate preparation since admission is normally gained directly from high school. Eligible dependants enrolled in these programmes will have their academic tuition fee waived for each academic year of the programme until the degree or certificate is awarded.

The waiver is not applicable to the following:

All programmes in:
 Dentistry
 Education
 Law

Medicine
 Royal Conservatory of Music
 School of Graduate Studies
 Library Science
 OISE/UT
 Management Studies
 Social Work
 School of Continuing Studies
 Woodsworth College Diplomas
 Transitional Year Programme
 Pre-University Programme

Where a student receives a scholarship which provides for the payment of fees, the terms of the scholarship will apply prior to any waiver of tuition under this policy.

PROCEDURE

The staff member and student should complete and sign along with the fees invoice, the Dependant's waiver form. This form should then be presented for approval to the divisional personnel office or Human Resources Department by mail or in person to certify that the employee is eligible for the waiver as requested.

Once approval has been received a copy should be presented with the fees invoice and payment for all other fees to the Fees Department (or College Bursar if the student is enrolling in a Federated College).

ADMINISTRATION OF THIS POLICY

Questions and requests for interpretations of the policy should be referred to the divisional personnel office or the Human Resources Department.

All application forms may be obtained from the departmental administrative offices or the divisional personnel office or the Human Resources Department.

END OF POLICY ON TUITION WAIVER FOR DEPENDANTS OF PART-FACULTY AND LIBRARIANS

Section:	GENERAL	Code Number:	2.02.09
Item:	Tuition Waiver for Dependants of Staff Who Died in Service or Retired from Service		

INTRODUCTION

In order to assist the dependants of staff who died in service or retired staff members who have dependants of University age or dependants who, at a later age, wish to pursue University studies, the University will extend to the dependants of these retired or former staff members a waiver of the academic tuition fee for specific University of Toronto programs. The terms and conditions of this staff benefit are described below.

TERMS OF REFERENCE

- A dependant must meet the admission requirements for the qualifying program and follow the normal procedures regarding application for admission and registration before application is made for tuition to be waived under this policy.
- For the purposes of this policy, "dependant" shall mean a spouse, including same-sex spouse, daughter or son (legal common-law, adopted or step) of an eligible former staff member. Children from a subsequent marriage after the retired or former staff member's death will not qualify for benefits under this policy.
- "Academic tuition fee" by definition excludes application, registration, service, examination and other incidental fees.

ELIGIBILITY

This benefit is available to:

Retired or Former Staff Member:

All staff members of the University and faculty members of the Federated Colleges (as described in the Memorandum of Understanding) who died in service or retired from service and held a full-time or part-time appointment of 25% or more. In the case of retired or former part-time staff members, the benefit will be pro-rated in accordance with the last part-time appointment held.

Student:

Dependants proceeding towards a degree or certificate in a qualifying program (not special students). Qualifying programs are described under PROVISIONS (below).

PROVISIONS

The academic tuition fee waiver is applicable to programs which lead to a first undergraduate degree or certificate and which do not require prior undergraduate preparation since admission is normally gained directly from high school. Eligible dependants enrolled in these programs will have their academic tuition fee waived for each academic year of the program until the degree or certificate is awarded.

The waiver is not applicable to the following:

All programs in:

- Dentistry
- Education
- Law
- Medicine
- Royal Conservatory of Music
- School of Graduate Studies
- Library Science
- OISE/UT
- Management Studies
- Social Work
- School of Continuing Studies
- Woodsworth College Diplomas
- Transitional Year Program
- Pre-University Program

Where a student receives a scholarship which provides for the payment of fees, the terms of the scholarship will apply prior to any waiver of tuition under this policy.

PROCEDURE

Retired staff members or dependants of staff who died in service should complete two copies of the Form "Dependants of Staff who Died in Service or Retired from Service" which can be obtained from divisional administrative offices or the Human Resources Department.

These forms should then be presented for approval to the Human Resources Department by mail or in person to certify that the employee is eligible for the waiver as requested.

Once approval has been received a copy should be presented with the fees invoice and payment for all other fees to the Fees Department (or College Bursar if the student is enrolling in a Federated College).

ADMINISTRATION OF THIS POLICY

Questions and requests for interpretation of eligibility, qualifying programs and fees under the policy should be referred to the Human Resource Department.

END OF POLICY ON TUITION WAIVER FOR DEPENDANTS OF STAFF WHO DIED IN SERVICE OR RETIRED FROM SERVICE

Section:	GENERAL	Code Number:	2.02.10
Item:	Educational Assistance for Academic Staff and Librarians		

INTRODUCTION

In keeping with its policy objective to provide academic staff members and librarians with opportunities for personal development and establish a working environment that will encourage them to develop their abilities, the University has designed this practice on Educational Assistance. Its provisions define the extent to which the University will financially assist staff and librarians to further their formal education.

TERMS OF REFERENCE

Qualifying individuals referred to below are those who are eligible in terms of University service (described under ELIGIBILITY) and have academic acceptability by the Faculty, School, Centre, etc., from whom the course is to be taken and the approval of the Department head before beginning the course as described under PROCEDURES.

ELIGIBILITY

All staff members and librarians of the University holding full-time appointments and part-time with three years' continuous service, working twenty or more hours a week on a regular continuing basis are eligible.

PROVISIONS

1. 100% Tuition Waived

Tuition fees are waived for a qualifying individual taking:

- 1) a University of Toronto or Ontario Institute for Studies in Education degree course, up to and including the Master's level, or
- 2) a diploma or certificate program offered through Woodsworth College, or
- 3) certain courses offered by the School of Continuing Studies in which enrolment is not limited to defined constituencies normally outside the University community or for which substantially higher than average fees are charged.

Courses should be taken outside of normal working hours. However, if the course is not otherwise available, one such course at a time may be taken during normal working hours provided the approval of the Department head or library supervisor is obtained and alternative work arrangements are made.

2. 50% Tuition Reimbursed

50% of tuition fees will be reimbursed to a qualifying individual who shows successful completion of a job-related course given at a recognized educational institution (other than those in 1. above). Such courses should be taken on the staff member's or librarian's own time, after normal working hours and must be either:

1) Individual skill improvement courses which are related to the individual's present job or to jobs in the same field to which the individual might logically aspire.

Academics and Librarians

2) Courses of study leading to undergraduate certificates, diplomas or degrees offered at recognized educational institutions. Such courses must either be an asset to the individual in the performance of his/ her present job or directly related to his/her potential career. Individual courses, even though unrelated, will qualify provided they are a part of an eligible certificate, diploma or degree program.

In both 1. and 2. above financial aid covers only tuition fees. Costs of course materials, books, registration and examination fees, fees for entrance into professional groups, exemption fee, and other incidental fees do not qualify for educational assistance.

EXCLUSIONS

1. A number of courses offered by the School of Continuing Studies are covered by the Educational Assistance policy. However, a number of courses have been excluded for which the registrant must pay the full fee. Further information on eligibility for coverage can be obtained from the Training and Development Section within the Human Resources Department.
2. Additional exclusions are:
 - a) craft, hobby and general interest courses;
 - b) correspondence courses except where such courses are the only available means of obtaining the qualifications; and

c) conferences, seminars and workshops. (Where these are taken at the direction of departmental management they will be fully paid for from departmental estimates but are not part of this program.)

PROCEDURES

1. University of Toronto and OISE/UT. Degree courses and Diploma and Certificate Programs offered through Woodsworth College, and some Courses offered by the School of Continuing Studies

The staff member or librarian should first make formal application for admission to the appropriate faculty. Provided the individual possesses all academic and other relevant qualifications an approval notice will be issued. On receiving this a Tuition Waiver Form should be completed. This form should then be presented to the staff member's Department head or librarian's supervisor only if some part of the schedule for the course(s) will be conducted during normal working hours. The staff member or librarian requires approval from the divisional personnel office or the Human Resources Department by mail or in person to certify that the employee is eligible for the tuition waiver as requested.

Once approval has been received, the staff member or librarian, in the case of U of T or the OISE/UT. courses, should present one copy together with fees invoice and payment for all other fees to the Fees Department (or the College Bursar if the student is enrolling in a Federated College). In the case of School of Continuing Studies' courses, the copy should be taken to the School of Continuing Studies.

2. **Job Related Courses**

Applications for educational assistance for job related courses, completed in duplicate on the Form, should be submitted to the Department head or library supervisor for signature and recommendation. Completed applications should be forwarded to the Training and Development Section of the Human Resources Department for approval PRIOR TO the registration date for the course. Approval will be communicated to the individual by the return of one copy of the approved Educational Assistance Form.

Approved applications should be resubmitted to the Human Resources Department after the course terminates. Proof of payment of tuition fees and of successful course completion must accompany the application. If no final grade is assigned, individuals should furnish certificates showing not less than a 75% attendance record.

Section: GENERAL	Code Number: 2.02.11
Item: Maternity Leave/Parental Leave	

Maternity Leave

Staff members who have been granted maternity leave will not be required to return to work before a period of twenty (20) weeks. The University will supplement the Employment Insurance benefits as follows:

- (a) 95% of the staff members' normal regular earnings for the initial two week waiting period prior to commencement of the Employment Insurance benefits;
- (b) the difference between Employment Insurance Benefits and 95% of normal regular earnings, for a period not to exceed eighteen (18) weeks.

Exclusions

Persons employed for less than seventeen (17) weeks at the expected date of delivery.

[see [PDAD&C Memo #33, 2003-04](#)]

Parental Leave

Both parents have the option of taking a parental leave and may be eligible for Employment Insurance benefits during this leave. Birth mothers are eligible for thirty-five (35) weeks of parental leave, while all other new parents, such as birth father, adoptive parents and same-sex partners are eligible for thirty-seven (37) weeks.

The University will supplement the Employment Insurance benefits as follows:

- (a) the difference between Employment Insurance benefits and 95% of normal regular earnings, for a period not to exceed ten (10) weeks.

If both parents are employed by the University, they are each eligible for the ten (10) week subsidized parental leave.

Exclusions

Persons employed at the University for less than seventeen (17) weeks are not eligible for the subsidized parental leave.

[see [PDAD&C Memo #33, 2003-04](#)]

A kit that assists faculty in applying for such leaves is available upon request from the Family Care Office (<http://www.familycare.utoronto.ca/fmcmain.htm>).

Section:	GENERAL	Code Number:	2.02.12
Item:	Adoption Leave		

[see Parental Leave – also see [PDAD&C Memo #33, 2003-04](#)]

A kit that assists faculty in applying for such leaves is available upon request from the Family Care Office (<http://www.familycare.utoronto.ca/fmcmain.htm>).

Section:	GENERAL	Code Number:	2.02.13
Item:	Family Care Leave (formerly Child Care Leave)		

Responsibility for the care of family members shall be considered reasonable grounds for a member of the teaching staff or of the library staff to request a part-time appointment on a temporary basis at the appropriate pro rata salary. Such a request shall not be unreasonably denied.

[see [PDAD&C Memo #33, 2003-04](#)]

END OF POLICY ON FAMILY CARE LEAVE

Section: GENERAL	Code Number: 2.02.14
Item: Leaves of Absence Without Pay	

Leave of absence without pay may be agreed upon by the University and a faculty member or librarian at any time. Requests for leave of absence without pay shall not be unreasonably denied by the University. Leave of absence without pay shall not normally exceed three consecutive years.

Faculty members or librarians on leave of absence receiving twenty-five (25) per cent of salary or more shall be entitled to full participation in University benefit plans in accordance with present practice. A faculty member or librarian on leave without pay (or who receives less than 25 per cent of salary) may maintain membership in the University benefit plans in accordance with present practice.

This policy reflects Appendix A of the June 1980 Memorandum of Agreement.

END OF POLICY ON LEAVES OF ABSENCE WITHOUT PAY

Section: GENERAL	Code Number: 2.02.15
Item: Short-Term Compassionate and Emergency Leaves	

A Faculty member or librarian may arrange short-term compassionate or emergency leave with his or her Chair, Dean, Principal, or library supervisor with no loss of salary or benefits. Requests for such leaves shall not be unreasonably denied.

There is additional information concerning the continuation of the Benefit Plans under the section entitled Continuation of Benefit Plans While on leave (Code Number: 2.02.03) in the Manual of Staff Policies.

This policy reflects Appendix A of the June 1980 Memorandum of Agreement.

END OF POLICY ON SHORT-TERM COMPASSIONATE AND EMERGENCY LEAVES

Section: GENERAL	Code Number: 2.02.16
Item: Semi-retirement Provision of the University of Toronto Pension Plan	

The University of Toronto Pension Plan provides for a "semi-retirement" status for those persons who:

- are full-time staff members at the time of the request,
- have a minimum of fifteen years' full-time service,
- are between the age of 60 (i.e., June 30th coincident with or next following their 60th birthdate), and 65, and
- have obtained the approval of the respective division head or department chairman.

The semi-retirement feature enables the staff member to reduce his/her workload at a correspondingly reduced salary while continuing benefit coverage as if on full salary. Each year of semi-retirement service counts as a full year for pension purposes in the calculation of final average earnings, and the staff member's required contribution rate will be based on "full salary". Staff are also eligible for annual salary increase consideration.

Guidelines to implement this provision are available from your chair, dean or department head.

**END OF POLICY ON SEMI-RETIREMENT PROVISION OF THE
UNIVERSITY OF TORONTO PENSION PLAN**

ACADEMIC STAFF

Section:	ACADEMIC STAFF	Code Number: 3.01.01
Item:	Policy on Appointment of Academic Administrators	

Table of Contents

Preamble

I. The Office of Chair

- A. Qualifications, Duties and Responsibilities
- B. Term of Office
- C. Appointment of Chairs
- D. Removal of the Office Holder before Expiration of Term

II. The Office of Director of an Academic Centre or Institute

- A. Qualifications, Duties and Responsibilities
- B. Term of Office
- C. Appointment of Directors
- D. Removal of the Office Holder before Expiration of Term

III. The Office of Dean of a Faculty or School and Principal of a College

- A. Qualifications, Duties and Responsibilities
- B. Term of Office
- C. Appointment of Deans and Principals
- D. Removal of the Office Holder before Expiration of Term

IV. The Office of Vice-Dean and Vice-Principal

- A. Qualifications, Duties and Responsibilities
- B. Term of Office
- C. Appointment of Vice-Deans and Vice-Principals
- D. Removal of the Office Holder before Expiration of Term

V. The Office of Associate Dean

- A. Qualifications, Duties and Responsibilities
- B. Term of Office
- C. Appointment of Associate Deans
- D. Removal of the Office Holder before Expiration of Term

VI. The Office of Assistant Dean and Assistant Principal

Preamble

The following policy replaces the Policy on Academic Administrators, as revised by the Board of Governors, October 28, 1971.

This policy shall be applied to all academic administrative staff unless an individual specifically requests consideration under the policy in force at the time of his/her appointment.

Principles

Academic administrative positions should be held by teaching staff who are willing to assume, for a time, special responsibility for the harmonious and effective functioning of their respective divisions or departments.

Individuals who hold these term appointments shall be superior teachers and scholars and shall be accountable to both their academic units and the University's administration.

Searches for, and appointment of, academic administrators shall be made in conformity with the University's employment equity objectives.

Members of advisory committees shall be chosen for their capacity to contribute to the decision to be made and shall include both men and women, and, whenever possible and reasonable, members of visible minorities, aboriginal peoples of Canada, and persons with a disability.

While dates for the commencement of searches cannot be specified, all advisory committees should be formed expeditiously and begin work in a timely fashion in order to ensure that the transition between academic administrators occurs as smoothly as possible.

Definitions

The definitions for "teaching staff" and "administrative staff" used in the policy are those found in the University of Toronto Act, 1971, as amended.

"Teaching staff" are full, associate and assistant professors, lecturers, senior tutors and tutors. Note: Governing Council approved the teaching stream ranks of lecturer and senior lecturer on May 13, 1999.

"Administrative staff" are defined as those who are not members of the teaching staff and, therefore, include the remaining employees of the University.

"Departmentalized faculties" are the Faculties of Arts and Science, Applied Science and Engineering, and Medicine, the School of Graduate Studies, Scarborough College and OISE/UT.

Structure of the Policy

This policy has been structured so that each section concerns a specific academic administrative office and is a complete, self-contained unit. The sections consist of the following: a discussion of the office; qualifications, duties and responsibilities; term of office; appointment; and removal from office.

I. The Office of Chair

(1) The Chair of a department in a departmentalized faculty is the chief executive officer of the department and reports directly to the Dean. At Scarborough College, the Chair of a division reports directly to the Principal. While the Chair may elect to delegate authority to other academic administrators in the department, he/she must retain responsibility for the overall direction of the department and in particular for authority over the budget and recommendations for appointments and, where appropriate, promotions. The Chair shall consult with the members of the department on matters of policy and practice as outlined in (5), but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority. Where there are both

graduate and undergraduate programs, the Chair of the department shall normally be the Chair of the graduate program (see (17) for procedures and exceptions).

A. Qualifications, Duties and Responsibilities

(2) Chairs should be appointed for their intellectual and administrative abilities, devotion to education and research, judgment and qualities of leadership. They have responsibility for the management of the department and for the implementation of University policy in all aspects of its operation. They should have the ability to create an environment conducive to the growth of intellectual life within the department and to maintain the confidence and co-operation of the teaching staff, administrative staff and students. They should be able to manage effectively and efficiently the external relations of their department, both within the University and in the wider community, so as to facilitate support for its educational and research activities.

(3) The Chair both represents the particular department's policies and points of view, and as an officer of the Faculty, makes independent judgments on Faculty matters. The Chair shall put the interest of the department ahead of his/her own research interest or specialty.

(4) The Chair shall endeavour to promote the teaching, research and scholarship of the teaching staff of the department and to ensure an equitable distribution of work. He/she shall also endeavour to promote the career development of administrative staff.

(5) In the development and implementation of departmental policy, the Chair shall seek the advice of the department expressed through either a representative committee or meetings of the department. In so doing, the Chair will be guided by the constitution of the department. The division of duties between these two bodies may be expected to vary but in general such matters as program changes should be discussed and approved by the department, while confidential matters should be discussed with a representative committee of teaching staff. In large departments, it may be desirable to appoint a small executive committee to assist the Chair in the day-to-day running of the department. It might also be desirable to make use of other standing committees. There should be regularly scheduled meetings of a representative committee and of the department.

(6) In order to conduct the business of the department and to maintain reasonable contact with his/her area of research or scholarly interest, the Chair may

- (a) recommend to the Dean or Principal the appointment of an Associate Chair and/or other academic administrative officers with specific responsibilities to the Chair in certain areas, and
- (b) appoint administrative personnel to supervise and provide advice on, for example, finances, physical facilities and personnel, and
- (c) request, where justified, research assistance from the Dean or Principal to maintain the continuity of research work.

B. Term of Office

(7) The term of office of the Chair is up to a maximum of five years, with the possibility of one renewal up to a maximum of five years. No further renewal after two terms shall be considered except where very unusual circumstances exist which, in the judgment of the President, make such renewal desirable.

(8) Renewals of the term of office of the Chair, including renewal under unusual circumstances as provided in (7), shall be on the recommendation of a committee constituted as in (12) or (17).

(9) In the case of absence of the Chair the following procedures will apply:

(a) during the temporary absence of the Chair for up to two months, the Chair shall recommend to the Dean or Principal the appointment of either an Associate Chair or a senior member of the teaching staff to serve as acting Chair. The Dean or Principal shall inform the Vice-President and Provost of the appointment.

(b) in the event of the Chair's absence for a period of more than two months or if the office of the Chair becomes unexpectedly vacant, the Dean or Principal, after consultation with members of the department and the Dean of the School of Graduate Studies, shall recommend the appointment of an Acting Chair for a period of no more than one year and shall forward the recommendation to the President who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.

(10) Administrative leave is awarded to a professor after a minimum term of service as an administrator to permit him/her to pursue his/her academic interests for a period free of all administrative responsibilities. Leave entitlement shall be based on the following:

(a) a Chair shall be entitled to a full year's administrative leave at full salary after five years of administrative service. Time does not accrue towards a research leave while serving a full term and taking the related administrative leave. However, years credited towards a research leave at the time of an administrative appointment shall be preserved and counted towards the next research leave.

(b) if a Chair serves a term of three years, he or she will be entitled to six months of administrative leave.

(c) where a Chair serves fewer than five years, and does not elect to take the administrative leave entitlement as in (b), each of the years served shall be credited towards a regular research leave entitlement with the exception that, in calculating the research leave salary, the Chair shall receive 100 percent of salary pro-rated for the years during which he/she held the office.

C. Appointment of Chairs

(11) The searches for and appointment of Chairs shall be made in conformity with the University's employment equity objectives.

(12) In the appointment of a Chair, following a call for nominations, the President, in consultation with the Dean of the Faculty or Principal of the College in which this department or division lies, shall appoint an advisory committee. With the exception noted for a Graduate Chair in (17), the committee normally shall be composed as follows:

-the Dean or the Principal or representative who shall chair the committee;

- three to five members of the teaching staff of the department;

-the Dean of the School of Graduate Studies or representative;

- one or two members of cognate departments;

- one or two students;

-a Vice-Dean or Associate Dean of the Faculty or College, where appropriate; and

-a librarian, where appropriate.

-in addition, the committee may include an alumnus/a, a member of the administrative staff and, in the case of professional faculties or schools, a senior member of the appropriate professional community.

(13) The membership of all committees shall be made public.

(14) All members of the teaching and administrative staff of the department shall be informed of steps being taken to appoint a new Chair and of the membership of the advisory committee. They shall be invited to communicate opinions concerning candidates within or outside the department and to submit nominations. The committee shall consider the names suggested and also any additional names arising from any other source such as consultation with alumni and departments in other universities.

(15) (a) In the event of the resignation of a member of the advisory committee, the Dean, after consultation with the advisory committee, shall have the authority to replace the member.
(b) Should a member of the advisory committee decide to be considered for nomination, that member shall resign.

(16) The recommendation of the committee and the vote shall be transmitted by the Dean of the Faculty or Principal of the College, along with his/her own recommendation and, where the new Chair is responsible for the graduate program, the recommendation of the Dean of the School of Graduate Studies, to all members of the committee and to the President, who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.

(17) It is expected that the Chair of a department will be the Graduate Chair. However, the Dean of a non-departmentalized Faculty may or may not choose to be the Chair of the Graduate Department. In the appointment of a Graduate Chair where the Dean of a non-departmentalized Faculty, or the Chair of a department in a departmentalized Faculty is not to be the Graduate Chair, an advisory committee shall be appointed. It shall be composed as follows:

- the Dean of the School of Graduate Studies or representative who shall chair the committee;
- the Dean of the non-departmentalized Faculty or the Undergraduate Chair in a departmentalized Faculty or College;
- three to five members of the graduate teaching staff of the department;
- one or two members of cognate departments;
- one or two graduate students; and
- in addition, the committee may include an alumnus/a, a member of the administrative staff and, in the case of professional faculties or schools, a senior member of the appropriate professional community. The recommendation of the committee and the vote shall be transmitted by the Dean of the School of Graduate Studies, along with his/her own recommendation, to all members of the Committee and to the President who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.

D. Removal of the Office Holder before Expiration of Term

(18) A Chair may be removed from administrative office only for misconduct, incompetence, neglect of duty or other significant failure to exercise the duties and responsibilities of the position as set out in Section I.A.

(19) Where there is perceived cause for removal resulting from a conflict between the Chair and the department, the Dean will, where appropriate, consult with the Dean of the School of Graduate Studies and with the support of the Vice-President and Provost, seek to mediate or correct the situation as early as possible.

(20) Where there is perceived cause for removal resulting from a conflict between the Dean and the Chair, the Vice-President and Provost will, where appropriate and with the support of the President, seek to mediate or correct the situation as early as possible.

(21) If the process of mediation fails, as judged by any of the parties involved, and the Vice-President and Provost believes that formal proceedings are necessary, a formal inquiry shall be set up. At the same time, the Vice-President and Provost may choose to suspend the Chair, without prejudice, financial or otherwise, for the period of the inquiry. In the case of suspension, the Vice-President and Provost shall recommend appointment of an Acting Chair in order to facilitate the operation of the department during this period.

(22) In setting up a formal inquiry, the Vice-President and Provost shall appoint a committee composed of three senior members of the teaching staff from outside the department concerned, at least one of whom shall be from outside the Faculty, to consider the facts and recommend a course of action. The Chair shall be informed of the names of the members of the committee and given an opportunity to challenge, in writing, the composition of the committee for bias, or conflict of interest.

(23) The committee shall determine, in accordance with the Statutory Powers Procedure Act, 1971, whether it should recommend that the Chair be removed from administrative office.

(24) On completion of its proceedings, the committee shall report to the Vice-President and Provost with a recommendation, supported by reasons, that the Chair either continue in office or be removed for cause. The report of the committee, with an invitation to respond, shall be made available to the Chair, the Dean, and the Dean of the School of Graduate Studies and at the discretion of the Vice-President and Provost, to other concerned parties within the department. The report of the committee with any such responses and the recommendation of the Vice-President and Provost shall be transmitted to the President for a final decision. In the event of a decision for removal, the President shall report the decision and the reasons therefore to the next scheduled meeting of the Academic Board.

II. The Office of Director of an Academic Centre or Institute

This section refers to those Centres or Institutes which conduct programs in which students can enrol and all Centres and Institutes in the School of Graduate Studies.

(25) The Director of a Centre or Institute is the chief executive officer of the Centre or Institute and reports directly to the Dean. While the Director may elect to delegate authority to other academic administrators in the Centre or Institute, he/she must retain responsibility for the overall direction of the Centre or Institute and in particular for authority over the budget and recommendations for appointments and, where applicable, promotions. The Director shall consult with the members of the Centre or Institute on matters of policy and practice as outlined in (29), but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.

A. Qualifications, Duties and Responsibilities

(26) Directors of Centres and Institutes should be appointed for their intellectual and administrative abilities, devotion to education and research, judgment and qualities of leadership. They have responsibility for the management of the Centre or Institute and for the implementation of University policy in all aspects of its operation. They should have the ability to

create an environment conducive to the growth of intellectual life within the Centre or Institute and to maintain the confidence and co-operation of their teaching staff, administrative staff and students. They should be able to manage effectively and efficiently the external relations of their Centre or Institute, both within the University and in the wider community, so as to facilitate support for its educational and research activities.

(27) The Director both represents the particular Centre's or Institute's policies and points of view, and as an officer of the Faculty or School, makes independent judgments on Faculty or School matters. The Director shall put the interest of the Centre or Institute ahead of his/her own research interest or specialty.

(28) The Director shall endeavour to promote the teaching, research and scholarship of the teaching staff of the Centre or Institute and to ensure an equitable distribution of work. He/she shall also endeavour to promote the career development of administrative staff.

(29) In the development and implementation of policy in a Centre or Institute, the Director shall seek the advice of the Centre or Institute expressed through either a representative committee or meetings of the members of the Centre or Institute. The division of duties between these two bodies may be expected to vary, in accordance with divisional constitutions as approved by Governing Council, but in general such matters as program changes should be discussed and approved by the Centre or Institute, while confidential matters should be discussed with a representative committee. There should be regularly scheduled meetings of a representative committee and of the members of the Centre or Institute.

(30) In order to conduct the business of the Centre or Institute and to maintain reasonable contact with his/her area of research or scholarly interest, the Director may

- (a) recommend to the Dean the appointment of an Associate Director and/or other academic administrative officers with specific responsibilities to the Director in certain areas, and
- (b) appoint administrative personnel to supervise and provide advice on, for example, finances, physical facilities and personnel, and
- (c) request, where justified, research assistance from the Dean to maintain the continuity of research work.

B. Term of Office

(31) The term of office of the Director of a Centre or Institute is up to a maximum of five years, with the possibility of one renewal up to a maximum of five years. No further renewal after two terms shall be considered except where very unusual circumstances exist which, in the judgment of the President, make such renewal desirable.

(32) Renewals of the term of office of the Director of a Centre or Institute, including renewal under unusual circumstances as provided in (31), shall be on the recommendation of a committee constituted as in (36).

(33) In the case of absence of the Director the following procedures will apply:

- (a) during the temporary absence of the Director for up to two months, the Director shall recommend to the Dean the appointment of either an Associate Director or a senior member of the teaching staff to serve as acting Director. The Dean shall inform the Vice-President and Provost.

- (b) in the event of the Director's absence for a period of more than two months or if the office of the Director becomes unexpectedly vacant, the Dean, after consultation with members of the Centre or Institute and the Dean of the School of Graduate Studies, shall recommend the appointment of an Acting Director for a period of no more than one year and forward the recommendation to the President who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.
- (34) Administrative leave is awarded to a professor after a minimum term of service as an administrator to permit him/her to pursue his/her academic interests for a period free of all administrative responsibilities. Leave entitlement shall be based on the following:
- (a) a Director shall be entitled to a full year's administrative leave at full salary after five years of administrative service. Time does not accrue towards a research leave while serving a full term and taking the related administrative leave. However, years credited towards a research leave at the time of an administrative appointment shall be preserved and counted towards the next research leave.
 - (b) if a Director serves a term of three years, he or she will be entitled to six months of administrative leave.
 - (c) where a Director serves fewer than five years, and does not elect to take the administrative leave entitlement as in (b), each of the years served shall be credited towards a regular research leave entitlement with the exception that, in calculating the research leave salary, the Director shall receive 100 percent of salary pro-rated for the years during which he/she held the office.

C. Appointment of Directors

- (35) The searches for and appointment of Directors shall be made in conformity with the University's employment equity objectives.
- (36) In the appointment of Directors of Centres or Institutes, following a call for nominations, the President, in consultation with the Dean of the Faculty or School in which the Centre or Institute lies, shall appoint an advisory committee. The committee normally shall be composed as follows:
- the Dean of the Faculty or School or representative who shall chair the committee;
 - three to five members of the teaching staff appointed to the Centre or Institute;
 - one or two students where appropriate;
 - two to four other qualified individuals, at least two of whom shall be from outside the Centre or Institute; and
 - a librarian, where appropriate.
- (37) The membership of this committee shall be made public.
- (38) All members of the teaching and administrative staff of the Centre or Institute shall be informed of steps being taken to appoint a new Director and of the membership of the advisory committee. They shall be invited to communicate opinions concerning candidates within or outside the Centre or Institute and to submit nominations. The committee shall consider the names suggested and also any additional names arising from any other source such as consultation with alumni and departments, centres or institutes in other universities.
- (39) (a) In the event of the resignation of a member of the advisory committee, the Dean, after consultation with the advisory committee, shall have the authority to replace the member.
- (b) Should a member of the advisory committee decide to be considered for nomination, that member shall resign.

(40) The recommendation of the committee and the vote shall be transmitted by the Dean of the Faculty or School, along with his/her own recommendation and, where the new Director is responsible for the graduate program, the recommendation of the Dean of the School of Graduate Studies, to all members of the committee and to the President, who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.

D. Removal of the Office Holder before Expiration of Term

(41) A Director may be removed from administrative office only for misconduct, incompetence, neglect of duty or other significant failure to exercise the duties and responsibilities of the position as set out in Section II.A.

(42) Where there is perceived cause for removal resulting from a conflict between the Director and the teaching staff, the Dean will, where appropriate, consult with the Dean of the School of Graduate Studies and with the support of the Vice-President and Provost, seek to mediate or correct the situation as early as possible.

(43) Where there is perceived cause for removal resulting from a conflict between the Dean and the Director, the Vice-President and Provost will, where appropriate and with the support of the President, seek to mediate or correct the situation as early as possible.

(44) If the process of mediation fails, as judged by any of the parties involved, and the Vice-President and Provost believes that formal proceedings are necessary, a formal inquiry shall be set up. At the same time, the Vice-President and Provost may choose to suspend the Director, without prejudice, financial or otherwise, for the period of the inquiry. In the case of suspension, the Vice-President and Provost shall recommend appointment of an Acting Director in order to facilitate the operation of the Centre or Institute during this period.

(45) In setting up of a formal inquiry, the Vice-President and Provost shall appoint a committee composed of three senior members of the teaching staff from outside the Centre or Institute concerned, at least one of whom shall be from outside the Faculty or School, to consider the facts and recommend a course of action. The Director shall be informed of the names of the members of the committee and given an opportunity to challenge, in writing, the composition of the committee for bias, or conflict of interest.

(46) The committee shall determine, in accordance with the Statutory Powers Procedure Act, 1971, whether it should recommend that the Director be removed from administrative office.

(47) On completion of its proceedings, the committee shall report to the Vice-President and Provost with a recommendation, supported by reasons, that the Director either continue in office or be removed for cause. The report of the committee, with an invitation to respond, shall be made available to the Director, the Dean and the Dean of the School of Graduate Studies, and at the discretion of the Vice-President and Provost, to other concerned parties within the Centre or Institute. The report of the committee with any such responses and the recommendation of the Vice-President and Provost shall be transmitted to the President for final decision. In the event of a decision for removal, the President shall report the decision and the reasons therefore to the next scheduled meeting of the Academic Board.

III. The Office of Dean of a Faculty or School and Principal of a College

Deans, including Directors of Schools, are the divisional heads of Faculties and Schools, and Principals, the divisional heads of Colleges.

(48) The Dean of a Faculty or School or the Principal of a College is the chief executive officer of the Faculty, School or College and reports directly to the Vice-President and Provost or his/her designate. ("Faculty, School or College" will hereafter be referred to as "division".) While the Dean or Principal may elect to delegate authority to other academic administrators in the division, he/she must retain responsibility for the overall direction of the division and in particular for authority over the budget, appointments and promotions. The Dean or Principal shall consult with the members of the division on matters of policy and practice as outlined in (52) and (53), but is ultimately responsible for all administrative decisions that are within his/her jurisdiction and authority.

A. Qualifications, Duties and Responsibilities

(49) Deans and Principals should be appointed for their intellectual and administrative abilities, devotion to education and research, judgment and qualities of leadership. They have responsibility for the management of the Faculty, School or College and for the implementation of University policy in all aspects of its operation. They should have the ability to create an environment conducive to the growth of intellectual life within the division and to maintain the confidence and co-operation of teaching staff, administrative staff and students. They should be able to manage effectively and efficiently the administrative affairs of their division, and should have the ability to conduct effectively the external relations of their division, both within the University and in the wider community, so as to facilitate support for its educational and research activities.

(50) Deans and Principals both represent their particular division's policies and points of view and, as University officers, make independent judgments on University matters. Deans and Principals shall put the interest of their division ahead of their own research interest or specialty.

(51) The Dean or Principal shall endeavour to promote the teaching, research and scholarship of the teaching staff of the division and to ensure an equitable distribution of work. He/she shall endeavour to promote the career development of administrative staff.

(52) In the development and implementation of policy in a departmentalized division, the Dean or Principal shall seek the advice of the division expressed either through the council or through the Chairs of the departments or divisions of Scarborough College or Directors of Centres and Institutes in the School of Graduate Studies. The division of duties may be expected to vary, in accordance with divisional constitutions as approved by Governing Council, but in general such matters as program changes should be discussed and approved by the council, while confidential matters should be discussed with the Chairs. There should be regularly scheduled meetings of the council and regular consultation between the Dean or Principal and the Chairs of departments or divisions.

(53) In the development and implementation of policy in non-departmentalized divisions where the Dean or Principal is consequently also the Chair, the Dean or Principal shall seek the advice of the division expressed either through a representative committee or the council. The division of duties between these two bodies may be expected to vary, in accordance with divisional constitutions as approved by Governing Council, but in general such matters as program changes should be discussed and approved by the council while confidential matters should be discussed

with a representative committee. There should be regularly scheduled meetings of a representative committee and of the divisional council.

(54) In order to conduct the business of the Faculty, School or College and to maintain reasonable contact with his/her area of research or scholarly interest, the Dean or Principal may

- (a) recommend to the Vice-President and Provost the appointment of Vice-Deans, Vice-Principals, Associate Deans, and/or other academic administrative officers as outlined in (83), (84), (100) or (101), with specific responsibilities to the Dean or Principal in certain areas, and
- (b) appoint administrative personnel to supervise and provide advice on, for example, finances, physical facilities and personnel, and
- (c) request, where justified, research assistance from the Vice-President and Provost to maintain the continuity of research work.

B. Term of Office

(55) The term of office of the Dean of a Faculty or School or the Principal of a College is up to a maximum of seven years with the possibility of one renewal up to a maximum of five years. No further renewal after two terms shall be considered except where very unusual circumstances exist which, in the judgment of the President, make such renewal desirable.

(56) Renewals of the term of office of the Dean or Principal, including renewal under unusual circumstances as provided in (55), shall be on the recommendation of a committee constituted as in (60), (61) or (62).

(57) In the case of absence of the Dean or Principal the following procedures will apply:

- (a) during the temporary absence of the Dean or Principal for up to two months, the Dean or Principal shall recommend to the Vice-President and Provost the appointment of either a Vice-Dean, an Associate Dean, a Vice-Principal or a senior member of the teaching staff to serve as acting Dean or Principal.
- (b) in the event of the Dean's or Principal's absence for a period of more than two months or if the office of Dean or Principal becomes unexpectedly vacant, the Vice-President and Provost, after appropriate consultation with the members of the division, shall recommend the appointment of an Acting Dean or Acting Principal for a period of no more than one year and forward the recommendation to the President who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.

(58) Administrative leave is awarded to a professor after a minimum term of service as an administrator to permit him/her to pursue his/her academic interests for a period free of all administrative responsibilities. Leave entitlement shall be based on the following:

- (a) a Dean or Principal shall be entitled to a full year's administrative leave at full salary after five years of administrative service. Time does not accrue towards a research leave while serving a full term and taking the related administrative leave. However, years credited towards a research leave at the time of an administrative appointment shall be preserved and counted towards the next research leave.
- (b) if a Dean or Principal serves a term of three years, he or she will be entitled to six months of administrative leave.
- (c) where a Dean or Principal serves fewer than five years and does not elect to take the administrative leave entitlement as in (b), each of the years served shall be credited towards a regular research leave entitlement with the exception that, in calculating the

research leave salary, the Dean or Principal shall receive 100 percent of salary pro-rated for the years during which he/she held the office. Where a Dean or Principal serves more than five years in a single term, the additional years shall be similarly treated.

C. Appointment of Deans and Principals

(59) The searches for and appointment of Deans and Principals shall be made in conformity with the University's employment equity objectives.

(60) In the appointment of a Dean of a Faculty or School, following a call for nominations, the President, after consulting the Chairs of the constituent departments, where appropriate, and members of the Faculty or School council, shall appoint an advisory committee. With the exception noted for the School of Graduate Studies in (61), the committee normally shall be composed as follows:

- the Vice-President and Provost or representative who shall chair the committee;
 - three to five members of the teaching staff of the Faculty or School;
 - one to three students of that Faculty or School;
 - the Dean of the School of Graduate Studies or representative;
 - a librarian, where appropriate; and
 - two or three other qualified scholars from within or outside this University, but outside the Faculty or School.
- in addition, the committee may include an alumnus/a, a member of the administrative staff and, in the case of professional faculties or schools, a senior member of the appropriate professional community.

(61) In the appointment of the Dean of the School of Graduate Studies, following a call for nominations, the President, after consulting the Chairs, Directors, and members of the School's Council, shall appoint an advisory committee. The committee normally shall be composed as follows:

- the Vice-President and Provost or representative who shall chair the committee;
 - one member of the teaching staff from each of the divisions of the School of Graduate Studies;
 - one Dean of a Faculty or School;
 - one Chair of a graduate department;
 - one Director of a graduate Centre or Institute;
 - one to three graduate students; and
 - a librarian, where appropriate.
- in addition, the committee may include an alumnus/a, a member of the administrative staff, and a qualified individual from outside the University.

(62) In the appointment of a Principal of a College, following a call for nominations, the President, after consulting the Chairs of departments or divisions within the College, where appropriate, and members of the College council, shall appoint an advisory committee. The committee normally shall be composed as follows:

- the Vice-President and Provost or representative who shall chair the committee;
- three to five members of the teaching staff of the College and/or those who teach in the College's programs; - one to three students of that College;
- the Dean of the School of Graduate Studies or representative;
- the Dean of the Faculty of Arts and Science or representative;

- two or three other qualified scholars from within or outside this University, but outside the College; and
 - a librarian, where appropriate.
 - in addition, the committee may include an alumnus/a and one or two members of the administrative staff.
- (63) The membership of all committees shall be made public.
- (64) All members of the teaching and administrative staff of the division shall be informed of steps being taken to appoint a new Dean or Principal and of the membership of the advisory committee. They shall be invited to communicate opinions concerning candidates within or outside the division and to submit nominations. The committee shall consider the names suggested and also any additional names arising from any other source such as consultation with alumni and faculties, schools or colleges in other universities.
- (65) (a) In the event of the resignation of a member of the advisory committee, the Vice-President and Provost, after consultation with the advisory committee, shall have the authority to replace the member.
- (b) Should a member of the advisory committee decide to be considered for nomination, that member shall resign.
- (66) The recommendation of the committee and the vote shall be transmitted by the chair, along with his/her own recommendation, to all members of the committee and to the President, who shall thereafter transmit his/her own recommendation to the appropriate body of the Governing Council.
- D. Removal of the Office Holder before Expiration of Term**
- (67) A Dean or Principal may be removed from administrative office only for misconduct, incompetence, neglect of duty, or other significant failure to exercise the duties and responsibilities of the position as set out in Section III.A.
- (68) Where there is perceived cause for removal resulting from a conflict between the Dean or Principal and the Chairs, or in a single departmental Faculty, between the Dean and the teaching staff, the Vice-President and Provost will, where appropriate and with the support of the President, seek to mediate or correct the situation as early as possible.
- (69) Where there is perceived cause for removal resulting from a conflict between the Dean or Principal and the Vice-President and Provost, the President, where appropriate, will seek to mediate or correct the situation as early as possible.
- (70) If the process of mediation fails, as judged by any of the parties involved, and the President believes that formal proceedings are necessary, a formal inquiry shall be set up. At the same time, the President may choose to suspend the Dean or Principal, without prejudice, financial or otherwise, for the period of the inquiry. In the case of suspension, the President shall appoint an Acting Dean or Principal in order to facilitate the operation of the division during this period.
- (71) In setting up a formal inquiry, the President shall appoint a committee composed of three senior members of the teaching staff from outside the division concerned to consider the facts and recommend a course of action. The Dean or Principal shall be informed of the names of the

members of the committee and given an opportunity to challenge, in writing, the composition of the committee for bias, or conflict of interest.

(72) The committee shall determine, in accordance with the Statutory Powers Procedure Act, 1971, whether it should recommend that the Dean or Principal be removed from administrative office.

(73) On completion of its proceedings, the committee shall report to the President with a recommendation, supported by reasons, that the Dean or Principal either continue in office or be removed for cause. The report of the committee, with an invitation to respond, shall be made available to the Dean or Principal and the Vice-President and Provost, and at the discretion of the President, to other concerned parties within the division. The report of the committee with any such responses shall be transmitted to the President for final decision. In the event of a decision for removal, the President shall report the decision and the reasons therefore to the next scheduled meeting of the Academic Board.

IV. The Office of Vice-Dean and Vice-Principal

(74) The office of Vice-Dean or Vice-Principal should be established only where the size and/or complexity of the division warrants. The office of Vice-Dean or Vice-Principal may be established, after consultation with the teaching staff and with the approval of the Vice-President and Provost, to assist the Dean or Principal in carrying out the academic and administrative work of the division. The office of Vice-Dean or Vice-Principal shall be continued only after consultation with the special committee as described in (83) or (84) which shall first recommend to the Dean or Principal whether or not the Office should be continued, and with the approval of the Vice-President and Provost.

A. Qualifications, Duties and Responsibilities

(75) The Vice-Dean of a Faculty or School or the Vice-Principal of a College should be appointed on the basis of intellectual and administrative abilities, and should possess qualifications similar to those of the Dean or Principal, as described in (49). The Vice-Dean or Vice-Principal should have the ability to maintain the confidence and cooperation of the teaching staff, administrative staff and students of the division; to manage effectively and efficiently the administrative affairs of the division; and/or to conduct effectively external relations of the division.

(76) Specific duties shall be delegated to the Vice-Dean or Vice-Principal by the Dean or Principal. The Vice-Dean or Vice-Principal may be appointed to act as the Dean's or Principal's representative within the division, the University and the wider community, with a broad range of responsibilities but not including matters such as finalizing of budgets and recommending of appointments and promotions.

(77) Vice-Deans and Vice-Principals shall put the interest of their division ahead of their own research interest or specialty.

(78) The administrative load of the Vice-Deans or Vice-Principals should not be so large as to prevent them from retaining reasonable contact with their area of research or scholarly interest.

B. Term of Office

(79) The term of office of a Vice-Dean or Vice-Principal is up to a maximum of five years or a maximum of one year beyond the term of appointment of the Dean or Principal, whichever is less, with the possibility of one renewal under similar terms, upon recommendation of a special committee as constituted in (83) or (84). Notwithstanding these terms, a newly appointed Dean or Principal shall have the prerogative of initiating the appointment of a new Vice-Dean or Vice-Principal according to the procedures in (83) or (84).

(80) Administrative leave is awarded to a professor after a minimum term of service as an administrator to permit him/her to pursue his/her academic interests for a period free of all administrative responsibilities. Leave entitlement shall be based on the following:

- (a) a Vice-Dean or Vice-Principal shall be entitled to a full year's administrative leave at full salary after five years of administrative service. Time does not accrue towards a research leave while serving a full term and taking the related administrative leave. However, years credited towards a research leave at the time of an administrative appointment shall be preserved and counted towards the next research leave.
- (b) if a Vice-Dean or Vice-Principal serves a term of three years, he or she will be entitled to six months of administrative leave.
- (c) where a Vice-Dean or Vice-Principal serves fewer than five years and does not elect to take the administrative leave entitlement as in (b), each of the years served shall be credited towards a regular research leave entitlement with the exception that, in calculating the research leave salary, the Vice-Dean or Vice-Principal shall receive 100 percent of salary pro-rated for the years during which he/she held the office.

C. Appointment of Vice-Deans and Vice-Principals

(81) The searches for and appointment of Vice-Deans and Vice-Principals shall be made in conformity with the University's employment equity objectives.

(82) Because of the close working relationship between Dean and Vice-Dean or Principal and Vice-Principal, their relationship must be founded on mutual respect and confidence. Hence it is essential that the recommendation of a person for the position of Vice-Dean or Vice-Principal be made by the Dean or Principal and not by a committee, but he/she shall be advised by a special committee as described in (83) or (84). It is equally important that a person in the position of Vice-Dean or Vice-Principal has the respect and confidence of members of the division, the University and the wider community with whom he/she will be working and for this reason the Dean or Principal must seek and receive advice from these constituencies before making a recommendation.

(83) In the appointment of the Vice-Dean of a Faculty or School or the Vice-Principal of a College, the Dean or Principal shall appoint a special committee to advise him/her on possible candidates and shall inform the Vice-President and Provost of its membership. Where the committee has been formed to recommend a successor to the present Vice-Dean or Vice-Principal, the committee shall first recommend whether or not the Office itself ought to be continued. With the exception noted for the School of Graduate Studies in (84), the committee normally shall be composed as follows:

- the Dean or Principal or representative who shall chair the committee; and
- five to eight persons, drawn from teaching staff, students and administrative staff of the division, teaching staff from outside the division and members of the wider community including alumni, each group not necessarily being represented.

A committee to advise on the appointment of the Vice-Dean of a Faculty or School or the Vice-Principal of a College that has a departmentalized organization should include at least three Chairs of departments among its members. If the Faculty, School or College has a non-departmentalized organization, the committee should include at least three teaching staff. The composition of the special committee should reflect the responsibilities that the Dean or Principal intends to delegate to the Vice-Dean or Vice-Principal. The committee shall nominate up to three candidates and, after consultation with the Chairs, where appropriate, one of these will be recommended by the Dean or Principal to the President who shall transmit his/her own recommendation to the appropriate body of the Governing Council. The Dean or Principal shall inform the committee of his or her recommendation.

(84) In the appointment of the Vice-Dean of the School of Graduate Studies, the Dean shall appoint a special committee to advise him/her on possible candidates and shall inform the Vice-President and Provost of its membership. Where the committee has been formed to recommend a successor to the present Vice-Dean, the committee shall first recommend whether or not the Office itself ought to be continued. The committee normally shall be composed as follows:

- the Dean or representative who shall chair the committee;
- one associate dean;
- three to six directors of centres and institutes; and
- two or three graduate chairs.

The committee shall nominate up to three candidates. After consultation with the Associate Deans, one of these candidates will be recommended by the Dean to the President, who shall transmit his/her own recommendation to the appropriate body of the Governing Council. The Dean shall inform the committee of his or her recommendation.

D. Removal of the Office Holder before Expiration of Term

(85) A Vice-Dean or Vice-Principal may be removed from administrative office only for misconduct, incompetence, neglect of duty or other significant failure to exercise the duties and responsibilities of the position as set out in Section IV.A. However, a newly appointed Dean or Principal may choose to replace a Vice-Dean, Vice-Principal or Associate Dean who was appointed by his/her predecessor. (See (79) and (97).)

(86) Where there is perceived cause for removal resulting from a conflict between the Vice-Dean or Vice-Principal and the members of the Faculty, School or College, the Dean or Principal will, where appropriate and with the support of the Vice-President and Provost, seek to mediate or correct the situation as early as possible.

(87) Where there is perceived cause for removal resulting from a conflict between the Dean or Principal and the Vice-Dean or Vice-Principal, the Vice-President and Provost will, where appropriate and with the support of the President, seek to mediate or correct the situation as early as possible.

(88) If the process of mediation fails, as judged by any of the parties involved, and the Vice-President and Provost believes that formal proceedings are necessary, a formal inquiry shall be set up. At the same time, the Vice-President and Provost may choose to suspend the Vice-Dean or Vice-Principal, without prejudice, financial or otherwise, for the period of the inquiry. In the case of suspension, the Vice-President and Provost shall recommend appointment of an Acting Vice-Dean or Vice-Principal in order to facilitate the operation of the Faculty, School or College during this period.

(89) In setting up a formal inquiry, the Vice-President and Provost shall appoint a committee composed of three senior members of the teaching staff from outside the Faculty, School or College concerned, to consider the facts and recommend a course of action. The Vice-Dean or Vice-Principal shall be informed of the names of the members of the committee and given an opportunity to challenge, in writing, the composition of the committee for bias, or conflict of interest.

(90) The committee shall determine, in accordance with the Statutory Powers Procedure Act, 1971, whether it should recommend that the Vice-Dean or Vice-Principal be removed from administrative office.

(91) On completion of its proceedings, the committee shall report to the Vice-President and Provost with a recommendation, supported by reasons, that the Vice-Dean or Vice-Principal either continue in office or be removed for cause. The report of the committee, with an invitation to respond, shall be made available to the Vice-Dean or Vice-Principal and the Dean or Principal, and at the discretion of the Vice-President and Provost, to other concerned parties within the Faculty, School or College. The report of the committee with any such responses and the recommendation of the Vice-President and Provost shall be transmitted to the President for final decision. In the event of a decision for removal, the President shall report the decision and the reasons therefore to the next scheduled meeting of the Academic Board.

V. The Office of Associate Dean

(92) The office of one or more Associate Deans may be established, after appropriate consultation with the teaching staff and with the approval of the Vice-President and Provost, to assist the Dean of a Faculty or School, the Principal and Dean of Scarborough College or the Principal of Erindale College in carrying out the academic and administrative work of the division. The office of Associate Dean shall be continued only after consultation with the special committee as described in (100) or (101) which shall first recommend to the Dean or Principal whether or not the Office should be continued, and with the approval of the Vice-President and Provost.

A. Qualifications, Duties and Responsibilities

(93) The qualities required for the Associate Dean of a division should be similar to those of Deans and Principals, but with these qualities focused on the requirements of a particular post.

(94) Specific duties shall be delegated to each Associate Dean by the Dean or Principal. At Erindale College, Associate Deans act as the head of their respective academic division, with full budgetary responsibility, and may, without further approval, be appointed by the Principal as Vice-Principals for specified College-wide administrative responsibilities. In smaller Faculties or Schools which do not have an office of Vice-Dean, the Associate Dean or Deans may be assigned division-wide duties similar to those assigned to a Vice-Dean of a larger Faculty or School. In larger Faculties or Schools which do have an office of Vice-Dean, Associate Deans may be expected to carry out sectoral responsibilities where their jurisdictions are defined by groups of departments or academic divisions within the Faculty or School, or they may be assigned specific functional responsibilities under the supervision of the Dean. While Associate Deans may have certain delegated responsibilities, the final responsibility and authority must remain with the Dean or Principal.

(95) Associate Deans shall put the interest of the division ahead of their own research interest or specialty.

(96) The administrative load of the Associate Deans shall not be so large as to prevent them from retaining reasonable contact with their area of research or scholarly interest.

B. Term of Office

(97) The term of office for an Associate Dean is up to a maximum of five years, with the possibility of one renewal to a maximum of five years upon recommendation of a special committee as constituted in (100) or (101). Notwithstanding these terms, a newly appointed Dean or Principal shall have the prerogative of initiating the appointment of new Associate Deans according to the procedures in (100) or (101).

(98) Administrative leave is awarded to a professor after a minimum term of service as an administrator to permit him/her to pursue his/her academic interests for a period free of all administrative responsibilities. Leave entitlement shall be based on the following:

(a) an Associate Dean shall be entitled to a full year's administrative leave at full salary after five years of administrative service. Time does not accrue towards a research leave while serving a full term and taking the related administrative leave. However, years credited towards a research leave at the time of an administrative appointment shall be preserved and counted towards the next research leave.

(b) if an Associate Dean serves a term of three years, he or she will be entitled to six months of administrative leave.

(c) where an Associate Dean serves fewer than five years and does not elect to take the administrative leave entitlement as in (b), each of the years served shall be credited towards a regular research leave entitlement with the exception that, in calculating the research leave salary, the Associate Dean shall receive 100 percent of salary pro-rated for the years during which he/she held the office.

C. Appointment of Associate Deans

(99) The searches for and appointment of Associate Deans shall be made in conformity with the University's employment equity objectives.

(100) In the appointment of an Associate Dean of a Faculty, School, or College, the Dean or Principal shall appoint a special committee to advise him/her on possible candidates and inform the Vice-President and Provost of its membership. Where the committee has been formed to recommend a successor to the present Associate Dean, the committee shall first recommend whether or not the Office itself ought to be continued. With the exception noted for the School of Graduate Studies in (101), the committee normally shall be composed as follows:

-the Dean or Principal or representative who shall chair the committee; and

-three to five members of the teaching staff from within the division. In addition the committee may include one or two qualified individuals from appropriate constituencies from outside the division. In the appointment of an Associate Dean in a Faculty or School that has a departmentalized organization, the advisory committee should include at least three Chairs of departments. The membership of the committee should reflect the responsibilities of the Associate Dean.

The committee shall nominate up to three candidates. After consultation with members of the division and other persons who would work closely with the Associate Dean, the Dean or

Principal shall recommend one of these to the President, who shall transmit his/her own recommendation to the appropriate body of the Governing Council. The Dean or Principal shall inform the committee of his or her recommendation.

(101) In the appointment of the Associate Deans of the School of Graduate Studies, the Dean, after consultation with the Chairs and Directors of the division, shall appoint a special committee to advise him/her on possible candidates and inform the Vice-President and Provost of its membership. Where the committee has been formed to recommend a successor to the present Associate Dean, the committee shall first recommend whether or not the Office itself ought to be continued. The committee normally shall be composed as follows;

- the Dean or representative who shall chair the committee; and
- three to five Chairs or Directors of the appropriate division.

The committee shall nominate up to three candidates. After consultation with the Chairs and Directors of the division, the Associate Deans and the Vice-Dean, the Dean shall recommend one of these candidates to the President, who shall transmit his/her own recommendation to the appropriate body of the Governing Council. The Dean shall inform the committee of his or her recommendation.

D. Removal of the Office Holder before Expiration of Term

(102) The procedures for removal of Associate Deans before the expiration of their terms are analogous to those for Vice-Deans and Vice-Principals in (85) to (91).

VI. The Office of Assistant Dean and Assistant Principal

(103) The title of Assistant Dean or Assistant Principal should be reserved for offices normally held by members of the administrative staff or by a teaching staff member where scholarly credentials are not a primary criterion in the selection.

END OF POLICY ON APPOINTMENT OF ACADEMIC ADMINISTRATORS

Section:	ACADEMIC STAFF	Code Number:	3.01.02
Item:	Policy and Procedures on Academic Appointments		

INDEX
POLICY AND PROCEDURES ON ACADEMIC APPOINTMENTS

- I. APPOINTMENTS POLICY AND PROCEDURES
 - II. THE PROBATION PERIOD
 - III. CRITERIA FOR GRANTING TENURED APPOINTMENTS
 - IV. APPEALS AGAINST DENIAL OF TENURE
 - V. TERMINATION OF TENURED APPOINTMENTS
 - VI. CONTRACTUALLY LIMITED TERM APPOINTMENTS
 - VII. TEACHING STREAM APPOINTMENTS
 - VIII. OTHER CATEGORIES OF APPOINTMENT
-

All regulations pertaining to appointments and tenure shall be given in writing to newly-appointed members of the academic staff of the University of Toronto.

I. APPOINTMENTS POLICY AND PROCEDURES¹

There should be a continuous planning process in each academic unit with the objective of delineating future plans and developments. Against such plans, requests for new appointments can be judged and the nature of candidates to be sought determined.

For the purposes of this document academic unit is defined by Section 1(l)(a) of the University of Toronto Act 1971, amended in 1978. Division head shall mean the Principal, Dean or Director of the corresponding College, Faculty or School, which shall be referred to as division. The following faculties are deemed to be multi-departmental divisions with departmental chairs:

- Faculty of Arts and Science
- Faculty of Medicine
- Faculty of Applied Science and Engineering
- The School of Graduate Studies
- The Ontario Institute for Studies in Education of the University of Toronto
- Scarborough College

1. These principles and procedures apply to all full-time appointments to the rank of Assistant Professor (Conditional) and above, and to the rank of Lecturer and Senior Lecturer. Appointments on a sessional and part-time basis should be made in accordance with the Policy and Procedures on Part-Time Appointments.
2. All divisions must seek the approval of the Vice-President and Provost for an increase in staff, or for the filling of a vacant position in the tenure stream, or for a position with

¹ This policy shall be applied to all academic staff members unless an individual specifically requests consideration under the policy in force at the time of his or her appointment. Previous appointment policies are accessible through the Provost's Office.

- tenure. Approval must be obtained for contractually-limited term appointments as specified in Section 29 below.
3. There should be close co-operation between the Faculty of Arts and Science, the School of Graduate Studies, Scarborough College and Erindale College in all aspects of appointments policies. Scarborough and Erindale Colleges should retain a significant degree of initiative in determining the patterns of faculty recruitment.
 4. Where appropriate, academic units should explore the possibility of using staff resources in other universities as an alternative to new or replacement appointments. Except under unusual circumstances and with the explicit approval of the Office of the Vice-President and Provost, appointment of University of Toronto teaching staff to other universities or the appointment of staff members from other universities to this University should not be on an overload basis. A released time agreement with shared responsibility and payment of reasonable out-of-pocket expenses should be the normal arrangement.
 5. Procedures should be adopted to ensure that an adequate list of possible candidates of quality is obtained and that the selection from this list has been properly and effectively carried out. The Vice-President and Provost with the appropriate consultation should be permitted to waive some or all of the procedural requirements of this recommendation in exceptional cases. Cases where the procedural requirements are waived should be reported to the Academic Board. The procedures should include the following:
 - i) The position should be advertised widely in such journals as *University Affairs* and the *CAUT Bulletin* as well as in national and international journals in the discipline concerned and other appropriate periodicals. Advertisements must also be sent to all the corresponding divisions or departments in other Canadian universities. The objective of wide advertisement is to ensure that the position is drawn to the attention of as many potential candidates as possible in order to increase the chances that the names of the best possible candidates will appear on the list of those to be considered.
 - ii) All documentation for candidates must be obtained in writing. The documentation for each candidate should include a current curriculum vitae and several letters of recommendation indicating the candidate's capacity for scholarship as evidenced by teaching and research.
 - iii) These applications should be assessed and judged by a committee of the division or department which would assist the dean or chair in producing a "short list" of approximately three candidates.
 - iv) In all divisions the division head should be notified of the Search Committee's recommendation and the reasons for the Committee's selection of the individual over other candidates on the "short list". The division head, if satisfied that an effective search has been made, shall then seek the Provost's approval to authorize the departmental chair in multi-departmental divisions to proceed with the making of a formal offer to the selected candidate. In other faculties, the formal offer to the selected candidate will be made by the head of the division or designate after receiving the Provost's approval. In the case of the appointment of a full professor with tenure, this section is modified by Section II below.

v) Where a cross-appointment, as for example to University, Erindale, New, Innis, or Woodsworth College or to another division, institute, centre or department, is to be made at the time of initial appointment, the heads of the academic units concerned should be involved in the preparation of the "short list" mentioned in iii); moreover, each of these academic units should be represented on the committee which assists in the preparation of that list. Similarly the final choice mentioned in iv) should have the approval of the heads of the academic unit concerned. The authorizations mentioned in iv) and v) shall be given by both or all of the division heads concerned after receiving the Provost's approval.

vi) Visiting appointments normally are those where the individual appointed retains a continuing appointment in another institution. Such appointments will be approved by the division head and normally will be for no longer than one year. Appointments for longer than one year require the approval of the Vice-President and Provost. Visiting appointments are exempt from all other procedures in this document.

II. THE PROBATION PERIOD

6. The Assistant Professor rank should be the normal starting point for a person beginning a University career of research and teaching. Evidence of candidates' teaching ability or potential and assessments of their promise of future intellectual and professional development, should be sought and considered when making such appointments.

To qualify for appointment to the rank of Assistant Professor or above, the candidate should be required to show evidence of his or her ability to undertake independent scholarly activity, such as the successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent. A candidate who does not so qualify should not be appointed to the rank of Assistant Professor or above, but should receive appointment as an Assistant Professor (Conditional).

7. Any member of the teaching staff enrolled in a doctoral programme at any university and appointed with the expectation that the Ph.D. degree or its equivalent will be conferred must remain at the Assistant Professor (Conditional) rank until the degree is conferred or until he or she indicates that the formal doctoral programme has been abandoned and is able to show evidence of satisfactory scholarly work. Successful completion of a doctoral programme or other scholarly or professional work regarded by the division or department as equivalent would make the member of the teaching staff eligible for an appointment at the rank of Assistant Professor. Where a member of the teaching staff is expected to enter the tenure stream, he or she should not serve more than six years, including a terminal year, at the Assistant Professor (Conditional) rank. Assistant Professors (Conditional) should receive annual contracts terminable on not less than six months' written notice.
8. On initial appointment to a position in the tenure stream an Assistant Professor should receive a three-year contract and it should be clearly understood that the University is under no obligation to renew the contract when it expires. The performance of a member of the teaching staff holding such a contract should be reviewed no earlier than May 1 of the second year of the contract, by a committee appointed by the division head or, in the multi-departmental divisions, by the department chair. For compelling academic reasons

such as the need to set up new research facilities, and with the approval of the Vice-President and Provost, an Assistant Professor may be given an initial appointment of up to five years, with a performance review no earlier than May 1 of the penultimate year. Those raised from the Assistant Professor (Conditional) rank to Assistant Professor after the beginning of the regular appointment year, and who are in the tenure stream, shall be deemed to have received a three-year contract from the following July 1.

In the case of staff members who are cross-appointed to Scarborough College, Erindale College, or to other departments or divisions and where such cross-appointments carry a commitment to at least one quarter of the candidate's salary, the review committee shall be appointed jointly by the respective division heads or department chairs. In the case of staff members who are cross-appointed to New College, Innis College, or University College, the College principal does not participate in the appointment of the review committee. In these cases the review committee must obtain from the College principal an appraisal of the candidate's College contribution to be considered along with other relevant evidence of the candidate's scholarly ability.

The review of such an initial appointment should be essentially different in purpose and procedures from a tenure review. The committee should consider two questions.

- a) Has the appointee's performance been sufficiently satisfactory for a second probationary appointment to be recommended?
- b) If reappointment is recommended, what counselling should be given to the appointee to assist him or her to improve areas of weakness and maintain areas of strength?

The procedures of the review committee should be made known to the appointee, but they cannot be rigidly defined for the University as a whole. Rather the procedures should be flexibly designed by each division or department with the aim of eliciting and considering all possible relevant information. Course evaluation should be considered and also signed opinions of individual students if these are available. Written comments from other department members, formally or informally acquainted with the appointee's teaching or scholarship, should be solicited. The appointee should be asked to submit an account of research or creative professional activity which has been completed or undertaken since the time of initial appointment; however, lack of substantial achievement in this area since appointment should not, in itself, be a cause for non-renewal of contract. Notice that the contract will or will not be renewed on the following July 1 must be given in writing no later than September 25. If requested, a written statement of reasons for a decision to recommend that a contract not be renewed shall be supplied, within one week of such a request, by the chair of the review committee.

9. A decision not to renew a contract may be appealed by a member of the teaching staff holding an initial appointment as Assistant Professor in the tenure stream only on one or more of the following grounds:
 - a) a significant irregularity in the procedure followed by the review committee;
 - b) an unreasonable inconsistency in the application of the current standards of the division or department; or

- c) improper bias or motive on the part of a member of the review committee.

In the multi-departmental divisions, the appeal will be considered by the principal or dean. In other divisions, the appeal will be considered by a principal or dean designated for this purpose by the Vice-President and Provost. Where the appellant is cross-appointed, the person to hear the appeal will be determined according to the division in which the appellant holds his or her primary appointment. In a case where the person who would otherwise hear the appeal was a member of the review committee, the Provost should designate another principal or dean (not a member of that committee) to hear the appeal. Appeals must be made in writing within fifteen (15) working days of written notice of non-renewal and the appellant informed of the decision within twenty (20) working days of the appeal. A person appealing a non renewal of contract shall have a right to a summary of any written evidence which must be described in enough detail to enable him or her to make a particular response to all the significant components, and to appear and present arguments on any of the three grounds listed above. The decision of the principal or dean may be appealed to the Vice-President and Provost within ten days. The Vice-President and Provost's decision will be final, and cannot be grieved.

If an Assistant Professor in the tenure stream is granted a renewal of his or her contract, that renewal should be for a period of up to two years, and he or she must be considered for tenure in the terminal year of this contract. The candidate should be notified of the result of the tenure consideration not later than April 15 of that year. The length of the contract may vary from case to case, particularly if previous service at the rank of Assistant Professor (Conditional) at this University or at an equivalent rank at another university is to be taken into account in establishing an earlier date for consideration of tenure. At the time of making an appointment to the Assistant Professor rank, it is the responsibility of the division head, or of the department chair in the multi-departmental divisions to reach an explicit understanding with the member of the teaching staff as to the time at which tenure will be considered; where the initial appointment involves a cross-appointment, the responsibility for reaching this understanding will rest with the head, or chair, as the case may be, of the division or department of the primary appointment.

10. In exceptional circumstances, with the approval of the division head and the Vice-President and Provost, a candidate may be considered for tenure earlier than provided for in (9) above but only if the consent of the candidate is obtained in writing. However, no Assistant Professor should be granted tenure until he or she has served a minimum of three years at this University at the Assistant Professor rank except in extraordinary circumstances upon the approval of the Vice-President and Provost. No later than April 15 of the final year of the probationary period, the candidate should be considered for tenure and notified of the result.

With the consent of the candidate and the approval of the Vice-President and Provost, consideration for tenure may be delayed for one year but not more than two years, to accommodate a maternity, or for reasons of a severe personal circumstance such as a serious illness.

11. A member of the teaching staff appointed initially at the rank of Associate Professor, with the exception of those appointed under Section 29, either should be considered for

tenure at the time of appointment or should receive a three-year contract. In the latter case, he or she should be considered for tenure in the third year of the contract and should be notified of the result not later than April 15 of that year. If the candidate's consent is obtained in writing, he or she may be considered for tenure earlier. In any case, the regular procedures and composition of committees for consideration of tenure shall be followed.

If the initial appointment is at the rank of Professor, that appointment should be with tenure, with the exception of those appointed under Section 29. Before the offer of such an appointment is made, the proposal must be approved by the division head, the Dean of the School of Graduate Studies and the Office of the Vice-President and Provost.

When an academic administrator is recommended for appointment from outside this University under the "Policy on Appointment of Academic Administrators", he or she must also be recommended for tenure in the appropriate department or division, by a duly constituted tenure committee if at the rank of Associate Professor or by the provisions of the preceding paragraph if at the rank of Professor.

In the case of a member of the teaching staff of a clinical department in the Faculty of Medicine who is also a licensed clinician on the staff of a teaching hospital, the term of the University contract of appointment during the probationary period should normally be made concurrent with his or her corresponding contractual arrangement with the teaching hospital. However, the term of the University appointment during the probationary period should in no case exceed the term of the contract which the member of the teaching staff would otherwise have received under this section or in 8, 9, or 10 above.

Note: The Academic Affairs Committee approved the following on May 1, 1975:

"That, pending the receipt of further advice from the Faculty of Medicine, the implementation of (6) to (11) of the academic appointments policy be delayed for clinical staff. For the purposes of this recommendation, clinical staff are staff in the following departments of the Faculty of Medicine who also hold active staff appointments in an affiliated teaching hospital:

Anaesthesia
Clinical Biochemistry
Family and Community Medicine
Medicine
Medical Microbiology
Obstetrics and Gynaecology
Ophthalmology
Otolaryngology
Paediatrics
Pathology
Psychiatry
Radiology
Rehabilitation Medicine, and
Surgery.

Full-time staff in these departments who do not hold active staff appointments in the affiliated teaching hospitals should remain subject to the same tenure procedures as other full-time University staff members.

This delay in implementation also applies to any subsequent policy statements arising out of the Appointment Task Force Report, concerning tenured appointments."

III. CRITERIA FOR GRANTING TENURED APPOINTMENTS

The Nature of Tenure

Tenure, as understood herein, is the holding by a member of the professorial staff of the University of a continuing full-time appointment which the University has relinquished the freedom to terminate before the normal age of retirement except for cause and under the conditions specified in Sections 27 and 28 below.

Tenure provides a necessary safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University.

Tenure entails acceptance by a member of the University of the obligation to perform conscientiously his or her functions as a teacher and a scholar.

Tenure shall be granted only by a definite act, under stipulated conditions on the basis of merit.

12. The set of general criteria outlined below should be used as the basis for a decision on the granting of tenure. It is, however, recognized that significant differences among divisions and disciplines in the University will lead to some differences in the detailed application of these criteria. Nevertheless there should be a high degree of uniformity across the University, in standards and procedures for granting tenure.
13. Tenured appointments should be granted on the basis of three essential criteria: achievement in research and creative professional work, effectiveness in teaching, and clear promise of future intellectual and professional development. Contributions in the area of university service may constitute a fourth factor in the tenure decision but should not, in general, receive a particularly significant weighting.
 - a) Achievement in research or creative professional work is evidenced primarily, but not exclusively, by published work in the candidate's discipline; in this context, published work may include books, monographs, articles and reviews and, where appropriate, significant works of art or scholarly research expressed in media other than print. It may also be evidenced by various other types of creative or professional work, including community service, where such work is comparable in level and intellectual caliber with scholarly production and relates directly to the candidate's academic discipline. Research also encompasses unpublished writings and work in progress. Scholarly achievement may be demonstrated by consideration of theses or other material prepared or written under the candidate's direct supervision. In some exceptional cases, weight should be given to "unwritten scholarship" of the type displayed in public lectures, formal colloquia and informal academic discussions with colleagues.

b) Effectiveness in teaching is demonstrated in lectures, seminars, laboratories and tutorials as well as in more informal teaching situations such as counselling students and directing graduate students in the preparation of theses. It is, however, recognized that scholarship must be manifested in the teaching function and that a dogmatic attempt to separate "scholarship" and "teaching" is somewhat artificial. Three major elements should be considered in assessing the effectiveness of a candidate's teaching: the degree to which he or she is able to stimulate and challenge the intellectual capacity of students; the degree to which the candidate has an ability to communicate well; and the degree to which the candidate has a mastery of his or her subject area.

c) An assessment of promise of future intellectual and professional development will inevitably be based on the vitality and progress the candidate has demonstrated as a teacher and scholar during his or her probationary years at this University. A positive judgment on this criterion means that the members of the tenure committee are reasonably convinced that, following the granting of tenure and the long-term commitment that it implies, the candidate will continue to make a valuable contribution to his or her discipline.

d) University service primarily means university, divisional or departmental committee or administrative work.

Clear promise of future intellectual and professional development must be affirmed for tenure to be awarded. Demonstrated excellence in one of research (including equivalent and creative or professional work) and teaching, and clearly established competence in the other, form the second essential requirement for a positive judgment by the tenure committee. Only outstanding performance with respect to University service should be given any significant weight and, even then, only if there are no substantial reservations relating to the research, teaching and future promise criteria.

14. Detailed Procedures for Tenure Consideration

Each division head or chair of the department in the multi-departmental divisions shall have the responsibility:

1) to ensure that those members of the teaching staff who must be considered for tenure in the spring term of an academic year are identified in the previous September;

2) to notify formally the candidate as to the individuals whom he or she intends to ask to serve on the tenure committee. If the staff member has reason to believe that any member of the committee, including the division head or chair, cannot make his or her decision solely on the basis of the evidence available at the time of the tenure committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the staff member of the final composition of the tenure committee and when the process of review, including assembling of documentation, is about to begin and when it will be completed;

3) to complete and to present the documents to the tenure committee to ensure that the fullest possible documentation is made available. Each member of the teaching staff being considered for tenure shall prepare a curriculum vitae as indicated in Section 15 below and shall make available to the division head or chair all papers and documents as indicated below. The division head or chair shall obtain the necessary appraisals of the candidate's work and the evaluation of the internal reading committee with respect to the documentation provided for the tenure committee. The division head or chair shall prepare and provide a brief summary of the content of the above appraisals and evaluation, without identifying their source, to the candidate at the time of submission of the dossier to the tenure committee.

The tenure committee shall have the following composition:

1) For the multi-departmental divisions, the chair of the tenure committee shall be the chair of the department, except in exceptional circumstances and with the approval of the division head and the Vice-President and Provost. The committee shall, in addition to the chair, consist of the head of the division or his or her representative, the Dean of the School of Graduate Studies or his or her representative, as well as four members of the professorial staff having tenure, at least two of who should be from the department involved. Any members of the tenure committee who are not members of the department involved should come from cognate departments or divisions.

2) For non-departmental divisions, the chair of the tenure committee shall be the division head or his or her representative. The committee shall, in addition to the chair, consist of the Dean of the School of Graduate Studies or his or her representative, as well as five members of the professorial staff having tenure, at least two of whom should be from the division involved. Any members of the tenure committee who are not members of the division involved should come from cognate departments or divisions.

3) For individuals holding cross-appointments or appointments at Scarborough College or Erindale College, the procedures and composition of the tenure committee is modified by Sections 17, 18, 20, and 21 below.

4) In unusual circumstances, and with the approval of the division head and the Vice-President and Provost, a tenured professor from another university whose discipline is similar to that of the individual under review may be substituted for one of the members representing the departmental professorial staff or the cognate university unit.

15. Documentation for Tenure Consideration

The documentation to be made available to the tenure committee shall include the following:

i) The Candidate's Curriculum Vitae

The preparation of the curriculum vitae shall be the responsibility of the candidate with appropriate assistance and advice from the division or department head.

The curriculum vitae should be in four parts:

a) The academic history of the candidate giving name, date of birth, institution at which each degree was obtained together with the date obtained, titles of graduate theses and supervisors' names (where applicable), list of all teaching and research appointments held and other relevant experience quoting dates and institutions, any honours, prizes, etc., received since the first degree was obtained, the present appointment, and all other activities related to the candidate's work at the University. In addition, there should be a list of all research or other grants obtained, together with the name of the granting agency, the date, the duration, the amount of award and any research contracts entered into.

b) A list of the candidate's scholarly and professional work including work published, completed but not yet published, in press, submitted for publication, and in progress. This would include books, chapters in books, articles, and review articles written by the candidate and also any work in non-print media as well as the presentation of papers at meetings and symposia. In the case of work which has not yet been published, the candidate should give a brief account of the stage of progress reached at the time the list is prepared.

c) A list of all courses, graduate and undergraduate, taught by the candidate. If the candidate has had major responsibility for the design of a course, this should be stated; a course outline and reading list and set of essay topics should be supplied, where these give evidence as to the candidate's ability in designing the course. A list of senior undergraduate students and graduate students supervised, indicating whether primary or sole supervision or else secondary or joint supervision, together with their thesis topics and the dates indicating the period of supervision for each candidate should also be included.

d) A list of committees and organizations within the University on which the candidate has served. The candidate may also include a similar list of committees and organizations outside the University together with the period of service and the candidate's function on them, where those committees or organizations closely relate to the candidate's academic discipline or scholarly activities.

ii) Assessment of the Candidate's Scholarly And Professional Accomplishments

Copies of the work that the candidate has completed, or has nearly completed, should be given or in the case of non-written work, made known in appropriate form, to the division head or chair who should arrange for its assessment by specialists in the candidate's field. However, the candidate's permission is required before unpublished work may be communicated outside the tenure committee. An internal assessment should be provided by the reading committee specified in iv) below, and additional internal assessments may be obtained from individual specialists.

Normally, written specialist assessments of the candidate's work should also be obtained from outside the University; the candidate should be invited to nominate several external referees, and the division head or chair should solicit letters of reference from at least one of them and from one or more additional specialists chosen by himself or herself. In addition members of the department, including students, may be invited to submit written opinions of the candidate's qualifications. All referees' letters should be submitted in

confidence to the tenure committee with, if appropriate, the chair's comments on the status and competence of the referees.

iii) Assessments of the Candidate's Teaching Ability

Written assessments of the candidate's teaching ability shall be prepared in accordance with guidelines approved for the relevant department or division. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students and will offer the candidate the opportunity to supplement his or her files. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Board.

When a member of the teaching staff is or has been cross-appointed, assessments should be sought from all of the divisions in which he or she has taught, and should be taken fully into account by the tenure committee.

iv) Evaluations by Internal Departmental or Divisional Committees

Divisions and departments shall establish internal reading and evaluation committees to assess and prepare written evaluations of material presented by candidates with respect to their scholarly and professional accomplishments. Such committees may also gather and provide information concerning a candidate's qualifications with respect to any of the published criteria for the granting of tenure. However, there should be no formal recommendation, in favour of tenure or opposed to tenure, from the department or division or from any group in the department or division, to the tenure committee.

16. Approval Procedures for Tenure Decisions

The tenure committee shall meet and consider all the evidence put before it. The quorum of the committee shall be the full membership. The candidate shall be given an opportunity to make a written statement and/or to appear before and make an oral statement to the tenure committee, but is not entitled to be present throughout or otherwise participate in the tenure consideration. In cases where the committee finds it difficult to reach a clear-cut recommendation on the basis of the evidence available, it may recess for a short period, normally no longer than a month, to obtain additional or supplementary information from the candidate or other sources.

The meetings of the tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The tenure committee shall have the power to take only one of two possible decisions: to recommend that tenure be granted or that tenure be denied. A recommendation to grant tenure must be approved by at least five of the seven members of the committee. Voting is to be by private ballot. When the voting is concluded, the chair of the tenure committee will announce to the committee how each member of the committee voted, and the total number of votes for and against the granting of tenure. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted. The decision must be taken on the basis of the evidence available at the time of the meeting. Where the committee is unable to reach a decision promptly, a new committee shall be established immediately to take one of the two decisions required

unless the Office of the Vice-President and Provost is convinced that the circumstances are unusual enough to justify delaying the appointment of a new committee for a period of up to one year. For the purposes of this section, a new committee is one in which all of the members, except the ex officio members, are new.

Reasons for a proposed negative recommendation shall be given to the candidate who shall have an opportunity to respond to them, either orally or in writing, within fifteen days of notification. Thereafter, the committee shall make its final decision on the recommendation for communication to the head of the division and shall prepare and adopt a statement of the reasons for the decision, and, in the case of a negative decision, a summary of the evidence. The summary of the evidence should be prepared in sufficient detail to enable the candidate to make a particular response to all of the significant components if he or she appeals to the Tenure Appeal Committee in Section 23 below.

As soon as practicable after the tenure committee's decision, the head of the division should inform the candidate whether or not tenure has been recommended and so inform the President through the Office of the Vice-President and Provost. At this point, in the event of a negative recommendation the candidate should be furnished with the statement of reasons for the decision and the summary of evidence.

After the President has made his or her decision on the recommendation of the tenure committee he or she shall notify the head of the division and the candidate. Where tenure has been denied, the division head or the chair of the department in consultation with the division head should recommend the duration of the candidate's terminal contract which should be for either one or two years followed by automatic termination with no further review.

Approved awards of tenured appointments shall be reported to the Academic Board of the Governing Council for information.

17. Cross-Appointments from Externally Controlled Institutions

Members of the teaching staff may hold cross-appointments to externally controlled institutions and to other academic units in the University according to the following regulations set out below and in Sections 18, 20, and 21.

Members of the teaching staff who are cross-appointed from externally controlled institutions, including other universities, the Royal Ontario Museum, and the Ontario College of Art and Design, shall be deemed to hold part-time appointments making them ineligible for tenured status in the University. Those members of staff now cross-appointed from these institutions, and already holding tenured appointments, shall continue to do so.

18. Cross-Appointments within the University

- i) Members of the teaching staff may hold cross-appointments to University College, New College, Innis College, the School of Continuing Studies, and Woodsworth College, but such appointments should not be designated as the primary or secondary appointment unit for the purposes of this document, no matter what share of the salary may be carried by the budget of any of these colleges. Such units shall not be entitled to representation on the tenure

committee, or to participate in deciding on committee membership or in the preparation of documentation. Where a candidate is under consideration for tenure and holds such a cross-appointment the chair of the tenure committee must secure from the college principal an evaluation of the candidate's contribution to the college and such evidence shall be considered by the tenure committee.

- ii) In the case of a member of the teaching staff who holds a cross-appointment within the University, duties and salary should be divided in such a way that there is always a primary appointment, carrying more than fifty per cent of salary and a secondary appointment carrying the salary balance. If a faculty member is appointed to more than two academic divisions or departments within the University, that unit which carries the largest salary share should be designated as the primary appointment unit. For purposes of tenure consideration the operative division of salary leading to the definition of the primary appointment should be that in effect in the month of September immediately preceding the spring in which the tenure decision is to be made. The division in which the primary appointment is held will take responsibility for endeavouring, as far as it is within its power and control, to see that the appointee's rights are protected.

The head of the division in which the primary appointment is held shall through such officers (e.g., departmental chairs) as are appropriate, be responsible for notifying the candidate and for the preparation of the documentation for the candidate's tenure consideration.

The preparation of documentation must be done in collaboration with the appropriate officers of other divisions in which the candidate holds or has held cross-appointments, and the evidence of this collaboration must be placed before the tenure committee; its absence shall be grounds for a request for a review of the decision. The officer of the division or department of primary appointment and the officer of the division or department of secondary appointment should submit recommendations for members of the teaching staff to be appointed to the tenure committee to the head of the primary division, who should appoint the teaching staff members. The tenure committee shall then be enlarged by one member, the chair of the department or other academic officer of the division in which the secondary appointment is held. Six votes shall then be required to recommend tenure. If there are more than two negative votes or abstentions this constitutes a decision to recommend that tenure not be granted. The quorum of the committee shall still be the total membership.

Where the candidate holds or has held more than one cross-appointment, the head of the division of primary appointment shall appoint the additional member from one of the departments or divisions of secondary appointment after consultation with the heads of divisions and chairs concerned. Other divisions where secondary appointments are held shall be asked for their evaluation of the candidate, but shall not be entitled to representation on the committee, or to participate in deciding on committee membership, or in the preparation of documentation. In no case, regardless of the number of cross-appointments, should more than eight people serve on the tenure committee.

- iii) Cross-appointments to Erindale or Scarborough Colleges: See Sections 20 and 21 below.

19. Appointments Authority of Centres and Institutes of the University

The following multi-disciplinary centres and institutes of the University, which have both master's and doctoral programmes, shall be granted authority to initiate appointments and to recommend tenure and promotion:

Centre for Medieval Studies
Centre for the Study of Drama
Centre for Comparative Literature
Institute for the History and Philosophy of Science and Technology
Centre of Criminology
Canadian Institute for Theoretical Astrophysics

Such appointments, although initiated by a multi-disciplinary unit, should still be cross-appointments since they should always include a divisional or departmental component. The multi-disciplinary centre or institute should, however, be the unit of primary appointment.

Other centres and institutes which develop both master's and doctoral programmes may be granted similar authority but only with the written agreement of the Dean of the School of Graduate Studies and the Vice-President and Provost, and on the recommendation of the Academic Board to the Governing Council. All such applications should be dealt with on an individual basis. Unless approval is granted as outlined above, such units shall not be regarded as the primary appointment unit for the purposes of this document.

The University's policies and procedures for academic appointments shall be followed for primary appointments by multi-disciplinary centres and institutes. However, before approving such appointments, the Vice-President and Provost and the Dean of the School of Graduate Studies should ensure that there is an academic need in terms of teaching and research, and also that a suitable cross-appointment cannot be arranged from within the University. The Dean should also ascertain that a prospective appointee will meet the appointment standards of the unit of secondary appointment.

20. Erindale Staff Members

Members of the teaching staff of Erindale College should hold cross-appointments even without salary in the appropriate University department whether or not they have actual teaching responsibilities outside the College.

In the case of a staff member whose primary appointment is at Erindale College, the chair of the appropriate University department shall be responsible in September of the academic year in which tenure is to be considered for notifying the staff member that the consideration will take place, who are the people participating in his or her tenure review, when the process of review, including the assembling of documentation is about to begin and when it will be completed. The preparation of the documentation for the tenure consideration shall be the responsibility of the chair of the University department in collaboration with the discipline representative at Erindale and the appropriate officers of other divisions; the department chair may, however, delegate part or all of his or her responsibility in this respect to the discipline representative at Erindale. The Principal of

Erindale, the chair of the University department and the appropriate officer of any additional division or department of secondary appointment should submit recommendations for members of the teaching staff to be appointed to the tenure committee to the head of the primary division who should appoint the teaching staff members.

The tenure committee, except in exceptional circumstances, with the approval of the division head and the Vice-President and Provost, shall include the chair of the University department, who shall chair the tenure committee. The committee shall be enlarged by one member, by adding the discipline representative or other academic officer of Erindale College. At least one of the other staff members of the committee should also normally be from Erindale College. The quorum of the committee shall be the full membership. Six votes out of eight shall be required to recommend tenure. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted.

Except as specified above, the criteria and procedures for tenure consideration of Erindale staff members shall be the same as for other staff members of the University.

21. Scarborough Staff Members

Members of the teaching staff of Scarborough College may hold cross-appointments even without salary in the appropriate University departments whether or not they have actual teaching responsibilities outside the College. Decisions regarding such cross-appointments shall be made jointly by Scarborough College and the appropriate University department at the time of the original appointment.

In the case of a staff member whose primary appointment is at Scarborough College, the College shall be responsible for initiating tenure proceedings and for appointing the teaching staff members of the tenure committee.

The tenure committee, except in exceptional circumstances, with the approval of the Principal and the Vice-President and Provost, shall include the chair of the appropriate division of Scarborough College, who shall chair the committee. The other members of the committee will be the Principal or his or her representative, the Dean of the School of Graduate Studies or his or her representative, as well as three tenured staff members from the candidate's discipline and one from a cognate discipline. Where the staff member holds, or has held a cross-appointment within the University, the tenure committee shall be enlarged by one member as described in Section 18 above. For the purposes of this document, where the individual is cross-appointed solely to a graduate department, the tenure committee shall not be enlarged.

Except as specified above, the criteria and procedures for tenure consideration of Scarborough staff members shall be the same as for other staff members of the University.

IV. APPEALS AGAINST DENIAL OF TENURE

22. Tenure Appeal Committee

The Tenure Appeal Committee shall consist of a chair and four other members drawn from a Panel of up to eight members. The members shall be appointed by the President after consultation with the University of Toronto Faculty Association. The chair of the committee shall be appointed by the President. Members of the Tenure Appeal Committee shall have two-year terms with half of the membership completing their terms each year. The chair shall have a two-year term.

Future vacancies, including that of the chair, shall be filled by the President after consultation with the Association.

23. Grounds for Appeal

A person who has been denied tenure shall have the right to appeal on one or more of the following grounds.

- a) A significant irregularity or unfairness in the procedure, followed by the tenure committee, or in the selection of its members;
- b) Improper bias or motive on the part of any member of the tenure committee;
- c) Improper bias or motive on the part of any person whose opinion may have materially influenced the decision of the committee;
- d) The decision is unreasonable in the light of the evidence which was available or should have been available to the committee and in light of the standards that were generally applied in the division in recent years.

24. Review Procedures for Appeals

A candidate must give notice of appeal against a denial of tenure within thirty working days of being informed of the President's decision. The Tenure Appeal Committee shall have the power, under circumstances which it considers exceptional, to extend this time limit. The notice of appeal should be addressed to the chair of the Tenure Appeal Committee and should specify the grounds on which the appeal is based.

The candidate and the chair of the department or head of the division concerned shall both be given an opportunity to appear and present evidence and argument to the Tenure Appeal Committee. If it is thought necessary, the Tenure Appeal Committee may request that an investigator be appointed to assist it.

The Tenure Appeal Committee shall have the following two options open to it, and its decision concerning these two options shall be final. It may:

- a) dismiss the appeal; or
- b) if it finds that any grounds in Section 23 above are substantiated, remit the case to a second tenure committee to be set up by the President for consideration of the question of tenure. In circumstances which it considers exceptional, the Tenure Appeal Committee shall have the power to direct, in general terms, the composition of the second tenure committee. The recommendation of the second

tenure committee shall not be subject to further review. In cases where only technical or procedural matters are at issue, the Tenure Appeal Committee may recall the original tenure committee to reconsider its decision. Such action would require prior agreement from the appellant.

25. Procedures for Second Tenure Committees

Subject to directions as to membership of a second tenure committee noted in Section 24(b), the composition of the second tenure committee shall resemble that of the original tenure committee, but shall not include any member of the original committee. The only exception to the composition of the second tenure committee resembling that of a regular tenure committee shall be the requirement that the second tenure committee include at least one tenured professor from another university whose discipline is similar to that of the individual under review.

In the selection of members of the second tenure committee, the candidate and the chair of the department in multi-departmental divisions, or the head of the academic division, shall identify to the President the names of any individuals who are clearly unacceptable as members of the second tenure committee. The President, in consultation with the division head, shall then select the chair and the other persons for the second tenure committee and advise the appellant and the head of the academic division of the individuals selected. If either the candidate or the chair of the academic department or head of the academic division then wishes to protest the inclusion of any member on the committee, it shall be his or her responsibility to present to the President evidence of previous involvement of that individual in the decision of the original tenure committee which would justify disqualification.

The second tenure committee shall be empowered to obtain such information and to interview such persons as it may judge to be useful to its reaching a judgment of the case. The appellant and the departmental chair or head of the academic division of which the appellant is a member shall have the right to make representation to the committee (either orally or in writing as the committee may direct). Information about the appellant to be considered shall include that which relates to the performance of the individual for the period up to the time of review by the original tenure committee. No contributions to teaching and research made subsequent to the decision of the original tenure committee shall be admissible for consideration.

The quorum of the second tenure committee shall be the full membership. All members of the second tenure committee including the chair shall have a vote. A motion of the second tenure committee to recommend the granting of tenure shall require at least five votes in favour to be carried. If there are more than two negative votes or abstentions, this constitutes a decision to recommend that tenure not be granted.

Meetings of the second tenure committee shall be held in camera, and each person accepting appointment to the committee shall agree to treat as confidential all information given to the committee, and all matters pertaining to and deliberations of the committee.

The chair of the second tenure committee shall report the committee's recommendation to the President. The President will inform the candidate of the tenure decision with a statement of reasons supporting that decision.

In matters of procedure not provided for in this section, the procedures prescribed for the original tenure committee shall apply.

26. Rights of Faculty Members Granted Tenure upon Appeal

In the event that a faculty member is granted tenure by the second tenure committee, that person shall immediately be considered for any promotion and be eligible for any merit salary increases that may have been denied him or her by reason of the tenure denial. In the event of undue delay or similar circumstances, a faculty member who has been granted tenure by the second tenure committee may apply to the President of the University for reimbursement of expenses responsibly incurred in his or her tenure appeal.

V. TERMINATION OF TENURED APPOINTMENTS

27. Grounds for Termination

The appointment of a member of the teaching staff holding tenure may be terminated by the University prior to the normal age of retirement either:

- A) for cause, which means:
 - 1) persistent neglect of, or repeated refusal without sufficient cause to carry out, reasonable duties assigned by the appropriate academic authority;
 - 2) inability to carry out reasonable duties, except for reasons falling within B) below;
 - 3) failure to maintain reasonable competence in his or her discipline, including, without limitation, competence in teaching and research;
 - 4) gross misconduct; or
- B) where, without fault on his or her part, the member is prevented by a cause or matter beyond his or her control from carrying out reasonable duties, including, without limitation, physical or mental illness or injury, except where and so long as the member (or his or her legal representative) makes no claim against the University for salary or other remuneration.

28. Procedure Relating to Termination

- a) Where a division head has or is presented with reason to believe that a ground may exist for termination of the appointment of a member of the teaching staff holding tenure and either:
 - i) the ground does not constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, or
 - ii) the ground may constitute such an offence but a decision is made by the appropriate person not to proceed with a charge against the member under the Rules of Procedure governing the proceedings of the

University Tribunal, the division head shall immediately notify the Vice-President and Provost and the President of the University and request the President to appoint a Hearing Committee for the purposes hereinafter set out. If the President accepts the request, he or she shall initiate the procedures outlined in the following sections.

- b) An attempt shall be made to settle the matter informally at a meeting involving the President, the Vice-President and Provost, the division head, the member of the teaching staff and a disinterested senior academic administrator or senior professor acceptable to the member and to the division head.
- c) If the attempt to settle the matter informally fails, the President shall inform the member of the teaching staff, in writing, of his or her intention to institute proceedings for termination of appointment and shall give reasonable information as to the alleged ground for termination.
- d) Within three weeks the President and the member shall jointly name a Hearing Committee of three university faculty members from this University or elsewhere. If agreement cannot be reached on the composition of the Hearing Committee within the three-week period, the most senior judge of the Supreme Court of Ontario who is willing to act and who is not a member of the Governing Council shall be asked to name the Hearing Committee.
- e) The Hearing Committee shall inform the President and the member of the time and place designated for the hearing. The hearing shall commence within three weeks of the appointment of the committee.
- f) The Hearing Committee shall proceed to determine, in accordance with the Statutory Powers Procedure Act, 1971 whether a ground for termination of appointment exists.
- g) The President and the member shall be the parties to the proceedings.
- h) If the Hearing Committee decides that a ground for termination of appointment exists, the President may carry a recommendation for termination to the Governing Council or impose some other sanction. If the Hearing Committee decides that a ground for termination does not exist but that misconduct has taken place (whether or not the nature of which may constitute an offence under the University of Toronto Code of Behaviour on Academic Matters, as amended from time to time), it may impose one or more of the other sanctions for offences committed by members of the teaching staff set out in that Code. No further or other action shall be taken against the member.
- i) Where a member of the teaching staff declines to participate in naming a Hearing Committee it may be done jointly by the President and the President of the University of Toronto Faculty Association and in the case of disagreement as to the composition of the Committee, the procedure under Section d) applies.
- j) The decision of a Hearing Committee shall be final and not subject to appeal.

A member of the faculty who desires to terminate his or her appointment shall give reasonable notice in writing.

VI. CONTRACTUALLY LIMITED TERM APPOINTMENTS

29.
 - i) Full-time appointments at the rank of Assistant Professor (Conditional), Assistant Professor, Associate Professor or Professor may also be made for contractually limited terms normally of one, two or three years' duration.
 - ii) Where circumstances justify and with the approval of the Vice-President and Provost, an extension may be granted. The option to extend may be exercised only once and then not to exceed a total maximum of five years.
 - iii) In those instances where the somewhat unusual circumstances of the positions warrant, an initial appointment may be made for a period of up to five years. For any initial appointment of more than three years, the approval of the Vice-President and Provost is required.
 - iv) In no case may the term specified together with any subsequent extension exceed five years.
 - v) Such a term appointment is for a specified period and does not involve a continuing commitment by the University beyond the term stated.
 - vi) Notice of termination must be given by December 31 of the final appointment year.
 - vii) The procedures of Sections 1 to 7 should be followed when making term appointments except that the provision for annual appointment of Assistant Professors (Conditional) for up to six years is inapplicable. Sections 8 to 28 do not apply.
 - viii) A faculty member holding a contractually-limited term appointment may apply, in competition with other qualified candidates, for an appointment which carries tenure or for an appointment leading to consideration of tenure. The time spent by the faculty member holding a contractually-limited term appointment will be taken into account in establishing the date for consideration of tenure, if the faculty member is given an appointment leading to the consideration of tenure. In such instances the faculty member and the appropriate division will agree to the manner of converting years of contractually-limited service to probationary years for tenure consideration.
 - ix) Necessary statistical data will be compiled annually and the provisions of this section will be reviewed annually by the Joint Committee of the Faculty Association and the University.
 - x) A copy of this policy will be given to each appointee at the time of initial appointment.
 - xi) Full-time clinical staff members in the Faculty of Medicine are exempt from the provisions of this section.

- xii) Individuals supported 75% or greater from designated outside grants shall be exempt. The specific grants so designated shall be determined by the Vice-President and Provost in consultation with the division head. In no case should the term of the appointment exceed the term of the grant.

VII. TEACHING STREAM APPOINTMENTS

30. Lecturers and Senior Lecturers

- i) The ranks of Lecturer and Senior Lecturer are to be held by faculty members whose duties normally consist of teaching students who are in degree programs or the Transitional Year Programme, and related professional and administrative activities. Lecturers may have independent responsibility for designing and teaching courses or significant components of courses within their departmental and divisional curricula.
- ii) The appointment procedures for Lecturers and Senior Lecturers should follow the policies and procedures set out in Section 5 above, except that the phrase at the end of Section 5.ii should be “scholarship as evidenced in teaching and related professional activities”.
- iii) Initial appointments should be at the rank of Lecturer except, in special circumstances, with the permission of the Vice-President and Provost on recommendation of the chair of the department or the head of the division concerned.
- iv) Appointments at the rank of Lecturer are normally annual but may be up to three years. Appointments may be renewed, but no full-time Lecturer may serve at this rank for more than five years without the approval of the Vice-President and Provost. Such approval would be given only in exceptional circumstances. Notice of non-renewal must be given at least six months before the end of the contract.
- v) No later than October of the fifth year (or earlier at the request of the Lecturer and with the permission of the Vice-President and Provost), a Lecturer’s performance shall be reviewed and a recommendation made with respect to promotion to Senior Lecturer as of the following July. A negative recommendation will result in no further contracts beyond the then current contract.
- vi) Performance will be assessed on teaching effectiveness and pedagogical/professional development related to teaching duties, in accordance with approved divisional guidelines on the assessment of teaching. Administrative service will be considered, where such service is related to teaching duties or to curricular and professional development.
- vii) Promotion will be based on the performance criteria in vi) above. A positive recommendation will require the judgment of excellence in teaching and evidence of continued future pedagogical/professional development. The Lecturer’s performance will be assessed by a promotions committee of faculty members struck for this purpose by the chair or division head; the committee will

contain at least one Senior Lecturer from the department or a cognate area, and a decanal representative or (in the case of a single-departmental faculty) a provostial representative. The chair shall formally notify the Lecturer as to the individuals whom he or she intends to ask to serve on the promotions committee. If the Lecturer has reason to believe that any member of the committee cannot make his or her decision solely on the basis of the evidence available at the time of the promotions committee meeting, he or she should indicate this to the division head or the appropriate Vice-Provost. The division head or chair shall then formally notify the Lecturer of the final composition of the promotions committee and when the process of review, including assembling of documentation, is about to begin and when it will be completed. The Lecturer, with appropriate assistance and advice from the division or department head, will prepare a dossier in accordance with divisional practice for submission to the promotions committee. Recommendation for promotion must be made by the chair to the dean in a multi-departmental division and requires the approval of the Vice-President and Provost. A negative recommendation may be appealed following the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 3.

- viii) Senior Lecturers hold continuing appointments in the University. A continuing appointment provides a safeguard for free enquiry and discussion, the exercise of critical capacities, honest judgment, and independent criticism of matters both outside and within the University. It entails acceptance by a member of the University of the obligation to perform his or her functions as a member of the faculty. The performance of a Senior Lecturer shall be reviewed annually in accordance with normal divisional practice for all faculty.
- ix) At any time, the appointment of a Lecturer or a Senior Lecturer may be terminated for cause, including incompetence, persistent neglect of duty or gross misconduct. Such termination shall be made only on the recommendation of a committee of inquiry appointed by the appropriate academic administrator.
- x) A decision to terminate a contract may be appealed only if it is for cause. Appeals shall follow the Grievance Procedure set out in Article 7 of the Memorandum of Agreement, commencing at Step 1. Appeals must be made in writing by the Lecturer or Senior Lecturer within fifteen working days of receipt of a written statement of reasons for termination.
- xi) The appointment of a Senior Lecturer may be terminated without fault or cause by reason of curricular change as determined in a multi-year academic plan approved by the Vice-President and Provost, where such change removes an area or field of teaching.
- xii) Termination under xi) will take place only if the Vice-President and Provost determines that the University cannot offer equivalent alternative employment for the Senior Lecturer. In making a determination about alternative employment, the Provost will chair a committee of three faculty members, including the Provost, with the other members chosen in consultation with the Faculty Association. Termination under xi) requires due notice or pay in lieu and severance payment upon a schedule agreed upon from time to time.

VIII. OTHER CATEGORIES OF APPOINTMENT

31. University Professors

- i) Senior scholars of the University may be appointed to the rank of University Professor in recognition of unusual scholarly achievement and preeminence in a particular field of knowledge. The number of such appointments should be approximately 15 but should not in any case exceed 2% of the tenured faculty. This number would not include persons holding Emeritus appointments. A University Professor would, upon reaching age 65, retain the title of University Professor Emeritus.
- ii) A selection committee appointed by the President shall be composed of six senior members of the teaching staff and two senior members of the teaching staff from other universities. The Vice-President and Provost shall chair the selection committee. The selection committee's membership shall be reported for information to the Academic Board. The nomination of individuals to be considered University Professors should be an open one.
- iii) The selection committee shall recommend, by consensus, the nominees to the President. The Provost, on behalf of the President, shall recommend appointments as University Professors to the Academic Board in closed session. Such recommendations shall be accompanied by written statement outlining the accomplishments of each nominee.

END OF POLICY AND PROCEDURES ON ACADEMIC APPOINTMENTS

Section:	ACADEMIC STAFF	Code Number:	3.01.03
Item:	Faculty Citizenship		

The Council of Ontario Universities has endorsed the following statement on citizenship of new academic staff in Ontario universities in response to a request from the Minister of Colleges and Universities

In view of the continuing expressions of concern about the citizenship of appointees to the faculty of Ontario universities, the executive heads wish to advise the Minister that each President intends to review the procedures in the selection of each new member of faculty before recommending any future appointments. The purpose of this review is to ensure that the President can be satisfied that

- 1) each faculty opening has been properly advertised;
- 2) the procedures employed in the review of candidates have resulted in fair consideration of all Canadian applicants;
- 3) the qualifications for the particular post are clearly identified.

In future, to meet the commitment the President has made to the Minister through the COU, determined efforts must be made to search out qualified Canadian candidates for academic appointments.

To assist in this

1. Advertisements for all full-time continuing academic vacancies must be sent to comparable disciplines in all other Canadian universities at the beginning of the search process.

It is especially important that the qualifications for each particular appointment be stated clearly.

2. A recommendation from a divisional head to appoint a person who is not a Canadian citizen to a full-time sessional, annual or continuing academic position must be accompanied by
 - a) a description of the position as it was advertised,
 - b) the manner in which the position was advertised,
 - c) the curriculum vitae of the successful candidate and the curricula vitae of the top two Canadian citizens,
 - d) a written statement of the reasons why the candidate was recommended.

This information should be forwarded to the Office of the Vice-President and Provost after the search process but before an offer is made to any candidate.

This procedure is not intended to apply to Visiting Professorships or to re-appointments on a sessional or annual basis.

3. This information will be reviewed by the Vice-President and Provost, and by the President, before the recommendation is acted upon.

This response to the request from the Minister does not imply a change in the University of Toronto policy it is procedural only. Moreover, the University of Toronto will continue to make no internal distinction between Canadian citizens and landed immigrants resident in Canada at the time of application for a position.

Note For more specific information, refer to the Regulations Governing the Appointment and Employment of Individuals Who are not Canadian Citizens or Landed Immigrants (Permanent Residents), circulated by the Provost's Office under PDDC #7 (1979-80), issued August 13, 1979.

END OF POLICY ON FACULTY CITIZENSHIP

Section:	ACADEMIC STAFF	Code Number:	3.01.04
Item:	Part-time Academic Staff		

A part-time appointment is one that does not exceed 75 per cent of full-time employment. When an appointment is considered to be part-time, the fraction of the time for which the individual is to be appointed shall be computed on the basis of the expected workload of the individual divided by the workload of a comparable full-time member of the academic staff over the period of employment.

- 1) Initial appointment at all part-time ranks shall be up to one year's length in duration.
- 2)

- a) Appointments may be made to any academic rank on a part-time basis. This includes the categories of Tutor, Senior Tutor, Instructor, Research Associate, Clinical Associate, as well as the ranks from Lecturer to full Professor.
 - b) Academic staff members who are engaged solely in teaching shall be appointed to the rank of Tutor: those engaged solely in research shall be designated as Research Associates. Appointment to the ranks of Lecturer, Assistant Professor, Associate Professor or Professor shall be reserved for those individuals who bear a similar responsibility in terms of teaching, research and University service, to full-time appointments.
 - c) Divisions wishing to describe part-time professorial appointments as adjunct or visiting may retain the title but the rank shall also be specified, e.g., Adjunct Assistant Professor.
 - d) Academic staff members who hold the part-time appointment of Tutor shall, upon conferral of a three-year appointment, be designated as Senior Tutor Part-time.
 - e) In no instance may a part-time appointment at the rank of Research Associate be for a term longer than the committed financial support from non-University sources.
- 3) Grievance procedures for part-time academic staff shall be the same as for comparable full-time academic staff. It should be noted that in the case of an annual appointment, which may or may not be renewed at the discretion of the department, there can be no ground for appeal if the appointment is not renewed as the staff member should not expect continuation of the appointment.
- 4) All part-time academic staff shall be eligible for participation in the pension plan according to present policy. In addition, part-time academic staff holding appointments of 25% or more shall be eligible for other benefits on a pro-rated basis, and for merit increases after one year.
- 5) Individuals currently holding a tenured full-time position may, with the agreement of the department chairman, the appropriate division head, and approval of the Vice-President and Provost, change to a tenured position part-time. Alteration of this situation may occur only with the consent of all parties.

There shall be no upper or lower limit to the percentage of part-time employment which could carry tenured status for full-time tenured academic staff moving to part-time.

- 6)
- a) Part-time academic staff members may hold tenure only in the case of full-time tenured members who change to a part-time commitment in accordance with section (5).
 - b) After three successive annual part-time appointments, a member of the academic staff may, at the discretion of the department chairman, or the College Principal in the case of non-departmental college programs and with the approval of the division head and the Vice-President and Provost, be considered for a three-year contract.
 - c) The member of the academic staff being considered for a three-year contract must be reviewed during his or her third annual appointment. This review shall be the same as that of probationary review for Assistant Professors.

- d) A member of the academic staff who holds a three-year contract may be eligible for a renewal of the contract at the discretion of the department chairman and with the approval of the division head and the Vice-President and Provost, and after review. The review shall be held in the third year of the contract before December 31, and shall be the same as the review specified in (c) though the staff member shall be expected to have made additional achievements in research, or creative activity where applicable. The staff member shall be notified before December 31 regarding renewal of the contract.
- 7) Members of the academic staff appointed on an annual contract or less, or holding appointments of less than 50%, shall not be expected to participate in departmental administrative activities unless agreed to with the chairman. For those individuals on a three-year term contract involving a greater than 50% appointment, a proportionately reduced contribution shall be expected.
- 8) A faculty member on 50 per cent or greater appointment shall be entitled to apply for research leave of twelve months at 82.5 per cent salary after every six years of service at the University of Toronto. Such research leave shall not be unreasonably denied. Research leave normally will commence on July 1. As an alternative, each faculty member on 50 per cent or greater appointment shall be entitled to apply for a research leave of six months at full salary, after the same period of service. Such leave shall not be unreasonably denied. Such leave may commence either July or January 1, subject to the approval of his or her chairman, dean or principal.
- 9) Members of the academic staff holding a three-year appointment involving 50% or greater shall be eligible for appointment to the graduate faculty upon recommendation of the department chairman to the Dean of the School of Graduate Studies.
- 10) The criteria for promotion through the ranks from Lecturer to Full Professor shall be the same as for full-time academic staff with an appropriately reduced expectation as to the quantity of work.
- 11) Where new or experimental programs have been introduced and part-time academic staff have been initially recruited and paid by means of a payment authorization form, the arrangement shall be for one year only and in all subsequent years of such a program members of the academic staff shall be paid on a normal appointment basis and the salary floor prorated for the appropriate rank should apply.
- 12) The Vice-President and Provost shall give careful consideration to collecting information regarding teaching, research and University service by part-time academic staff and, after five years, make recommendations on the employment conditions of part-time academic staff.
- 13) The transition will be effected by the appointment of a committee to be set up by the Vice-President and Provost which shall review the disposition of all individuals presently holding part-time appointments for the academic year in which these proposals are implemented. The review shall involve an activity analysis, and the establishment of entitlement for rank, continuing appointment, and research or study leave due to past service.

- 14) The foregoing policy and procedures shall not apply to part-time academic clinical staff in Dentistry and Medicine.

END OF POLICY ON PART-TIME ACADEMIC FACULTY

Section:	ACADEMIC STAFF	Code Number:	3.01.05
Item:	Policy and Procedures Governing Promotions		

Reader's Notes to "Policy and Procedures Governing Promotions"

For Scarborough College, read Principal and Dean and read Division for Department throughout this policy. Scarborough academic staff appointed prior to January 1, 1972, who chose to remain members of an undergraduate department in the Faculty of Arts and Science, will continue to be considered for promotion by the Departmental and Decanal Promotions Committees in the Faculty of Arts and Science and recommended for promotion by the Chair of the Department and the Dean.

INTRODUCTION

1. The University policy with respect to academic promotions is set out in the following paragraphs as approved by the Governing Council on April 20, 1978.
2. The awarding by the University of a given rank confers a status which, in a general way, is acknowledged and respected both inside and outside the academic community. That this status is important to the academic community is evident from the fact that the Memorandum of Agreement between the Governing Council and the Faculty Association stipulates the preservation of the existing rank structure. There is a need to protect the qualifications for the rank in order that the status not be regarded as empty, once attained. These considerations require that the diversity of promotion practices among the various disciplines across the University be kept within reasonable limits. However, it is not necessary that all disciplines be forced into an absolute lockstep in their promotion policies. The policy herein allows for some degree of leeway in determining the point in a career when promotion is appropriate to permit flexibility in responding to competitive pressures for outstanding staff. It includes sufficiently broad criteria to allow a discipline to bring into play, in the assessment of its faculty, attributes which it considers particularly relevant for performance of its own academic role.
3. In general terms the goal is to ensure, as far as is possible in a diverse community, that persons of a given rank may fairly be taken to possess certain attributes in common although not necessarily always in the same proportions. In what follows these attributes, and how the promotion process can be structured to safeguard the interests of both the individual faculty member and the University community, are discussed.
4. Individual promotion decisions should not be influenced by preconceptions about a desirable pattern of rank distribution. With the skewing of faculty age distributions, caused by the present fiscal restraints following a period of rapid expansion, a discipline should not be alarmed at there being an unprecedented proportion of senior ranks among its faculty. This is exactly what a discipline blessed with a strong faculty should be experiencing, and any tendency to protect some historical distribution pattern should be resisted.

5. This policy shall be implemented for all teaching staff on July 1, 1978.
6. This policy applies to both full and part-time teaching staff with the exception noted in Number 9 below concerning promotion from Assistant Professor (Conditional) to Assistant Professor, and concerning promotion from Lecturer to Senior lecturer set out in Section 30 of the Policy and Procedures on Academic Appointments.

CRITERIA FOR PROMOTION AND THEIR ASSESSMENT

Professor

7. Promotion to Professor will be granted on the basis of the criteria outlined more fully below in paragraphs 11a, 12a and 13a. The greatest weight will be given to scholarly achievement or, where appropriate, creative professional work, and to high quality in teaching.

The successful candidate for promotion will be expected to have established a wide reputation in his or her field of interest, to be deeply engaged in scholarly work, and to have shown himself or herself to be an effective teacher. These are the main criteria. However, either excellent teaching alone or excellent scholarship alone, sustained over many years, could also in itself justify eventual promotion to the rank of Professor. Administrative or other service to the University and related activities will be taken into account in assessing candidates for promotion, but given less weight than the main criteria: promotion will not be based primarily on such service. Promotion to Professor is not automatic, but it is expected that the majority of the full-time tenured faculty at this University will continue to attain this rank.

8. The same criteria apply to the promotion from Assistant Professor to Associate Professor, with a lesser level of accomplishment to be expected. Because the criteria for the granting of tenure and the promotion to Associate Professor are similar, and because the two decisions are usually made so closely in time, the granting of tenure should be accompanied by promotion to Associate Professor. The only exception to this policy is promotion to Associate Professor prior to the tenure decision. Proposals for promotion to Associate Professor prior to the tenure decision should be approved only in exceptional circumstances and must be justified in writing to the Dean of the Faculty in multi-departmental divisions and in all cases to the Vice-President and Provost. For promotion to Associate Professor not linked with a tenure decision (i.e., early promotions and promotions in clinical departments), the procedures followed should be those outlined below for promotion to Professor in order to ensure an equivalent level of assessment of a candidate's abilities.

Assistant Professor

9. Promotions from Assistant Professor (Conditional) to Assistant Professor are covered by Section II, 7 of the Policy and Procedures on Academic Appointments and are not further considered here.

Promotion Criteria

10. Promotion decisions will be based on the candidate's accomplishments in scholarship, teaching and service to the University. These criteria are discussed below in paragraphs 11a, 12a and 13a and recommendations on their assessment are set forth in paragraphs 11b, 12b and 13b.

Attributes of Scholarship

- 11a. Scholarly Activities to be considered in promotion decisions include research work and certain kinds of professional or artistic activity. Successful research leads to the advancement of knowledge through contributions of an original nature. It is expected that it will be communicated through the publication of books, articles, papers, reviews and other scholarly work. Creative work in professional and artistic fields may be expressed in other ways: these may include, for example, original architectural or engineering design, important artistic contributions and original techniques in clinical or professional areas. In every case, evidence of originality and importance to the field is sought.

Assessment of Scholarship

- 11b. To assess his or her scholarly activity, the candidate's publications or other evidence must be evaluated. The evidence of scholarship will be listed in the candidate's curriculum vitae (see paragraph 16). The candidate is responsible for providing copies of his or her published work, and giving information about non-written work in an appropriate form, to the Chair or Dean, who should arrange for its assessment by specialists in the candidate's field. The candidate may choose to provide unpublished work and work in progress for consideration but such work will not be communicated without the candidate's permission to those not involved within the University in the promotion decision. Confidential written assessments of the candidate's work should be obtained from specialists in the candidate's field from outside the University and whenever possible from inside the University. When a faculty member is or recently has been cross-appointed to another division, assessments of scholarship should be sought from the other division. The candidate will be invited to nominate several external referees. The Dean or Chair and the Promotions Committee (see paragraph 18) will whenever possible add to the list of referees. The Dean or Chair will solicit letters from at least three external referees and where possible these should include at least one referee suggested by the candidate and one referee suggested by the Promotions Committee. Where the Chair solicits the letters, the referee should send a copy of the response to the Dean. The external referees will be asked to compare the candidate's contributions with those of persons at a comparable stage in their careers. All referees' letters will be transmitted to the Promotion Committee and held in confidence by its members.

Attributes of Good Teaching

- 12a. **Teaching** includes lecturing, activity in seminars and tutorials, individual and group discussion, laboratory teaching, and any other means by which students derive educational benefit. Teaching effectiveness is demonstrated by the degree to which the candidate for promotion is able to stimulate and challenge the intellectual ability of students, to communicate academic material effectively, and to maintain a mastery of his or her subject areas. It also involves maintaining accessibility to students, and the ability to influence the intellectual and scholarly development of students.

Assessment of Teaching

- 12b. Written assessments of the candidate's teaching effectiveness will be prepared, in accordance with guidelines approved for the relevant department or divisions and presented to the Promotions Committee. These guidelines specify the manner in which the division will provide the committee with evidence from the individual's peers and from students, and will offer the candidate the opportunity to supplement his or her file. Changes to divisional guidelines must be approved by the Vice-President and Provost and reviewed by the Academic Affairs Board.

Attributes of Service

- 13a. **Service to the University and Similar Activities** Service to the University means primarily administrative or committee work within the University. Consideration will also be given to activities outside the University which further the scholarly and educational goals of the University. Such activities might include service to professional societies directly related to the candidate's discipline, continuing-education activities, work with professional, technical or scholarly organizations or scholarly publications, and membership on or service to governmental committees and commissions. Outside activities are not meant to include general service to the community unrelated to the candidate's scholarly or teaching activities, however praiseworthy such service may be.

Assessment of Service

- 13b. When appropriate, written assessment of the candidate's service to the University and to learned societies or professional associations which relate to the candidate's academic discipline and scholarly or professional activities will be prepared and presented to the Promotion Committee. When a candidate for promotion is or has been cross appointed, assessments will be sought from all of the divisions in which the candidate has served and should be taken fully into account by the Promotions Committee.

Clinical Appointments

14. Full-time Faculty in clinical departments in the Faculty of Medicine shall be covered by the sections above. For part-time clinical appointment in the Faculty of Medicine the following policy applies:
- 14a. **Clinical Part-time Appointments** in clinical departments of the Faculties of Medicine and Dentistry, the following policy should be followed for part-time staff:
- i) The same criteria of promotion shall be considered for part-time staff as for full-time staff. These include teaching, scholarship and creative professional development, and University service. In addition, the calibre and extent of the part-time staff member's clinical function may be considered.
 - ii) While expected calibre of achievement should be similar for part-time and full-time staff members, the expected extent of achievement shall differ.
 - iii) Recognizing that part-time staff may have less opportunity for, or expectation of, involvement in creative professional work or clinical research, greater weight might be assigned to teaching and University service in judging accomplishments.

- iv) The relative weight to be given to scholarship and creative professional development should increase with the level of promotion under consideration. For promotion to full professor, there should be no distinction in the expected calibre of achievement in this area between part-time and full-time staff.
- v) The procedures to be followed in considering part-time staff for promotion should be the same as for full-time staff except that the extent of required documentation may be reduced commensurate with the nature of the appointment. It shall be sufficient to permit a judgment of the calibre of achievement.

Documentation

15. The fullest possible documentation should be made available to the Promotions Committee for each candidate to be given detailed consideration (see paragraphs 20 and 21). The responsibility for assembling the documents will be taken by the Chairman of the department in multi-department divisions, otherwise by the dean of the Faculty.

Curriculum Vitae

16. The preparation of a curriculum vitae will be the responsibility of the candidate. The curriculum vitae should include:
- a) The academic history of the candidate giving a list of all teaching and research appointments held, other relevant experience and achievements, and a list of all research or other contracts and grants obtained during the preceding five years.
 - b) A list of the candidate's scholarly and/or creative professional work. This should include books, chapters in books, research papers, articles, and reviews, including work published, in press, submitted for publication, completed but not yet published, and in progress. It should also include such scholarly or creative professional work as the presentation of papers at meetings and Symposia, original architectural, artistic or engineering design, or distinguished contributions to the arts or in professional areas.
 - c) A list of all courses taught by the candidate during the preceding five years. If the candidate has had major responsibility for the design of a course, this should be stated. A list of students whose research work has been supervised should be included, together with their thesis topics and the dates of the period of supervision.
 - d) A list of administrative positions held within the University, major committees and organizations in which the candidate has served within the University, and participation in learned societies and professional associations which relate to the candidate's academic discipline and scholarly or professional activities. The list should indicate in each case the period of service and the nature of the candidate's participation.

PROCEDURAL MATTERS

Responsibility for Recommendations

17. Initiation of the promotional review of an academic staff member will be the responsibility of the division in which the individual holds his or her major appointment. Chairmen and Deans must ensure that Promotions Committees are established and constituted as described below. Paragraphs 18 through 24 below are written for Chairmen in the multi-departmental faculties, of Arts and Science, Applied Science and Engineering, Medicine, Architecture and Landscape Architecture. In divisions without a departmental structure the Dean will have the responsibilities described. In these instances, Faculty should be read for Department and Vice-President and Provost should be read for Dean.

Curriculum Vitae on File

18. Each Department will maintain a curriculum vitae file for each academic staff member who is tenured or in the tenure stream. Chairmen should remind staff members to revise their curricula vitae annually. It is thus a joint responsibility of the Chairman and the staff member to ensure that this file is kept current. An academic staff member may revise his or her curriculum vitae at any time.

Promotions Committee

19. There will be no fewer than five members of the academic staff on Departmental Promotions Committees. Normally the Chairman of the Promotions Committee will be the Chairman of the department of his or her designate. A committee member who is being considered for promotion will withdraw from that part of any meeting in which he or she is being discussed. The membership of the Promotions Committee will be made known to the academic staff of the Department and where possible should change in membership over the years. The deliberations of the Committee, and the appraisals presented to it, will remain confidential. In non-departmental divisions the Promotions Committee will be augmented by the appointment of a nonvoting assessor appointed by the Vice-President and Provost. In multi-departmental divisions this assessor will be added to the Decanal Committee referred to in paragraphs 25 and 26 below. (See Appendix A.)

A clear written record shall be kept by all promotions committees of the basis for each recommendation.

Annual Consideration

20. Each year the Department Chairman will place before the Promotions Committee for preliminary consideration the names of all Associate Professors in the Department, together with their curricula vitae. The Committee will advise the Chairman as to which staff members should receive more detailed consideration for promotion.

Requests for Consideration

21. Associate Professors may request that they be considered for promotion in any given year. Such requests are to be made in writing to the Chairman of the department on or before October 15 of the calendar year preceding the possible promotion. In this case, the Promotions Committee is obliged to give the faculty member detailed consideration along with any other candidates under consideration.

Assembling of Information

22. When a candidate is to receive detailed consideration for promotion, it is the responsibility of the Chairman in multi-departmental faculties to provide the Dean of the Faculty with a list of external referees. The Dean or Chairman will then solicit the appraisal. Where the Chairman solicits the appraisals the referee should send a copy of the response to the Dean. It is also the responsibility of the Chairman to assemble information as described in paragraphs 11b, 12b and 13b. When a candidate is cross-appointed to another division of the University, the Chairman of the home division will solicit the list of external referees from the Chairman of the other division to which the candidate is appointed.

Submission of Recommendation

23. The Departmental Promotions Committee will recommend candidates for promotion to the Chairman of the Department, who is responsible for making recommendations with respect to promotions to the Dean of the Faculty. Along with the names of those recommended for promotion, the Chairman will forward the files on which the Departmental decision was based. If the Chairman of the Department does not follow the recommendations of the Promotions Committee in submitting his or her recommendations to the Dean, the Chairman must report the reasons in writing to the members of the Promotions Committee and to the Dean. A substantial disagreement within the Promotions Committee concerning the recommendation forwarded from the Committee will also be reported to the Dean. The submissions must be made at least five months before promotion is intended to take place. The Dean will then forward the divisional recommendations to the Vice-President and Provost as described in paragraph 26 below.

Informing Candidates

24. Each candidate who was given detailed consideration by the Departmental Promotions Committee will be informed by the Chairman of the Department of the recommendation in his or her case. Candidates who received detailed consideration and who were not recommended for promotion will be given the reasons. If the Chairman did not accept a positive recommendation from the Promotions Committee, the candidate shall be informed of this fact.

Decanal Committee

25. Paragraphs 25 and 26 apply only to multi-departmental faculties. The Dean of such a faculty, in consultation with Chairmen, will establish annually a Decanal Promotions Committee to consider recommendations for promotion. The membership of the Decanal Promotions Committee will be made known to the academic staff of the Faculty. The Decanal Promotions Committee may obtain additional information about or appraisals of the candidates as it

Decanal Recommendations

26. The Dean will inform the Chairmen of the Departments of the names of those to be recommended for promotion. Department Chairmen have the right to appear before a subsequent meeting of the Decanal Committee to support the case of any candidate they

have recommended but who has not been included in the Dean's recommendations. The Dean will submit to the Vice-President and Provost the names of all those he or she is finally recommending for promotion and will inform him or her Promotions Committee and the Departmental Chairmen of these recommendations. The Chairman will inform the candidates who were considered by the Decanal Promotions Committee of the Dean's recommendations. The Chairman will be given the reasons for Decanal decisions not to recommend promotions which were recommended by the Chairman and the Chairman in turn will inform the candidate of the reasons. The Dean's recommendations for promotions must be forwarded to the Vice-President and Provost at least three months before promotions are to take place. The Dean will make available to the Vice-President and Provost upon request any information used in reaching the decisions to recommend at the departmental and faculty levels.

Provost's Review

27. The Vice-President and Provost, advised by the Decanal Promotions Committee assessors, will examine all recommendations to ensure that a reasonable and equitable standard for promotion is applied across the University, taking into account the differing patterns of activity which characterize each division. The extent of the review at the Provostial level may vary and may be more extensive for candidates who have not already been considered by both Departmental and Decanal Committees. Recommendations approved by the Vice-President and Provost will be submitted to the President of the University for final approval. If either the Vice-President and Provost or the President does not approve a recommendation for a promotion, the reasons shall be given to the Dean who in turn will inform the Chair of the Department and the candidate. Recommendations approved by the President will be reported to the Academic Affairs board for information. The promotion will take effect July 1, following the approval unless otherwise specified by the President and the new rank will apply to all academic appointments held by the individual in the University.

APPEAL PROCEDURES

Grounds for Appeal

28. Appeals against the denial of promotion may be launched on either or both of two grounds:
- a) that the procedures described in this document have not been properly followed, or
 - b) that the scholarship, teaching and service of the candidate have not been evaluated fully or fairly.

Appeal for Reconsideration

29. Appeals against the denial of promotion will follow the Grievance Procedure set forth in the Memorandum of Agreement between the Governing Council of the University of Toronto and the University of Toronto Faculty Association dated June 28, 1977, amended from time to time, except as follows: at Step No. 2 and Step No. 3, the Dean and the Vice-President and Provost respectively will have thirty (30) working days to notify the grievor in writing of the decision; if a grievance which involves promotion contains issues other than promotion, these other issues will also be subject to the time limit of

thirty (30) working days at both the Decanal and Provostial levels. Appeals against the denial of promotion at the departmental level will commence at Step No. 1 of the Grievance Procedure; those against denial at the faculty level at Step No. 2; and those against the denial at the Provostial level at Step No. 3. Appeals against the denial of promotion at the presidential level will commence with Step No. 4 of the Grievance Procedure.

END OF POLICY AND PROCEDURES GOVERNING PROMOTIONS

APPENDIX 'A': Terms of Reference for Provostial Assessors

The Provostial Assessors to promotions committees are asked to pay particular attention to the rigour with which the criteria for promotions are applied and the attention with which the required procedures are followed. Assessors who serve on more than one promotions committee should also consider the consistency with which the criteria are applied between committees.

END OF APPENDIX TO POLICY ON PROMOTIONS

Section:	ACADEMIC STAFF	Code Number:	3.01.06
Item:	Political Candidacy		

Members of the academic profession ought to be as free as the members of any other profession to choose to enter public life. There is an obligation upon the University as an institution to see to it that no impediments are placed in the way of a member of the academic staff with a desire to enter public life. Some member of the academic community can make worthwhile contributions to political life, and this fact should be recognized.

- 1) A member of the academic staff of the University of Toronto who is considering becoming a candidate for public office shall consult with the Chair of his/her Department (or the Director of the School, Institute, etc.) about the effect of the member's political candidacy on the academic welfare of the Department, bearing in mind a) a short-term absence during the campaign period, b) a possible long-term absence, and c) the possibility of the member continuing some academic duties on a part-time basis if the demands of public service permit. If the Chair of the Department or the Dean of the Faculty objects to his/her candidacy they shall state the grounds of the objection both to the prospective candidate and to the Dean or the President. No Chair or Dean, while such, shall become a candidate for public office.
- 2) If there is no objection to the candidacy, the staff member shall be entitled to leave of absence with full salary during the campaign for election upon the following basis:
 - i) for election to the Parliament of Canada: leave for the equivalent of one month;
 - ii) for election to the Legislature of Ontario: leave for the equivalent of one month;
 - iii) for election to a Municipal Council or Board of Education: leave for the equivalent of five days;
 - iv) for election as Mayor of Toronto or Chair of the Toronto Metropolitan Council, or the Toronto Board of Control: leave for the equivalent of ten days.

The period of leave in each case need not be taken on consecutive days or necessarily in whole days. This entitlement shall apply to the candidate's first and second campaigns, but to none thereafter, except; that where the candidate is defeated in his/her first candidacy and elected on the second, he/she may claim the same entitlement if the staff member is a candidate at the next succeeding election .

- 3) If the staff member is elected he/she shall, while serving in the office to which they have been elected, if they hold an appointment other than a sessional appointment, be entitled to leave of absence upon the following basis:
 - i) Parliament: leave of absence without salary for a period up to five years;
 - ii) Legislature: leave of absence for attendance at the sittings of 'the Legislature, subject to a prorata reduction in salary;
 - iii) Municipal Council or Board of Education: leave of absence for attendance at sittings of the Council or Board, subject to a pro rata reduction in salary, if significant,
 - iv) Mayor of Toronto, Chair of the Toronto Metropolitan Council, or the Toronto Board of Control: leave of absence without salary.
- 4) During the extended leave, the academic member shall have all the normal rights of members on leave of absence.
- 5) If a faculty member, whether serving as such or on leave granted to him/her on election to Parliament or the Legislature, is appointed a Minister of the Crown, he/she will be expected to resign his/her university post.
- 6) Arrangements involving full-time leave of absence normally shall hold for one term of public service or five years*, whichever is the longer. If the member continues to serve after the five-year period, then they will be expected to resign their university post. If, thereafter, the member wishes to return to the University, the appointment shall be by a procedure similar to that used for an original appointment. Arrangements involving part-time leave of absence may be renewed beyond the five-year period so long as the duties of the faculty member to the University do not suffer.
- 7) After the expiry of his/her term of public service, the faculty member, if they have not resigned from the University in accordance with the provisions of 6), shall return to the University without reduction in rank, and it shall be incumbent on the Chair of the Department to arrange a programme so as to facilitate his/her return to full academic effectiveness,
- 8) These conditions shall not preclude the possibility of making other mutually acceptable arrangements.

Note: The five-year leave for service in Parliament is a somewhat arbitrary estimate of the period after which the faculty member may be considered to have entered the political profession fully and the period after which he/she may be sufficiently out of touch with his/her field to warrant reinstatement by the normal method of entry to professorial rank.

END OF POLITICAL CANDIDACY

Section:	ACADEMIC STAFF	Code Number:	3.01.07
Item:	Policies on Research		

For Information on Policies on Research please see <http://www.research.utoronto.ca>

Section:	ACADEMIC STAFF	Code Number:	3.02.01
Item:	Code of Behaviour on Academic Matters		

CODE OF BEHAVIOUR ON ACADEMIC MATTERS

A. Preamble

The concern of the Code of Behaviour on Academic Matters is with the responsibilities of all parties to the integrity of the teaching and learning relationship. Honesty and fairness must inform this relationship, whose basis remains one of mutual respect for the aims of education and for those ethical principles which must characterize the pursuit and transmission of knowledge in the University.

What distinguishes the University from other centres of research is the central place which the relationship between teaching and learning holds. It is by virtue of this relationship that the University fulfills an essential part of its traditional mandate from society, and, indeed, from history: to be an expression of, and by so doing to encourage, a habit of mind which is discriminating at the same time as it remains curious, which is at once equitable and audacious, valuing openness, honesty and courtesy before any private interests.

This mandate is more than a mere pious hope. It represents a condition necessary for free enquiry, which is the University's life blood. Its fulfillment depends upon the well being of that relationship whose parties define one another's roles as teacher and student, based upon differences in expertise, knowledge and experience, though bonded by respect, by a common passion for truth and by mutual responsibility to those principles and ideals that continue to characterize the University.

This Code is concerned, then, with the responsibilities of faculty members and students, not as they belong to administrative or professional or social groups, but as they co-operate in all phases of the teaching and learning relationship.

Such co-operation is threatened when teacher or student forsakes respect for the other--and for others involved in learning—in favour of self-interest, when truth becomes a hostage of expediency. On behalf of teacher and student and in fulfillment of its own principles and ideals, the University has a responsibility to ensure that academic achievement is not obscured or undermined by cheating or misrepresentation, that the evaluative process meets the highest standards of fairness and honesty, and that malevolent or even mischievous disruption is not allowed to threaten the educational process.

These are areas in which teacher and student necessarily share a common interest as well as common responsibilities.

Note: Appendix "A" contains interpretations of the language of this Code.

Appendix “B” contains a statement concerning the rights and freedoms enjoyed by members of the University.

B. Offences

The University and its members have a responsibility to ensure that a climate which might encourage, or conditions which might enable, cheating, misrepresentation or unfairness not be tolerated. To this end, all must acknowledge that seeking credit or other advantages by fraud or misrepresentation, or seeking to disadvantage others by disruptive behaviour is unacceptable, as is any dishonesty or unfairness in dealing with the work or record of a student.

Wherever in this Code an offence is described as depending on “knowing”, the offence shall likewise be deemed to have been committed if the person ought reasonably to have known.

- B.i. 1. It shall be an offence for a student knowingly:
- (a) to forge or in any other way alter or falsify any document or evidence required by the University, or to utter, circulate or make use of any such forged, altered or falsified document, whether the record be in print or electronic form;
 - (b) to use or possess an unauthorized aid or aids or obtain unauthorized assistance in any academic examination or term test or in connection with any other form of academic work;
 - (c) to personate another person, or to have another person personate, at any academic examination or term test or in connection with any other form of academic work;
 - (d) to represent as one’s own any idea or expression of an idea or work of another in any academic examination or term test or in connection with any other form of academic work, i.e. to commit plagiarism (for a more detailed account of plagiarism, see Appendix “A”);
 - (e) to submit, without the knowledge and approval of the instructor to whom it is submitted, any academic work for which credit has previously been obtained or is being sought in another course or program of study in the University or elsewhere;
 - (f) to submit any academic work containing a purported statement of fact or reference to a source which has been concocted.
2. It shall be an offence for a faculty member knowingly:
- (a) to approve any of the previously described offences;
 - (b) to evaluate an application for admission or transfer to a course or program of study by reference to any criterion that is not academically justified;

- (c) to evaluate academic work by a student by reference to any criterion that does not relate to its merit, to the time within which it is to be submitted or to the manner in which it is to be performed.
3. It shall be an offence for a faculty member and student alike knowingly:
- (a) to forge or in any other way alter or falsify any academic record, or to utter, circulate or make use of any such forged, altered or falsified record, whether the record be in print or electronic form;
 - (b) to engage in any form of cheating, academic dishonesty or misconduct, fraud or misrepresentation not herein otherwise described, in order to obtain academic credit or other academic advantage of any kind.
4. A graduate of the University may be charged with any of the above offences committed knowingly while he or she was an active student, when, in the opinion of the Provost, the offence, if detected, would have resulted in a sanction sufficiently severe that the degree would not have been granted at the time that it was.

B.ii. Parties to Offences

1. (a) Every member is a party to an offence under this Code who knowingly:
- (i) actually commits it;
 - (ii) does or omits to do anything for the purpose of aiding or assisting another member to commit the offence;
 - (iii) does or omits to do anything for the purpose of aiding or assisting any other person who, if that person were a member, would have committed the offence;
 - (iv) abets, counsels, procures or conspires with another member to commit or be a party to an offence; or
 - (v) abets, counsels, procures or conspires with any other person who, if that person were a member, would have committed or have been a party to the offence.
- (b) Every party to an offence under this Code is liable upon admission of the commission thereof, or upon conviction, as the case may be, to the sanctions applicable to that offence.
2. Every member who, having an intent to commit an offence under this Code, does or omits to do anything for the purpose of carrying out that intention (other than mere preparation to commit the offence) is guilty of an attempt to commit the offence and liable upon conviction to the same sanctions as if he or she had committed the offence.
3. When a group is found guilty of an offence under this Code, every officer, director or agent of the group, being a member of the University, who directed, authorized

or participated in the commission of the offence is a party to and guilty of the offence and is liable upon conviction to the sanctions provided for the offence.

C. Procedures in Cases Involving Students

At both the divisional level and the level of the University Tribunal, the procedures for handling charges of academic offences involving students reflect the gravity with which the University views such offences. At the same time, these procedures and those which ensure students the right of appeal represent the University's commitment to fairness and the cause of justice.

C.i.(a) Divisional Procedures

Note: Where a student commits an offence, the faculty in which the student is registered has responsibility over the student in the matter. In the case of Scarborough and Erindale Colleges, the college is deemed to be the faculty.

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| <i>not proceedings of Tribunal</i> | 1. No hearing within the meaning of section 2 of the Statutory Powers Procedure Act is required for the purposes of or in connection with any of the discussions, meetings and determinations referred to in section C.i.(a), and such discussions, meetings and determinations are not proceedings of the Tribunal. |
| <i>instructor's duties</i> | 2. Where an instructor has reasonable grounds to believe that an academic offence has been committed by a student, the instructor shall so inform the student immediately after learning of the act or conduct complained of, giving reasons, and invite the student to discuss the matter. Nothing the student says in such a discussion may be used or receivable in evidence against the student. |
| <i>instructor's report to the department chair</i> | 3. If after such discussion, the instructor is satisfied that no academic offence has been committed, he or she shall so inform the student and no further action shall be taken in the matter by the instructor, unless fresh evidence comes to the attention of the instructor, in which case he or she may again proceed in accordance with subsection |
| <i>instructor's report to the department chair</i> | 4. If after such discussion, the instructor believes that an academic offence has been committed by the student, or if the student fails or neglects to respond to the invitation for discussion, the instructor shall make a report of the matter to the department chair or through the department chair to the dean. (See also section C.i.(b) 1.) |
| <i>dean's or chair's meeting with student</i> | 5. When the dean or the department chair, as the case may be, has been so informed, he or she shall notify the student in writing accordingly, provide him or her with a copy of the Code and subsequently afford the student an opportunity for discussion of the matter. In the case of the dean being informed, the chair of the department and the instructor shall be invited by the dean to be present at the meeting with the student. The dean shall conduct the interview. |
| <i>dean's warning</i> | 6. Before proceeding with the meeting, the dean shall inform the student that he or she is entitled to seek advice, or to be accompanied by |

- admissions used at a hearing* counsel at the meeting, before making, and is not obliged to make, any statement or admission, but shall warn that if he or she makes any statement or admission in the meeting, it may be used or receivable in evidence against the student in the hearing of any charge with respect to the alleged offence in question. The dean shall also advise the student, without further comment or discussion, of the sanctions that may be imposed under section C.i.(b), and that the dean is not obliged to impose a sanction but may instead request that the Provost lay a charge against the student. Where such advice and warning have been given, the statements and admissions, if any, made in such a meeting may be used or received in evidence against the student in any such hearing.
- no further action* 7. If the dean, on the advice of the department chair and the instructor, or if the department chair, on the advice of the instructor, subsequently decides that no academic offence has been committed and that no further action in the matter is required, the student shall be so informed in writing and the student's work shall be accepted for normal evaluation or, if the student was prevented from withdrawing from the course by the withdrawal date, he or she shall be allowed to do so. Thereafter, the matter shall not be introduced into evidence at a Tribunal hearing for another offence.
- imposition of sanction* 8. If the student admits the alleged offence, the dean or the department chair may either impose the sanction(s) that he or she considers appropriate under section C.i.(b) or refer the matter to the dean or Provost, as the case may be, and in either event shall inform the student in writing accordingly. No further action in the matter shall be taken by the instructor, the department chair or the dean if the dean imposes a sanction.
- student may refer matter* 9. If the student is dissatisfied with a sanction imposed by the department chair or the dean, as the case may be, the student may refer the matter to the dean or Provost as the case may be, for consideration.
- referral of matter to Tribunal* 10. If the student does not admit the alleged offence, the dean may, after consultation with the instructor and the department chair, request that the Provost lay a charge against the student. If the Provost agrees to lay a charge, the case shall then proceed to the Trial Division of the Tribunal.
- decanal procedures at trial* 11. Normally, decanal procedures will not be examined in a hearing before the Tribunal. A failure to carry out the procedures referred to in this section, or any defect or irregularity in such procedures, shall not invalidate any subsequent proceedings of or before the Tribunal, unless the chair of the hearing considers that such failure, defect or irregularity resulted in a substantial wrong, detriment or prejudice to the accused. The chair will determine at the opening of the hearing whether there is to be any objection to an alleged defect, failure or irregularity.

- student's standing pending disposition*
12. No degree, diploma or certificate of the University shall be conferred or awarded, nor shall a student be allowed to withdraw from a course from the time of the alleged offence until the final disposition of the accusation. However, a student shall be permitted to use University facilities while a decision is pending, unless there are valid reasons for the dean to bar him or her from a facility. When or at any time after an accusation has been reported to the dean, he or she may cause a notation to be recorded on the student's academic record and transcript, until the final disposition of the accusation, to indicate that the standing in a course and/or the student's academic status is under review. A student upon whom a sanction has been imposed by the dean or the department chair under section C.i.(b) or who has been convicted by the Tribunal shall not be allowed to withdraw from a course so as to avoid the sanction imposed.
- recording cases*
- referral to records*
- reporting cases*
- advice on cases*
13. A record of cases disposed of under section C.i.(a) and of the sanctions imposed shall be kept in the academic unit concerned and may be referred to by the dean in connection with a decision to prosecute, or by the prosecution in making representations as to the sanction or sanctions to be imposed by the Tribunal, for any subsequent offence committed by the student. Information on such cases shall be available to other academic units upon request and such cases shall be reported by the dean to the Secretary of the Tribunal for use in the Provost's annual report to the Academic Board. The dean may contact the Secretary of the Tribunal for advice or for information on cases disposed of under section C.ii hereof.
- analogy to faculty member*
14. Where a proctor or invigilator, who is not a faculty member, has reason to believe that an academic offence has been committed by a student at an examination or test, the proctor or invigilator shall so inform the student's dean or department chair, as the case may be, who shall proceed as if he or she were an instructor, by analogy to the other provisions of this section.
- analogy to procedures*
15. In the case of alleged offences not covered by the procedures above and not involving the submission of academic work, such as those concerning forgery or uttering, and in cases involving cancellation, recall or suspension of a degree, diploma or certificate, the procedure shall be regulated by analogy to the other procedures set out in this section.

C.i.(b)**Divisional Sanctions**

- department chair's duties*
1. In an assignment worth ten percent or less of the final grade, the department chair may deal with the matter if,
- (i) the student admits guilt; and

(ii) the assignment of a penalty is limited to at most a mark of zero for the piece of work.

If the student does not admit guilt, or if the department chair chooses, the matter shall be brought before the dean.

sanctions listed

2. One or more of the following sanctions may be imposed by the dean where a student admits to the commission of an alleged offence:
 - (a) an oral and/or written reprimand;
 - (b) an oral and/or written reprimand and, with the permission of the instructor, the resubmission of the piece of academic work in respect of which the offence was committed, for evaluation. Such a sanction shall be imposed only for minor offences and where the student has committed no previous offence;
 - (c) assignment of a grade of zero or a failure for the piece of academic work in respect of which the offence was committed;
 - (d) assignment of a penalty in the form of a reduction of the final grade in the course in respect of which the offence was committed;
 - (e) denial of privileges to use any facility of the University, including library and computer facilities;
 - (f) a monetary fine to cover the costs of replacing damaged property or misused supplies in respect of which the offence was committed,
 - (g) assignment of a grade of zero or a failure for the course in respect of which the offence was committed;
 - (h) suspension from attendance in a course or courses, a program, an academic division or unit, or the University for a period of not more than twelve months. Where a student has not completed a course or courses in respect of which an offence has not been committed, withdrawal from the course or courses without academic penalty shall be allowed.

*recording on
academic
transcript*

3. The dean shall have the power to record any sanction imposed on the student's academic record and transcript for such length of time as he or she considers appropriate. However, the sanctions of suspension or a notation specifying academic misconduct as the reason for a grade of zero for a course shall normally be recorded for a period of five years.

*Provost's
Guidelines*

4. The Provost shall, from time to time, indicate appropriate sanctions for certain offences. These guidelines shall be sent for information to the Academic Board and attached to the Code as Appendix "C"

C.ii.(a) Tribunal Procedures

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| <i>laying of charge</i> | 1. A prosecution for an alleged academic offence shall be instituted by the laying of a charge by the Provost against the accused. This is done when the student does not admit guilt; when the sanction desired is beyond the power of the dean to impose; when the student has been found guilty of a previous offence; or when the student is being accused simultaneously of two or more different offences involving more than one incident. |
| <i>consultation</i> | 2. No charge shall be laid except with the agreement of the dean concerned and of the Provost, after consultation between the Provost and the Discipline Counsel. |
| <i>form of charge</i> | 3. A charge shall be in writing, addressed to the accused, signed by or under the authority of the Provost and filed with the Secretary. It shall contain a statement that the student is charged with having committed an offence specified therein, with sufficient particulars of the circumstances to enable the student to identify the alleged act or conduct giving rise to the charge. |
| <i>notice of hearing</i> | 4. Upon receipt by the Secretary of a charge which appears to be in proper form, the member of the Tribunal designated to be the chair of the hearing and the Secretary shall immediately determine and give appropriate notice of a date, time and place for the hearing. |
| <i>withdrawal from course not precluding prosecution</i> | 5. Withdrawal of a student from a course or program of study shall not preclude or affect any prosecution before the Tribunal in respect of an alleged academic offence. |
| <i>record of hearing</i> | 6. The proceedings at a hearing, including the evidence and the verdict of the panel shall be recorded by the Secretary by means of a tape recording, stenographic reporter or other reliable means. |
| <i>Statutory Powers Procedure Act</i> | 7. The procedures of the Tribunal shall conform to the requirements of the Statutory Powers Procedure Act, Revised Statutes of Ontario, 1990, Chapter S. 22, as amended from time to time. |
| <i>modification of rules</i> | 8. The Tribunal may, from time to time, by a majority of its members, make, adopt and modify rules governing its procedures which are not inconsistent with the provisions hereof, and all such rules and modifications shall be reported to the Academic Board for information. |
| <i>onus and standard of proof</i> | 9. The onus of proof shall be on the prosecutor, who must show on clear and convincing evidence that the accused has committed the alleged offence. |
| <i>not compellable to testify</i> | 10. The accused shall not be compelled to testify at his or her hearing. |

- Tribunal structure*
11. The divisions of the Tribunal are:
- (a) Trial; and
 - (b) Appeal.
- membership*
12. The members of the Trial Division of the Tribunal shall consist of a Senior Chair, two Associate Chairs and up to fifteen co-chairs, appointed by the Academic Board.
13. No presiding member of the Trial Division of the Tribunal shall be a fulltime student or a full-time member of the teaching staff or a member of the administrative staff.
14. The Senior Chair, Associate Chairs and co-chairs shall be legally qualified.
15. The Senior Chair shall be the chair of the Tribunal and either the Senior Chair, an Associate Chair or a co-chair, as selected by the Secretary, shall preside at trial hearings of the Tribunal.
- place of hearing*
16. Trial hearings of the Tribunal involving students registered at Scarborough College shall normally be held on the Scarborough campus of the University and those involving students registered at Erindale College shall normally be held on the Erindale campus of the University.
- duties of Tribunal*
17. (a) The Tribunal shall,
- (i) hear and dispose of charges brought under the Code;
 - (ii) report its decisions for information to the Academic Board;
 - (iii) make recommendations to the Governing Council as contemplated by the Code;
 - (iv) advise the Academic Board, from time to time, on policy and procedures with respect to the Code; and
 - (v) determine its practice and procedures, subject to the provisions hereof.
- award of costs*
- (b) Where it is considered to be warranted by the circumstances, the chair of a hearing may in his or her discretion award costs of any proceedings at trial, and may make orders as to the party or parties to and by whom and the amounts and manner in which such costs are to be paid.
- panel*
18. Hearings in the Trial Division of the Tribunal shall be by a hearing panel composed of three persons, of whom one shall be a student, one shall be a faculty member and the third shall be the Senior Chair, an Associate

Chair or a co-chair of the Tribunal.

- membership* 19. The members of each panel (other than the chair) shall be drawn from a pool consisting of at least 15 students who are not also faculty members and at least 15 faculty members who are not also students. The members of such pool shall be appointed by the Secretary, drawn from the various academic divisions and units of the University, and shall serve for a period of two years. The appointments shall be renewable upon invitation by the Senior Chair of the Tribunal.
- selection of panel* 20. Panel members for each case shall be selected by the Secretary who shall exercise due discretion in excluding members who may know either the accused or the circumstances of the alleged offence. Generally, student members will not be drawn from the same program of study as the accused. Faculty members from the department in which an offence is alleged to have occurred will be excluded from the panel.
- challenging panel members* 21. Either the accused or the prosecution may challenge prior to the hearing, and the chair of the hearing may disqualify any prospective panel member for cause which in his or her opinion justifies such disqualification.
- chair's role* 22. At trial hearings of the Tribunal,
- (a) the chair of the hearing shall determine all questions of law and has a vote on the verdict and sanction; and
- panel's role* style="padding-left: 40px;">(b) the panel shall determine all questions of fact and render a verdict according to the evidence.
- admission of guilt after charge laid* 23. Where, after a charge has been laid by the Provost but before a Tribunal hearing takes place, the accused admits the alleged offence, the Provost may refer the matter either (i) to the dean, who shall impose the sanction(s) that he or she considers appropriate under section C.i.(b); or (ii) to a panel, in which event the panel may convict the accused without the prosecution having to lead evidence of guilt, and the panel shall impose a sanction or sanctions in accordance with section 25 or 26; provided that before any sanction is imposed, the dean or the panel, as the case may be, shall have afforded the accused an opportunity to offer an explanation and to present arguments and submissions as to sanction.
- verdict of panel* 24. The verdict of a panel need not be unanimous but at least two affirmative votes shall be required for a conviction. Unless there are at least two affirmative votes for conviction, the accused shall be acquitted.
- sanction of panel* 25. The sanction or sanctions to be imposed upon conviction at a hearing shall be determined by a majority of the panel members, and the panel shall give reasons for the sanction or sanctions imposed.
- disagreement on sanction(s)* 26. If the panel is unable to reach agreement, by a majority of its members, as to the sanction to be imposed, the chair of the hearing shall impose the sanction or set of sanctions which is the least severe of those that the

individual members of the panel would impose.

*Discipline
Counsel*

27. There shall be a University Discipline Counsel and there may be one or more assistants to the Discipline Counsel, appointed by the Academic Board on the recommendation of the Provost.
28. The Discipline Counsel and any assistant shall be a barrister and solicitor qualified to practise law in Ontario and shall not be a full-time student or a full-time member of the teaching staff or a member of the administrative staff.
29. The Discipline Counsel or an assistant shall conduct all proceedings on behalf of the Provost before the Tribunal and on any appeal from a Tribunal decision.
30. The other duties of the Discipline Counsel and assistants shall be as determined by the Provost.

Secretary

31. The Secretary of the Tribunal and his or her assistants shall be appointed by the Academic Board on the recommendation of the Provost.
32. The duties of the Secretary and assistants shall be determined by the Senior Chair and members of the Tribunal and reported to the Academic Board for information.
33. Where anything is required by the Code to be done by or with the Secretary, it may be done by or with the Secretary or any of his or her assistants.

C.ii.(b) Tribunal Sanctions

sanctions listed

1. One or more of the following sanctions may be imposed by the Tribunal upon the conviction of any student:
 - (a) an oral and/or written reprimand;
 - (b) an oral and/or written reprimand and, with the permission of the instructor, the resubmission of the piece of academic work in respect of which the offence was committed, for evaluation. Such a sanction shall be imposed only for minor offences and where the student has committed no previous offence;
 - (c) assignment of a grade of zero or a failure for the piece of academic work in respect of which the offence was committed;
 - (d) assignment of a penalty in the form of a reduction of the final grade in the course in respect of which the offence was committed;
 - (e) denial of privileges to use any facility of the University, including library and computer facilities;

- (f) a monetary fine to cover the costs of replacing damaged property or misused supplies in respect of which the offence was committed;
 - (g) assignment of a grade of zero or a failure for any completed or uncompleted course or courses in respect of which any offence was committed;
 - (h) suspension from attendance in a course or courses, a program, an academic unit or division, or the University for such a period of time up to five years as may be determined by the Tribunal. Where a student has not completed a course or courses in respect of which an offence has not been committed, withdrawal from the course or courses without academic penalty shall be allowed;
- expulsion*
- (i) recommendation of expulsion from the University. The Tribunal has power only to recommend that such a penalty be imposed. In any such case, the recommendation shall be made by the Tribunal to the President for a recommendation by him or her to the Governing Council. Expulsion shall mean that the student shall be denied any further registration at the University in any program, and his or her academic record and transcript shall record this sanction permanently. Where a student has not completed a course or courses in respect of which an offence has not been committed, withdrawal from the course or courses without academic penalty shall be allowed. If a recommendation for expulsion is not adopted, the Governing Council shall have the power to impose such lesser penalty as it sees fit.
- cancellation of degree*
- (j) (i) recommendation to the Governing Council for cancellation, recall or suspension of one or more degrees, diplomas or certificates obtained by any graduate; or
 - ii) cancellation of academic standing or academic credits obtained by any former student who, while enrolled, committed any offence which if detected before the granting of the degree, diploma, certificate, standing or credits would, in the judgement of the Tribunal, have resulted in a conviction and the application of a sanction sufficiently severe that the degree, diploma, certificate, standing, credits or marks would not have been granted.
- recording sanction*
- 2. The hearing panel shall have the power to order that any sanction imposed by the Tribunal be recorded on the student's academic record and transcript for such length of time as the panel considers appropriate.
- publishing decision and sanction*
- 3. The Tribunal may, if it considers it appropriate, report any case to the Provost who may publish a notice of the decision of the Tribunal and the sanction or sanctions imposed in the University newspapers, with the name of the student withheld.

D. Procedures in Cases Involving Faculty Members

Divisional and Tribunal procedures for faculty members charged with academic offences, and the sanctions and appeal procedures for those convicted, resemble--with appropriate modifications--procedures and sanctions in force for students, with this signal exception: grounds and procedures for terminating employment of tenured faculty are those set forth in the Policy and Procedures on Academic Appointments, as amended from time to time.

D.i.(a) Divisional Procedures

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| <i>not proceedings of Tribunal</i> | 1. No hearing within the meaning of section 2 of the <i>Statutory Powers Procedure Act</i> is required for the purposes of or in connection with any of the discussions, meetings and determinations referred to in section D.i.(a), and such discussions, meetings and determinations are not proceedings of the Tribunal. |
| <i>department chair's duties</i> | 2. Where a student or a faculty member or a member of the administrative staff has reason to believe that an academic offence has been committed by a faculty member, he or she shall so inform the chair of the department or academic unit in which the faculty member holds a primary appointment. The department chair shall inform the faculty member immediately after learning of the act or conduct complained of and invite the faculty member to discuss the matter. The chair shall inform the faculty member that he or she is entitled to seek advice, or to be accompanied by counsel at the meeting, before making, and is not obliged to make, any statement or admission, but shall warn that if he or she makes any statement or admission in the meeting, it may be used or receivable in evidence against the faculty member in the hearing of any charge with respect to the alleged offence in question. |
| <i>no further action</i> | 3. If after discussion, the department chair is satisfied that no academic offence has been committed, he or she shall inform the faculty member in writing and no further action shall be taken in the matter, unless fresh evidence comes to the attention of the department chair, in which case he or she may again proceed in accordance with subsection 2. |
| <i>department chair's report to dean</i> | 4. If after such discussion the department chair believes that an academic offence has been committed by the faculty member, or if the faculty member fails or neglects to respond to the invitation for discussion, the department chair shall make a report of the matter in writing to the dean. |
| <i>dean's meeting with faculty member</i> | 5. When the dean has been so informed, he or she shall immediately notify the faculty member in writing accordingly, provide him or her with a copy of the Code and subsequently afford the faculty member an opportunity for discussion of the matter. The department chair and the complainant shall be invited by the dean to be present at the meeting with the faculty member. The dean shall conduct the interview. |
| <i>dean's warning admissions used at a hearing</i> | 6. Before proceeding with the meeting, the dean shall inform the faculty member that he or she is entitled to seek advice, or to be accompanied by counsel at the meeting, before making, and is not obliged to make, any statement or admission, but shall warn that if he or she makes any |

statement or admission in the meeting, it may be used or receivable in evidence against the faculty member in the hearing of any charge with respect to the alleged offence in question. The dean shall also advise the faculty member, without further comment or discussion, of the sanctions that may be imposed under section D.i.(b), and that the dean is not obliged to impose a sanction but may instead request either that the Provost lay a charge against the faculty member or that the President initiate dismissal proceedings. Where such advice and warning have been given, the statements and admissions, if any, made at such a meeting may be used or received in evidence against the faculty member in any such hearing.

- no further action* 7. If after the discussions at such a meeting, the complainant is satisfied that no academic offence has been committed and the department chair and the dean agree, no further action in the matter shall be taken by the complainant or the dean, and the dean shall so inform the faculty member in writing. Thereafter, the matter shall not be introduced into evidence at a Tribunal or any hearing for another offence.
- imposition of sanction* 8. If the faculty member admits the alleged offence, the dean may impose sanctions that are within the power and authority of the dean, and no further action in the matter shall be taken by the dean or the complainant if the dean proceeds under this subsection.
- faculty member may refer matter* 9. If the faculty member is dissatisfied with a sanction imposed by the department chair or the dean, the faculty member may refer the matter to the dean or the Provost for consideration. If the complainant is dissatisfied with a decision of the department chair or the dean not to refer the complaint to the next level with a recommendation for further action, the complainant may refer the matter to the dean or Provost for consideration.
- complainant may refer matter*
- referral of matter to President or Tribunal* 10. Where the dean believes that an academic offence has been committed by a faculty member with respect to which further proceedings should be taken (whether or not such offence has been admitted by the faculty member), the dean shall either,
- (a) in the case of a faculty member having tenure, request the President to appoint a committee under the Policy and Procedures on Academic Appointments, as amended from time to time, to consider dismissal of the faculty member, or
- (b) in the case of any faculty member, proceed to request that the Provost lay a charge against the faculty member under section D.ii below.
- Tribunal proceedings suspended* 11. Where a dean requests the President to appoint a committee under the *Policy and Procedures on Academic Appointments*, as amended from time to time, to consider dismissal of a tenured faculty member, any proceedings before the Tribunal shall be suspended until either the President signifies that he or she will not accept and act upon the request, or the proceedings for dismissal have been finally determined, as the case may be.

- offence by department chair or dean*
12. Where a student or a faculty member or an administrative staff member has reason to believe that an academic offence has been committed by a department chair, he or she shall so inform the dean of the academic unit in which the chair holds an appointment, and where he or she has reason to believe that an academic offence has been committed by a dean, he or she shall so inform the Provost, and the procedure shall be regulated by analogy to other provisions of this section.

D.i.(b) Divisional Sanctions

- sanctions listed*
1. One or more of the following sanctions may be imposed by the dean where a faculty member admits the commission of an alleged offence:
- (a) an oral and/or written reprimand;
 - (b) assignment by the dean of administrative sanctions
- Provost's Guidelines*
2. The Provost shall, from time to time, indicate appropriate sanctions for certain offences. These guidelines shall be sent for information to the Academic Board and appended to the Code.

D.ii.(a) Tribunal Procedures

- laying of charge*
1. A prosecution for an alleged academic offence shall be instituted by the laying of a charge by the Provost against the accused.
- consultation*
2. No charge shall be laid except with the agreement of the dean and the Provost, after consultation between the Provost and the Discipline Counsel.
- form of charge*
3. A charge shall be in writing, addressed to the accused, signed by or under the authority of the Provost and filed with the Secretary. It shall contain a statement that the faculty member is charged with having committed an offence specified therein, with sufficient particulars of the circumstances to enable the faculty member to identify the alleged act or conduct giving rise to the charge.
- notice of hearing*
4. Upon receipt by the Secretary of a charge which appears to be in proper form, the member of the Tribunal designated to be the chair of the hearing and the Secretary shall immediately determine and give appropriate notice of a date, time and place for the hearing.
- Tribunal duties and procedures*
5. The duties, membership and procedures of the Tribunal shall be as in section C.ii.(a) 6 to 33.

D.ii.(b) Tribunal Sanctions

- sanctions listed*
1. One or more of the following sanctions may be imposed by the Tribunal upon the conviction of any faculty member:
 - (a) an oral and/or written reprimand;
 - (b) recommendation to the President for the application of administrative sanctions;
- dismissal*
- (c) recommendation to the President for dismissal, or, in the case of a tenured faculty member, for the appointment of a committee under the Policy and Procedures on Academic Appointments, as amended from time to time, to consider dismissal. The Tribunal has power only to recommend that such a penalty be imposed. If a recommendation for dismissal is not adopted, the Governing Council or the President, as the case may be, shall have power to impose such lesser penalty as is deemed fit.

E. Appeals

- Discipline Appeals Board-panel membership*
1. Appeals from decisions at trial shall be heard by a panel drawn from the Discipline Appeals Board consisting of the Senior Chair of the Tribunal, or an Associate Chair designated by him or her, and three members of the Discipline Appeals Board drawn preferably from the Academic Board nominees to the Board. The Academic Board's nominees shall be chosen from among its current or former members. At least one member of each panel shall be a faculty member who is not also a student and at least one shall be a student who is not also a faculty member.
 2. The Senior Chair or an Associate Chair shall preside at all appeal hearings.
 3. Where the Discipline Appeals Board hears an appeal,
 - (a) no Tribunal member who participated in the decision appealed from shall participate in the appeal; and
 - (b) the decision of the majority of the members hearing the appeal shall govern, and the presiding Chair shall be a voting member.
- cases for appeal*
4. An appeal to the Discipline Appeals Board may be taken in the following cases, only:
 - (a) by the accused, from a conviction at trial, upon a question which is not one of fact alone;
 - (b) by the Provost, from an acquittal at trial, upon a question which is not one of fact alone;
 - (c) by the accused or the Provost, from a sanction imposed at trial.

- filing of appeal* 5. An appeal shall be made by filing with the Secretary, within 21 days after the giving of notice of the decision of the Tribunal, a notice of appeal stating briefly the relief sought and the grounds upon which the appeal is taken; provided that in exceptional circumstances, the Senior Chair shall have the power to enlarge the time for appeal upon application made either before or after the expiry of that time.
- appellant bears cost of transcription* 6. If the appellant wishes to refer in the argument of the appeal to the transcript of oral proceedings recorded at the trial, five copies of such transcript certified by the reporter or recorder thereof shall be ordered by and normally at the expense of the student. A transcript of the entire proceedings shall be produced unless the parties can agree to dispense with certain portions.
- powers of Board* 7. The Discipline Appeals Board shall have power,
- (a) to dismiss an appeal summarily and without formal hearing if it determines that the appeal is frivolous, vexatious or without foundation;
 - (b) in circumstances which the Tribunal members hearing the appeal consider to be exceptional, to order a new hearing; and
 - (c) in any other case, to affirm, reverse, quash, vary or modify the verdict, penalty or sanction appealed from and substitute any verdict penalty or sanction that could have been given or imposed at trial.
- appeal not trial de novo* 8. An appeal shall not be a trial de novo, but in circumstances which it considers to be exceptional, the Discipline Appeals Board may allow the introduction of further evidence on appeal which was not available or was not adduced at trial, in such manner and upon such terms as the members of the Board hearing the appeal may direct.
- award of costs* 9. Where it is considered to be warranted by the circumstances, the Board may in its discretion, award costs of any proceedings on appeal, and may make orders as to the party or parties to and by whom and the amounts and manner in which such costs are to be paid.
- stay unless otherwise ordered* 10. An appeal operates as a stay of the decision appealed from unless the Senior Chair of the Tribunal, on behalf of the Discipline Appeals Board, otherwise orders upon application by the accused or the Provost.

Appendix “A”

Code of Behaviour on Academic Matters Interpretation

1. Unless otherwise provided herein, words defined in section 1 of the University of Toronto Act, 1971, as amended from time to time, have the same meaning in this Code as in that Act.
2. In this Code, unless the context otherwise requires:
 - (a) “Academic Board” means the Academic Board of the Governing Council;
 - (b) “academic offence” or “offence” means an offence under the Code;
 - (c) “academic record” includes any record or document included within the definition of the “official student academic record” contained in the University’s Policy on Access to Student Academic Records, as amended from time to time, and any other record or document of the University or of another educational institution, and any library or any other identity or identification card or certificate, used, submitted or to be submitted for the purposes of the University;
 - (d) “academic work” includes any academic paper, term test, proficiency test, essay, thesis, research report, project, assignment or examination, whether oral, in writing, in other media or otherwise and/or registration and participation in any course, program, seminar, workshop, conference or symposium offered by the University.
 - (e) “Code” means this Code of Behaviour on Academic Matters, as amended from time to time;
 - (f) “computer” means any computer facility operated wholly or partly within or from the University;
 - (g) “datasets” includes all records, data and datasets stored either on-line to a computer or off-line in machine-readable form or any other transportable medium;
 - (h) “dean” means the Director of the School of Continuing Studies, or the Principal of Erindale College, or the Principal of Scarborough College, or the dean of the faculty or school where the member is registered or has primary appointment, as the case may be, or, in the case of an offence concerning a library, library material or library resources, the Chief Librarian, or the designate of any such person;
 - (i) “department chair” means the chair of a department of an academic unit, or the principal of a constituent college or the Principal of University College, or the director of a centre or institute, or, where a unit is not subdivided into departments, the dean of the unit or, in the case of Scarborough College, a divisional chair or, in the case of Erindale College, a discipline representative or, in the case of an offence concerning a library, library material or library resources, the head of the library concerned, or the designate of any such person;
 - (j) “Discipline Counsel” means the University Discipline Counsel or an assistant appointed by the Academic Board;
 - (k) “faculty member” means a member of the teaching staff;

- (l) “group” means a club, society, association, committee or other body of members having an affinity based upon common or collective interest or purpose, whether or not incorporated and whether or not officially recognized by the University;
- (m) “instructor” means any person who teaches or instructs or has a duty to teach or instruct a student or students or who evaluates or who has a duty to evaluate the work of a student or students, and includes a faculty member, a teaching assistant and a librarian;
- (n) “legally qualified” means in good standing as a member (other than an honorary member or student member) of The Law Society of Upper Canada or of the legal profession in any other province of Canada;
- (o) “member” or “member of the University” means a student or a faculty member, proctor or invigilator in the University, and includes a group;
- (p) “plagiarism”. The present sense of plagiarism is contained in the original (1621) meaning in English: “the wrongful appropriation and purloining, and publication as one’s own, of the ideas, or the expression of the ideas ... of another.” This most common, and frequently most elusive of academic infractions is normally associated with student essays. Plagiarism can, however, also threaten the integrity of studio and seminar room, laboratory and lecture hall. Plagiarism is at once a perversion of originality and a denial of the interdependence and mutuality which are the heart of scholarship itself, and hence of the academic experience. Instructors should make clear what constitutes plagiarism within a particular discipline;
- (q) “Provost” means the Vice-President and Provost of the University or a member of the staff of the University designated by him or her;
- (r) “Secretary” means Secretary of the Tribunal and his or her assistants appointed by the Academic Board;
- (s) “student” means that type of member of the University who is currently or was previously
 - (i) engaged in any academic work which leads to the recording and/or issue of a mark, grade, or statement of performance by the appropriate authority in the University or another institution; and/or
 - (ii) registered in any academic course which entitles the member to the use of a University library, library materials, library resources, computer facility or dataset; and/or
 - (iii) a post-doctoral fellow.
- (t) “Tribunal” or “University Tribunal” means the University Tribunal as constituted under section C.ii.(a) hereof and any other person or body that may be substituted therefor;
- (u) “University” includes the University of Toronto, University College, and the constituent colleges, the federated universities, faculties, departments, schools, centres, institutes and other divisions and academic units of the University.

Appendix “B”

Code of Behaviour on Academic Matters**The Rights and Freedoms Enjoyed by Members of the University**

All members enjoy the right to the fullest possible freedom of enquiry. In particular this includes:

- the freedom to communicate in any reasonable way, and to discuss and explore any idea;
- the freedom to move about the University and to the reasonable use of the facilities of the University;
- the freedom from discrimination on the basis of race, ancestry, place of origin, colour, ethnic origin, citizenship, creed, sex, sexual orientation, age, marital status, family status or handicap;
- the freedom in respect of offices, lockers, residences and private papers from unjustified invasions of privacy.

In addition, all members enjoy the following freedoms in relation to their freedom of association:

- the freedom to hold and advertise meetings, to debate and to engage in peaceful demonstrations;
- the freedom to organize groups for any lawful purpose;
- the freedom of the reasonable use of University facilities for the purposes of any lawful group.

Appendix “C”

Code of Behaviour on Academic Matters**Provost’s Guidelines on Sanctions, Offences and Suggested Penalties For Students****Sanctions**

1. One or more of the sanctions in section C.i.(b) may be imposed by the dean where a student or former student admits to the commission of an offence.
2. One or more of the sanctions in section C.ii.(b) may be imposed by the Tribunal upon conviction of any student or former student of any offence.

Relation of Offences and Sanctions

The particular circumstances of each case will, of course, have to be taken into account, but the following are suggested guidelines:

1. For offences on term work, term tests or final exams, the sanction recommended is not less than twice the value of the exam, work or test.
2. For submitting work, where it forms a major fraction of the course, in whole from another person, the sanction recommended shall be suspension from the University for at least two years.
3. Where a student has been previously convicted under the Code and commits another offence, the recommended sanction shall be from suspension for two years to expulsion from the University.
4. For offences related to damaging or misusing library materials, computer equipment or other facilities the recommended sanctions shall be a monetary fine and/or denial of privileges to use the facility involved.
5. For submitting purchased work, the sanction recommended shall be expulsion from the University. The minimum sanction shall be suspension from the University for a period of time and zero as the final grade where the offence occurred.
6. For personating, or having an individual personate on a test or examination, the recommended sanction shall be expulsion from the University.

END OF CODE OF BEHAVIOUR ON ACADEMIC MATTERS

Section: ACADEMIC STAFF	Code Number: 3.02.02
Item: Policy on Conflict of Interest: Academic Staff	

1. PREAMBLE

Faculty members at the University of Toronto are committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. While the pattern of a faculty member's teaching, research (which includes both scholarly and creative professional activity), and service to the University may vary from individual to individual, these three activities constitute a faculty member's principal responsibilities, except where a faculty member has been appointed to a non-professorial academic position in which teaching and service only are the principal responsibilities. A full-time academic appointment entails a year-round commitment to these responsibilities, unless the individual faculty member has a written agreement with the University to the contrary.

It is often intrinsic to this commitment that faculty members will engage in professional activities from which they may derive supplementary income. These activities represent an important mechanism for disseminating the knowledge and expertise of faculty members to the community and for contributing to the faculty members' and students' intellectual and professional development.

The freedom that faculty members properly enjoy to engage in these activities and to earn supplementary income means that, on occasion, their personal interests might seem to conflict with those of the University. All faculty members have an obligation to report and discuss with the person to whom they report all real or apparent significant conflicts of interest; that is, all conflicts that the faculty member believes -- or an objective observer would believe -- to be

significant. The purpose of this Policy is, therefore, to set out what constitutes a conflict of interest, to describe the procedures to be followed when faculty members engage in professional work from which they derive supplementary income, and to establish procedures for other situations which could give rise to an apparent conflict of interest.

2. CONFLICT OF INTEREST

No faculty member shall engage in activities which create for that faculty member a conflict of interest as defined in this Policy; however, where approval of an activity has been sought and received from the person with the authority to grant such approval, the activity shall be deemed not to be a conflict of interest.

3. DEFINITIONS

Academic Year

"Academic Year" means the period from July 1 of any calendar year to June 30 of the following calendar year.

Conflict of Interest

A conflict of interest exists when:

- (a) a faculty member's paid professional activities undermine rather than enhance the faculty member's ability to meet the faculty member's responsibilities to the University; or
- (b) a faculty member's non-professional activities which are engaged in for personal gain undermine rather than enhance the faculty member's ability to meet the faculty member's responsibilities to the University; or
- (c) a faculty member's personal or financial interest conflicts with the faculty member's responsibilities to the University.

Division Head or Chair

Wherever this phrase is used in this Policy, it means not one or the other, but instead means:

- (a) in multi-departmental faculties, the chair of the department;
- (b) at Erindale College, the associate dean of the division;
- (c) in unitary faculties, the dean;
- (d) in Institutes or the like, the director; and
- (e) in circumstances in which a faculty member reports directly to a principal of a college, the principal of that college.

Gifts

"Gifts" includes not only articles of value, but also includes, and is not limited to, travel, accommodation, extravagant meals, and the like, including those that might be provided by commercial external sponsors of continuing education programs or conferences in which the faculty member is playing no role other than that of an attendee, or by external organizations which offer products or services related to the faculty member's profession in situations in which the faculty member may be in a position to influence others to use the external organization's products or services.

Paid Professional Activity

A paid professional activity is an activity funded by sources other than the University which (1) arises from the faculty member's academic position and expertise, and (2) confers a financial benefit.

Major Paid Professional Activity

A paid professional activity is a major paid professional activity if it involves:

- (a) teaching for remuneration outside the University, other than occasional lectures, whether at another academic institution or for a professional development programme; or
- (b) a commitment to any individual project totaling more than 20 days in an academic year; or
- (c) any combination of paid professional activities that is likely to exceed 45 days during an academic year.

Minor Paid Professional Activity

A minor paid professional activity is any paid professional activity that is not a major one but which, nevertheless, involves more than a minimal amount of the faculty member's time.

Secondary Research Contract

A Secondary Research Contract is a contract between the University and an individual faculty member, outside the faculty member's normal employment contract, which is pursuant to a primary research contract between the University and a third party and authorizes payment of self-employment income to the faculty member(s) responsible for the research under the primary contract.

4. ACTIVITIES REQUIRING PRIOR APPROVAL

The following activities require the prior written approval of the person to whom the faculty member reports:

- (a) All major paid professional activities;
- (b) The use of University facilities, supplies, University support staff, or students whenever privately undertaken work or work of a paid professional activity entails more than trivial use of those facilities, supplies, support staff or students.
- (c) Where the funds involved are administered by the University, the hiring, supervising, or evaluating of, purchasing from, selling to, engaging in any commercial transaction with, or conferring or denying any financial or commercial benefit on any member of the faculty member's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship;
- (d) The academic evaluation of, or the conferring or denying of any academic or administrative benefit on any member of the faculty member's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship; and
- (e) Where the funds involved are administered by the University, any research undertaken by a faculty member for a company or organization in which a significant financial interest is held by the faculty member, any member of the

faculty member's immediate family, or any person with whom there exists, or has recently existed, an intimate personal relationship.

5. THE APPROVALS PROCESS

Major Paid Professional Activities

- (a) The request for approval of a major paid professional activity shall be made in writing to the person to whom the faculty member reports and shall specify:
 - (i) the category or type of client;
 - (ii) the nature of the work;
 - (iii) an estimate of the time required to perform the work;
 - (iv) the extent, if any, of the use of University facilities, supplies, support staff or students;
 - (v) any other major paid professional activities that have already been approved in that year or which are continuing from an earlier year; and
 - (vi) the impact the activity will have on teaching, research, and service responsibilities.
- (b) Notwithstanding clause (a), above, where the work is to be done under a Secondary Research Contract, the Secondary Research Contract/Payment Form itself shall be the basis for the requested approval along with the additional information required under 5(a)(iv) and (v), above.
- (c) In exceptional circumstances and with the written approval of the Provost, the division head or chair may require that the identity of the client and any pertinent financial details of any specific activity be revealed by the faculty member to the division head or chair on a strictly confidential basis.
- (d) The division head or chair shall evaluate the request in light of the extent to which the activity will undermine rather than enhance the teaching, research, and service responsibilities of the faculty member, while at the same time recognizing that faculty members are not to be discouraged from nor unduly restricted in this sort of activity, as it represents an important mechanism for disseminating the knowledge and expertise of faculty members to the community and for contributing to the faculty member's intellectual and professional development.
- (e) In evaluating the request, the division head or chair may seek the advice of an advisory committee, although information received under 5(c), above, may not be revealed by the division head or chair to anyone, including members of any advisory committee. Members of such a committee shall be directed by the division head or chair to comply strictly with the rule on confidentiality set out in section 13, below.
- (f) The division head or chair shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days. The decision must, of course, reflect consistency of treatment among the faculty members in the division or department.
- (g) If it is advisable for a faculty member to be permitted to undertake a major paid professional activity that would undermine the meeting of the faculty member's primary obligations and responsibilities, the division head or chair may require in granting approval that the faculty member take full or partial released time without pay; moreover, if a faculty member wishes to continue such activity indefinitely, the faculty member may be required to relinquish his or her status as a full-time appointee.

- (h) If approval is denied, the faculty member shall be provided with the reasons for the denial in the letter of denial. The reasons for the denial shall be expressed in the same terms as the evaluation criteria set out in 5(d), above.

Use of University Resources

- (a) A faculty member who wishes to carry out any of the activities listed in 4(b), above, shall make a request to do so in writing to the person to whom the faculty member reports. The request shall outline the nature of the use to be made of the facilities, supplies, support staff, or students.
- (b) The division head or chair shall evaluate the request in light of the extent to which the request can be accommodated without interfering with work being carried out by others as part of their University work.
- (c) The division head or chair shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.
- (d) Absent exceptional circumstances, the division head or chair shall require payment to the University by the faculty member for the use of the facilities, supplies, or support staff, but only to the extent of the actual cost, including overhead, to the University of the use of the facilities, supplies, support staff, or students.

Dealings With Family Members

- (a) A faculty member who wishes to carry out any of the activities listed in 4(c) or (d), above, shall request permission to do so in writing from the person to whom the faculty member reports. The request shall set out the activity to be carried out and shall indicate why it is desirable for the activity to be carried out, despite the apparent conflict of interest.
- (b) The division head or chair shall evaluate the request having regard to the extent to which special procedures could be instituted in the particular circumstances which would ameliorate the effects of the conflict of interest.
- (c) The division head or chair shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

Research in Which the Faculty Member Has a Financial Interest

- (a) A faculty member who wishes to carry out University-administered research as described in 4(e), above, shall request permission to do so in writing from the person to whom the faculty member reports. The request shall specify the nature of the research and the extent of the interest held in the company or organization for which the research is to be done by the faculty member or the faculty member's immediate family or person with whom there exists or has recently existed an intimate relationship.
- (b) The division head or chair shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

6. CONFLICT OF INTEREST FOR SUPERVISOR

If the person to whom reports are normally made has a personal interest in the matter to be discussed or approved, that supervisor shall refer the matter in writing to the person at the next higher level of authority, who shall respond in writing within 10 days.

7. ACTIVITIES REQUIRING DISCLOSURE

If a faculty member has recently received or is receiving supplementary income from a company, or if the faculty member, any member of the faculty member's immediate family, or a person with whom there exists, or has recently existed, an intimate personal relationship has a significant financial interest in a company, the faculty member must disclose the nature of the involvement with the company in any situation in which the faculty member is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

8. SOURCES OF SUPPORT FOR RESEARCH

When publishing the results of any research for which funding was supplied, the faculty member shall name the source or sources of funding in the publication, unless explicit approval to do otherwise has been obtained from the person to whom the faculty member reports.

9. PAID ACTIVITIES REPORT

Every faculty member shall submit a Paid Activities Report as part of the general annual activity report. The Paid Activities Report shall include:

- (a) the total time involved in each major paid professional activity, if any major activities were undertaken;
- (b) the aggregate number of days devoted to minor activities, if any, and, if greater than 12 days in total, a brief description of the activities involved;
- (c) any use other than trivial made of University resources in any paid professional activity; and
- (d) the faculty members paid activities, if any, which do not arise from the faculty member's academic position or expertise but which require more than 30 days a year of the faculty member's time.

10. APPROVAL OF EXPENSES

All expense claims made by faculty members involving funds administered by the University require the signature of the person to whom the faculty member reports.

11. ACCEPTANCE OF GIFTS

The acceptance of gifts from individuals or organizations which are associated with the University activities of the faculty member, with the exception of minor gifts as token courtesies, is not normally permitted. If a faculty member has any doubts about the propriety of accepting a particular gift, the faculty member should discuss the matter with the person to whom the faculty member reports.

12. PROHIBITION ON ADVERTISING

If an external sponsor funds a continuing education event, the funding may be acknowledged, but care must be taken that the sponsor's products are not actively promoted at the event. If an external sponsor provides teaching aids to a faculty member, such aids may only be used in the classroom if they display no more than the name or logo of the donor; specifically, such aids may not carry any reference to a specific product or therapeutic agent.

13. CONFIDENTIALITY

Any information gathered about an individual faculty member under this Policy shall be held in strict confidence and shall not be divulged to any other person, except for internal University administrative purposes, without the express written consent of the faculty member or under compulsion of law.

14. APPLICATION

All faculty members must abide by this Policy; however:

- (a) part-time faculty members (75% FTE or less) are not required to seek approval for major paid professional activities; and
- (b) part-time faculty members with an appointment of less than 50% are not required to file Paid Activity Reports; but
- (c) all faculty members, regardless of appointment FTE, are required to seek permission for and to report any use, other than trivial, of University resources.

15. GRIEVANCES

Any complaint by a faculty member about the application of this Policy may be raised in accordance with Article 7 of the Memorandum of Agreement between the University of Toronto Faculty Association and the Governing Council of the University of Toronto.

16. DISTRIBUTION

This Policy shall be distributed to each faculty member upon initial appointment.

Michael G. Finlayson
Vice-President—Human Resources

Approved by UTFA and recommended for approval by the Academic Board, June 16, 1994.

END OF POLICY ON CONFLICT OF INTEREST

Section: ACADEMIC STAFF	Code Number: 3.02.04
Item: Vacation	

INTRODUCTION

This document is a summation of University practices with some additional clarification of minimum requirements for purposes of ensuring compliance with provisions of the Employment Standards Act.

RESPONSIBILITY

It is the responsibility of departments when engaging staff to ensure that the vacation entitlement and the scheduling or payment provisions as applicable are clearly communicated in advance of the appointment being accepted.

PROVISIONS**1. Full-time Academic Staff at the rank of Lecturer, Tutor or above**

Members of the staff of the University holding the full-time appointed academic rank of Assistant Professor (conditional) or equivalent and above, which would include Lecturers and Senior Lecturers, are entitled to a vacation period of one month for twelve months of employment.

Academic staff, while expected to maintain effective liaison with their department heads on their schedules, have a high degree of independence in scheduling their own time. For this reason unless individuals were precluded by a department head from taking their vacation time, the University's obligation is deemed to have been discharged even though the individuals voluntarily chose not to take the vacation to which they were entitled in a given year.

In view of the latitude accorded academic staff at this level in scheduling their vacation time, no further obligation for vacation pay on termination is appropriate under normal circumstances. Cases of dispute alleging that vacation time was not available will be considered individually and restricted to the last twelve months of employment.

2. Part-time Academic Staff at the rank of Lecturer Tutor or above

The provisions for regularly appointed part-time staff, excluding sessional appointments, holding the academic rank of Lecturer or equivalent and above, are as described in 1, but awarded on a pro-rated basis according to the percentage of full-time hours worked. For example, a staff member with a 50% appointment is entitled to a month's vacation at 50% salary.

3. Full-time Academic Staff below the Lecturer Level

Other academic staff, such as Instructors, on regular full-time or part-time appointment, but excluding sessional appointments, are entitled to vacations not less than:

1 full academic appointment year	- 2 weeks' vacation
2 full academic appointment years	- 3 weeks' vacation
10 full academic appointment years	- 4 weeks' vacation

Departments should ensure that the appropriate vacation time is scheduled within each appointment year.

4. Academic Staff on Sessional appointments

Sessional staff, whether staff appointed or paid by Payment Authorization Form, may have their vacation entitlement discharged in any one of the following ways as determined by the department, but the method must be determined by the department and communicated to the staff member prior to the appointment:

- a) stating in the employment letter, if any, and on the payment form, that the total stipend is made up of basic salary and vacation pay, with the vacation pay component being not less than 4% of the basic salary.

- b) scheduling the appropriate vacation period within the sessional appointment period, for example, over Christmas, and being in addition to statutory and declared holidays. Where this approach is taken it is most important that the staff affected should understand in advance of accepting the sessional appointment that this is how their vacation entitlement will be scheduled.
- c) incorporating the vacation entitlement to fall within the sessional appointment but at the end of the term; for example, a sessional appointment that would normally end May 15 to coincide with the end of regular employment could be extended to May 30 thus providing the last two weeks of May as the vacation period.
- d) paying vacation pay within the budget of the department in lieu of vacation time off at the end of the session as an appropriate percentage in addition to the sessional salary.

In no case should vacation entitlement be less than 4% of gross pay, or equivalent if time off is granted. Where the appointment of staff has been reduced from annual to sessional, the staff members should continue to receive the same proportional vacation to which they were entitled while on regular annual appointment.

END OF POLICY ON VACATIONS

LIBRARIANS

Section: LIBRARIANS	Code Number: 4.01.01
Item: Policies for Librarians	

PREAMBLE

The University of Toronto Library System is an administratively complex component of the academic community. At present consisting of some 50 library units of varying size and with various relationships and reporting structures, it has grown in apparent response to the information needs of the University.

Librarians, in fulfilling their roles as contributors in the academic process, have a responsibility to provide leadership, initiative and expertise in realizing the goals and objectives of the Library. For those librarians who work in the many different units across the Library System, the need for a well-defined University-wide personnel policy has become apparent. Equitable opportunity and the same procedures, working conditions, and rank and salary structure should apply to all librarians employed by the University of Toronto regardless of the reporting structure within which they fulfil their responsibilities.

The policies and procedures proposed recognize and encourage the concept of a University Library, in that they provide equal access to opportunities for staff development and allow greater mobility and flexibility in staffing across the system. A librarian who is appointed to the University should be made fully aware of the conditions of employment, opportunities for advancement, and specific conditions of the position held. Review and evaluation procedures are prescribed at regular intervals, with substantial review prior to a change in rank or status. The review mechanisms developed emphasize consultation at all appropriate levels, including the concept of peer evaluation.

The autonomy of local Library units with regard to personnel selection and administration is acknowledged. At the same time, however, the Library Personnel Office, acting on behalf of the Chief Librarian, will take responsibility for co-ordinating and interpreting personnel policies and procedures for librarians across the system.

The term department head used in this document is appropriate only in the Central Library, and shall be understood to mean for a librarian outside the Central Library, the Principal, Dean, Director or other administrative officer to whom that librarian is responsible.

RANK AND PERMANENT STATUS

1. Librarians in the University of Toronto are appointed to one of the four ranks defined in paragraph (2). Independently of rank, a librarian may be granted permanent status, which is the holding by a librarian of the University of a continuing full-time appointment which the University has relinquished the freedom to terminate before the normal age of retirement except under the conditions specified in paragraphs (46) and (47). Permanent status shall be granted only by a definite act under the conditions stipulated herein, on the basis of merit.

RANKS

2. Librarians in the University of Toronto are appointed to one of the four ranks (Librarian I, II, III, IV).
3. Advancement through these ranks should reflect increased individual levels of professional achievement, which may be demonstrated either by increased responsibility in an area of specialization or by the discharge of administrative responsibilities.
4. To qualify for appointment to any rank, the candidate shall have the minimum of an undergraduate degree plus either a library degree from an accredited institution¹, or equivalent professional education. A person lacking equivalent professional library education may be appointed to work in the library, but not be appointed as a librarian subject to the terms of this document.
5. The basic qualify which must be evident for appointment or promotion to a rank is the ability to perform at a high professional level in areas which contribute to the teaching and research objectives of the University, such as the selection, acquisition and preservation of Library materials, the bibliographic control of those materials, the accessibility of the collections to users, the provision of instruction in using the Library's resources and the planning and development of Library systems.
6. Five criteria form the basis for appointment or promotion to a rank: effective performance in the area of the candidate's responsibility; academic achievement and activities; professional achievement and activities; effectiveness of service to the Library and the University; promise of continuing growth in overall performance as a librarian.
7. Effective performance will be considered the primary criterion at the lower ranks. It will also be considered significant at the higher ranks, but the weighting of the other criteria will increase proportionately.

Librarian I

8. Librarian I is the rank at which a professional career normally begins. To qualify for an appointment to this rank the candidate shall have met the minimum educational requirement, and show both potential for successful performance and promise of future professional and academic activity. Librarian I is a probationary appointment, the term of which shall not be less than one year or more than two years.

Librarian II

9. To qualify for appointment or promotion to the rank of Librarian II, the candidate shall have met the minimum educational requirement and shall have at least one year's professional experience or equivalent. As a primary criterion for appointment or promotion to this rank, a candidate shall have a record of successful performance as a librarian. A librarian promoted to this rank shall receive a three-year contract. A librarian appointed to this rank may receive a contract for a shorter period where previous experience warrants this, but in no case shall the contract be for less than one year.

¹ Accredited by the joint Canadian Library Association/American Library Association Committee on Accreditation.

10. When performance is judged, the nature of the candidate's assignment is to be considered, e.g., supervisory responsibility, subject, area, or language specialization, instructional duties, preparation of reports, etc. It is expected that successful candidates will have demonstrated the ability to use effectively their professional education and will have shown the capacity to develop and extend their professional and academic expertise.

Librarian III

11. In being considered for appointment or promotion to the rank of Librarian III, the candidate must submit evidence of continuing effective performance. There should be clear promise of continuing professional development and demonstrated ability to handle increased responsibilities in areas of specialization and/or in an administrative capacity. With less weighting one or more of the following criteria should also be considered: academic achievement and activities, including additional formal degrees, programmes of continuing education, teaching, research, publication; involvement in professional activities and participation in professional organizations, including serving on committees, the presentation of papers, organization and participation in conferences, seminars, workshops; service to the Library and the University. This rank is the normal career rank for librarians.

Librarian IV

12. A librarian may not be considered for appointment or promotion to the rank of Librarian IV until he or she has had a minimum of five years' library experience as a Librarian III or has had equivalent experience. Appointment or promotion to this rank requires evidence of a record of excellent performance with demonstrated initiative, leadership and creativity. As well as making an outstanding contribution to the Library and to the University the candidate must submit evidence of substantial achievement in one or more of the following areas: academic activities including research, publication and teaching; professional endeavours including significant involvement in professional organizations; service to the Library and/or the University community. Besides having attained a high level of professional expertise, the candidate should be considered likely to continue to fulfill a vital role in the institution.

PROMOTIONS

13. Performance will be reviewed annually by the librarian's supervisor, who shall prepare a written evaluation which shall be given to and discussed with the librarian. Such an evaluation will assess the librarian's ability to meet standards of performance in designated areas of responsibility and will give an opportunity to provide counselling to assist him or her to improve areas of weakness and further develop areas of strength. At the time of each annual review, the librarian's supervisor should assess the librarian's suitability for promotion and may wish to make a recommendation for such a promotion; the librarian concerned may also request consideration for promotion. For promotion of librarians employed outside the Central Library, the appropriate Principal, Dean, Director or other administrative officer shall serve on the Ad Hoc Committee on Promotions appointed in consultation with the Chief Librarian, and shall make the appropriate recommendations for promotion.

Promotion to Librarian II

14. A Librarian's performance shall be reviewed at least twice by his or her supervisor, and a written evaluation prepared, before a recommendation for promotion is made. Promotion in rank from Librarian I to Librarian II is recommended by the department head subject to approval of the Chief Librarian or his/her designate. If a librarian on a probationary appointment is not to be promoted to Librarian II (and therefore to have his or her appointment terminated), he or she shall be notified at least three months prior to the end of the probation period. The University does not have to show cause for termination of a probationary appointment.

Promotion to Librarian III

15. For promotion in rank from Librarian II to Librarian III the librarian's performance is reviewed by an Ad Hoc Departmental Committee appointed by the Chief Librarian in consultation with the department head. It shall be composed of the department head as chairman, the Personnel Librarian, and three professional librarians with the rank of Librarian III or above. At least one of these librarians shall be from outside the department concerned and wherever possible at least one should be from within the department.
16. A Librarian II may be considered for promotion by the Committee at the time of each annual evaluation but must be considered for permanent status and promotion in the final year of his or her appointment as a Librarian II. A promotion may be granted by the Chief Librarian or his or her designate upon the majority recommendation of the Committee.

Promotion to Librarian IV

17. For promotion in rank from Librarian III to Librarian IV, the librarian's overall performance is reviewed by a Senior Committee on Promotions appointed annually by the Chief Librarian in consultation with senior colleagues including colleagues outside the Central Library. The Committee shall be chaired by the Personnel Librarian and shall include four Librarian IVs (including at least one department head, and, wherever possible, at least one Librarian IV without administrative responsibility), and one member of the teaching staff named by the Vice-President and Provost. A promotion may be granted by the Chief Librarian on the majority recommendation of the Committee.

PROCEDURES

18. Procedures of all committees on pro-motions shall be fully known to librarians. Such procedures should be designed with the aim of eliciting and considering all relevant information. In addition to the written annual evaluations, librarians should be asked to submit an account of their academic and professional activities undertaken or completed since the time of the initial appointment to the rank of Librarian II or III.
19. The confidentiality of the proceedings and deliberations of all committees on promotions shall be maintained.

PROMOTION REVIEW

20. In cases where promotion is denied, the candidate may request a written statement of the reasons for such a decision, which the department head shall supply within five working

days. A request for the review of a promotion decision may be made to the Chief Librarian within fifteen working days of notification of reasons for a negative decision. This request will be granted only if the Chief Librarian deems the review appropriate. If the Chief Librarian grants this request the review will be conducted by the same committee.

APPOINTMENTS

21. There should be a continuous planning process in each area and department with the objective of delineating future plans and development. Against such plans, requests for new appointments can be judged and the nature of candidates to be sought determined. All area or department heads, before seeking approval for an increase in staff or for the filling of a vacant position, should examine fully the possibility of using staff resources already available in other areas of the University.
22. Notice of vacancy for a librarian's position in any part of the University shall be sent to the Library Personnel Office, where appropriate posting and advertising is arranged.

PROCEDURES FOR APPOINTMENT

23. Procedures should be adopted to ensure that an adequate list of possible candidates of quality is obtained and that the selection from this list has been properly and effectively carried out by the department concerned.
24. The documentation for each candidate shall include a current curriculum vitae and a list of referees from whom appraisals may be obtained indicating the candidate's capacity for librarianship as evidenced by job performance and academic and/or professional activities.
25. These applications shall be assessed and judged by the department head after appropriate consultation with colleagues and interviews of those candidates on the "short list". The Chief Librarian shall be notified of the choice when it is made, and the appointment shall be subject to his or her approval.
26. The appointment of a librarian outside the Central Library shall be made by the administrative head of the department or division concerned, subject to the approval of the Chief Librarian.
27. The terms and conditions of each appointment shall be clearly stated and confirmed in writing, including type of appointment, rank, salary, status with respect to permanency, and any special conditions attached to the appointment.

SENIOR APPOINTMENTS

28. Before approving appointments at the ranks of Librarians III and IV with permanent status, the Chief Librarian shall refer the proposal to a Committee on Permanent Status as described in paragraph (32) for its recommendation. Proposals for appointment at the rank of Librarian III without permanent status shall be referred to an Ad Hoc Departmental Committee as described in paragraph (15).

Proposals for appointment at the rank of Librarian IV without permanent status shall be similarly referred to the Senior Committee on Promotions described in paragraph (17). There shall, however, be no right of appeal against the decision of the Chief Librarian not to appoint, or to appoint without permanent status.

PERMANENT STATUS

29. Permanent status for librarians, as defined in paragraph (1), entails the acceptance by a librarian of the obligation to perform conscientiously as a contributor to teaching, learning and scholarship in the University. Librarians who enter the University in the rank of Librarian I shall be considered for appointment with permanent status during the third year of service in the rank of Librarian II in the University. Librarians appointed at the rank of Librarian II for a contractual period of up to three years' duration shall be considered for permanent status in the final year of their contracts. Librarians appointed at the ranks of Librarian III or IV, if not granted permanent status on appointment, must be considered for permanent status in the first year of service in the University.

CRITERIA FOR APPOINTMENT WITH PERMANENT STATUS

30. Appointments with permanent status should be granted on the basis of five criteria: effectiveness in work performance; academic achievement and activities; professional achievement and activities; service to the Library and the University; and clear promise of continuing effectiveness and development.
31. Effectiveness in work performance shall be judged primarily, but not exclusively, on the basis of supervisory evaluations of previous performance. Academic achievement may be judged by publications, teaching, advanced degrees or completion of other education programmes. Professional achievement may be evidenced by involvement in professional activities and organizations. Service to the Library and to the University is demonstrated by the preparation of internal studies and reports, and by responsible and effective involvement in Library and University activities. Promise of future professional effectiveness and development will inevitably be judged by the degree to which the candidate has demonstrated progress in librarianship in the period of service preceding consideration for appointment with permanent status.

COMMITTEES ON PERMANENT STATUS

32. A Committee on Permanent Status shall be named for each candidate by the Chief Librarian in consultation with the department head, and shall consist of the department head (as chairman), the Chief Librarian or his or her designate, four professional librarians having permanent status and holding a rank at least equal to that of the candidate, and one member of the teaching staff. Whenever possible, at least one of the four professional librarians shall be from the department concerned. At least one shall be from outside the department, and at least one should be a librarian holding no administrative position. For a librarian outside the Central Library, the administrative head of the appropriate department or division shall serve as chairman of the Committee. The membership of the Committee shall be made known to the candidate.

DOCUMENTATION

33. The responsibility for compiling and supplying documentation to the Committee on Permanent Status shall rest with the candidate and department head to whom the librarian is responsible. Documents for consideration shall include:
- i) The candidate's curriculum vitae, to be prepared by the candidate with the advice and assistance of the department head. This should include:
 - a) The academic and professional history of the candidate giving name, degrees obtained with institutions and dates, any honours, prizes or awards obtained, reference to relevant specialist qualifications (e.g., language, subject or area competence), and a record of continuing educational activities in which the candidate may have engaged.
 - b) The record of professional and other relevant employment of the candidate with a brief description of the duties of each position held.
 - c) A list of committees and organizations within the Library, University and profession on which the candidate has served, with a brief description of the service given.
 - d) A list of scholarly and professional work performed by the candidate, with sufficient detail to allow the committee to evaluate its relevance to the decision.
 - e) A list of no fewer than three referees.
 - ii) Assessment of the Candidate's Librarianship. This assessment should include:
 - a) All performance reviews conducted at this University together with an evaluation of overall performance prepared by an appropriate departmental committee or, where this is impractical, by the department head. This must not, however, contain any recommendation for or against the awarding of permanent status.
 - b) Evaluation of work performance from two referees, one selected from the candidate's list and one chosen by the chairman.
 - c) Where a librarian has significant previous service elsewhere, external evaluation of the quality of that service obtained from one or more referees agreed upon by the department head and the candidate.

PROCEDURES

34. Each department head shall ensure that librarians who must be considered for permanent status are identified, and that Committees are established and documentation prepared in order that a decision may be made not less than 90 days before the anniversary date of the appointment. Each candidate shall be informed of the place, time, and date of meeting of the Committee which considers his or her case, and shall be provided with a list of the materials, not identifying appraisers, provided to the Committee.
35. The Committee on Permanent Status shall meet in camera and each person accepting appointment to the Committee shall agree to treat as confidential all information given to the Committee and all matters pertaining to its deliberations. The quorum of the Committee shall be its full membership. The Committee shall give the candidate the opportunity to appear and make a statement to it (or alternatively to submit a statement in writing), but the candidate shall be excluded from all other proceedings of the Committee.
36. The Committee on Permanent Status shall have the power to take only one of two possible decisions: to recommend that appointment with permanent status be granted or

that it be denied. The decision must be taken on the evidence before it: the Committee may, however, recess for a short period, normally no more than one month, to obtain additional evidence if this is considered advisable. Five votes out of seven are required to recommend appointment with permanent status.

37. Reasons for a proposed negative recommendation shall be given to the candidate, who may respond to them orally or in writing, within 15 days of notification of these reasons. Thereafter, the Committee shall make its final recommendation and shall forward it to the Chief Librarian, with its reasons therefor, and, in the case of a negative recommendation, a summary of the evidence. The summary should be sufficiently detailed to enable the candidate to make a particular response to all of the significant components if he or she appeals the decision.
38. The Chief Librarian or his or her designate shall notify the department head of his or her decision, after he or she has obtained the approval of the Vice-President and Provost. The department head shall in turn notify the candidate, furnishing the summary of evidence to the candidate in the event of a negative decision. If permanent status has been denied, the Chief Librarian, in consultation with the appropriate division head, shall determine the duration of the candidate's terminal contract, which shall normally be for six months followed by automatic termination without further review.
39. A Committee on Permanent Status shall act as a promotion committee in the case where a candidate is a Librarian II, simultaneously recommending promotion to Librarian III and the granting of permanent status.

APPEALS AGAINST DENIAL OF PERMANENT STATUS

40. A Librarians' Appeal Committee shall be established and shall consist of a chairman and four members, appointed by the President after consultation with the Faculty Association, vacancies being filled by the same process. Members shall have a two-year term after one initial one-year term for half of the original appointees. The Chairman shall have a two-year term.

GROUND FOR APPEAL

41. A librarian who has been denied permanent status shall have the right to appeal on one or more of the following grounds:
 - i) a significant irregularity or unfairness in the procedure followed by the Committee or in the selection of its members;
 - ii) improper bias or motive on the part of any member of the Committee;
 - iii) improper bias or motive on the part of any person whose opinion may have materially influenced the decision of the Committee;
 - iv) absence of relevant material from the dossier, or the application by the Committee of inappropriate standards.

REVIEW PROCEDURES FOR APPEALS

42. A candidate must give notice of appeal against a denial of permanent status within 30 days of the transmission to him or her of the statement of reasons and of the summary of the evidence considered by the Committee on Permanent Status; the Librarians' Appeal Committee shall have the power, under circumstances which it considers exceptional, to

- extend this time limit. The notice of appeal should be addressed to the chairman of the Librarians' Appeal Committee and should specify the grounds on which the appeal is based.
43. The candidate and the department head or equivalent shall be given an opportunity to appear and present evidence and argument to the Librarians' Appeal Committee. If it is thought necessary, the Librarians' Appeal Committee may request that an independent investigator be appointed to assist it in determining matters of fact.
 44. The Librarians' Appeal Committee, by the authority delegated to it by the Governing Council by the adoption of this policy, shall make a final disposition of the appeal.
 45. The appeal procedure should be completed within the period specified in the terminal contract.

TERMINATION OF APPOINTMENTS WITH PERMANENT STATUS

46. Appointments with permanent status may be terminated by the University either
 - i) for cause, which means:
 - a) neglect of or refusal to carry out reasonable duties and assigned responsibilities of the position held;
 - b) inability to carry out such duties and assigned responsibilities (except as noted in (ii) of this paragraph);
 - c) failure to maintain a high standard of competence in librarianship and in the execution of responsibilities;
 - d) gross misconduct;
 - OR**
 - ii) where, without fault on his or her part, the librarian is prevented by a cause or matter beyond his or her control from carrying out reasonable duties, including, without limitation, physical or mental illness or injury, except where and so long as the librarian (or his or her legal representative) makes no claim against the University for salary or other remuneration;
 - OR**
 - iii) for reasons of fiscal stringency or financial exigency. The Governing Council will consult fully with the University of Toronto Faculty Association in the development of procedures related thereto.
47. Where the Chief Librarian (or academic administrative head, in the case of librarians outside the Central Library) has or is presented with reason to believe that ground may exist for the termination for cause of the appointment of a librarian holding appointment with permanent status, he or she shall immediately notify the President of the University and request the President to appoint a Hearing Committee for the purposes set out below. If the President grants the request, he or she shall initiate the following procedures:
 - i) An attempt shall be made to settle the matter informally at a meeting of the President, the Chief Librarian or other academic administrative head, the librarian, and a disinterested senior librarian or professor acceptable to the librarian and Chief Librarian or equivalent.

- ii) If the above attempt fails, the President shall inform the librarian in writing of his or her intention to institute proceedings for termination of appointment and shall give reasonable information as to the alleged ground for termination.
- iii) Within 15 working days, the President and the librarian shall jointly name a Hearing Committee of three librarians or members of the teaching staff from this or any other Canadian university. Should the librarian decline to participate in naming the Hearing Committee, it shall be done jointly by the President and the President of the University of Toronto Faculty Association. The librarian shall be deemed to have waived all right to determine the membership of the Hearing Committee. If agreement cannot be reached within 15 working days, a Judge of the High Court of Justice for Ontario who is willing to act and who is not a member of the Governing Council shall name the Hearing Committee.
- iv) The Hearing Committee shall select, in whatever manner it deems fit, a Chairman who shall inform the President and the librarian of the time and place designated for the hearing. Should the Hearing Committee be unable to select its Chairman, the member with the earliest date of appointment to continuous service in a Canadian university shall become Chairman and so act. The hearing shall commence within fifteen working days of the Committee's having been named.
- v) The Hearing Committee shall proceed to determine, in accordance with the Statutory Powers Procedure Act, 1971, whether a ground for termination of appointment exists. The President and the librarian shall be the parties to the proceedings. The Hearing Committee shall determine by majority vote, or if for any reason a majority vote is not possible, by the decision of its chairman, whether or not a ground for termination exists. This determination shall be final and not subject to appeal.
- vi) If the Hearing Committee determines that a ground for termination of appointment exists, the President may recommend termination to the Governing Council. If the Hearing Committee determines that a ground for termination does not exist but that misconduct has taken place, it may impose one or more of the lesser sanctions prescribed in the Academic Code of Behaviour of the University for offences committed by members of the teaching staff. No further or other action shall be taken against the librarian.

CONTRACTUALLY LIMITED-TERM APPOINTMENTS

- 48. Librarians hired on contractually limited term appointments will have the length of appointment, rank and salary clearly stated in a letter of appointment. Contractually limited term appointments should normally be used only in hiring for special projects of limited duration or for temporary replacements for librarians on leave.
- 49. For librarians appointed to regular positions immediately following a contractually limited term appointment, the date of consideration for permanent status will be established at the time of the regular appointment.
- 50. Librarians should not normally be on contractually limited term appointment for more than three consecutive years.

RESEARCH AND STUDY LEAVE

- 51. All full-time librarians having permanent status shall be eligible to apply for research or study leave. In granting such leave, the Chief Librarian (or other administrative officer)

shall ensure that the staffing requirements are adequately met. Study leave, i.e. registration in a formal program of studies, whether or not it leads to a degree, may be granted when the program of studies is of mutual benefit to the librarian and the Library. The amount of paid study leave which may be granted shall be determined by length of continuous service:

After 3 years	6 months
After 4 years	8 months
After 5 years	10 months
After 6 years or more	12 months

During a study leave, the librarian shall receive 50 per cent salary.

Research leave may be granted when the librarian has demonstrated the potential to benefit from the leave, and when the research proposed can be made use of in the librarian's continuing employment with the University. A 12-month research leave at 82.5 per cent salary may be granted after 6 years of continuous service as a librarian at the University. Alternatively, a 6-month research leave at full salary may be granted after 6 years of continuous service at the University. As an alternative and subsequent to the first leave above, a 6-month leave at 82.5 % salary may be granted after every three years of service unless the librarian has entered the phase retirement program in which case he or she will not be eligible for leave. The choice of option shall rest with the librarian and should be specified at the time application is made.

Research leave and study leave entitlements are alternative not cumulative. Neither leave shall be regarded as a break in continuous service. Neither study leave nor research leave need be taken in a single unbroken period. Subject to the above provisions leave shall not be unreasonably denied.

52. The status of librarians on research and study leave is protected with respect to salary increases and promotion. Staff benefits shall continue on the same basis during the leave.
53. Applications for research and study leave shall be made in writing to the Chief Librarian or department head with a copy to the Chief Librarian at least six months in advance. Requests for leave shall include a statement of the research and studies the librarian proposes to undertake, and upon return a report of the research and scholarship accomplished shall be provided to the Chief Librarian or the department head with a copy to the Chief Librarian. Recommendation for leave by the Chief Librarian or department head requires the approval of the Vice-President and Provost.
54. Librarians granted research leave may receive a portion of their salary while on leave in the form of a research grant, under the same terms and conditions as members of the teaching staff. Librarians granted study leave for work leading to a degree may, on the recommendation of the Chief Librarian, receive a portion of their salary while on leave as a fellowship.
55. If additional funds are received from other sources, the amount of salary is adjusted so that the total remuneration does not exceed 100 per cent of salary plus a reasonable amount for travel and research.

APPOINTMENT AND TENURE OF OFFICE OF SENIOR LIBRARY ADMINISTRATORS

56. The responsibility for recommending appointment of senior library administrators in the Library system (department heads, assistant and associate librarians within the Central Library, and librarians having comparable responsibilities outside the Central Library) rests with the Chief Librarian. For administrative appointments outside the Central Library, the Chief Librarian shall consult with the academic administrative head of the division in which the appointment is made.
57. All senior line administrative appointments in the Library system shall be for fixed terms, which shall be renewable without limit.
58. Staff officer appointments within the Central Library shall be made by the Chief Librarian on terms and conditions which he or she shall determine.

Consultative Committees

59. In recommending senior line administrative appointments, the Chief Librarian shall establish Consultative Committees which shall make recommendations to him or her regarding such appointments. These Committees shall consider for appointment all persons known to be available to fill the position through nominations and applications, using as criteria for selection the professional and administrative abilities of the potential appointee, his or her capacity for leadership in librarianship, his or her qualities of common sense and mature judgment, and his or her ability to maintain the confidence and co-operation of staff. Consultative Committees shall give particular consideration to the need for administrative continuity within the Library system.
60. The formation and membership of Consultative Committees established as set out above shall be made known throughout the Library system and nominations and applications for the positions invited. Should the availability of a position be externally advertised, a simultaneous internal advertisement shall be required.
61. Should a member of any Consultative Committee be seriously considered as a potential appointee to the position on which the Committee is advising the Chief Librarian, that member shall resign from the Committee without replacement.

Department Heads

62. Consultative Committees advising on the appointment of department heads (or their equivalents outside the Central Library) shall be chaired by the Personnel Librarian and shall have as members the Associate Librarian for the area (or, in the case of appointments outside the Central Library, the academic administrative head of the division concerned or his or her designate), the head of a related department, two librarians who shall, wherever possible, be from the department or area concerned, and two non-librarians selected from employees of the department or area, or from members of the teaching staff in cases where the appointment is outside the Central Library. The members of the Committee shall be appointed by the Chief Librarian in consultation with the Associate Librarian or academic administrative head concerned. Such Consultative Committees shall meet in camera, and each of their members shall agree to treat as confidential all information given to the Committee and all matters pertaining to its

deliberations. This shall not, however, be taken to prevent members of the Committee from eliciting from colleagues information and opinion which may be of use to the Committee.

63. The term of appointment as a department head shall not exceed five years.

Senior Administrative Appointments

64. For more senior appointments than that of department head and other than that of the Chief Librarian of the University, the Consultative Committee shall be chaired by the Chief Librarian, and shall include one member of the teaching staff (from the division concerned if the appointment is outside the Central Library), one Associate Librarian or equivalent, one library department head or equivalent, four librarians, and three persons who are not librarians. The Committee shall be appointed by the Chief Librarian in consultation with the Vice-President and Provost, other academic administrative officers concerned, and senior colleagues, bearing in mind the need for broad representation along the lines prescribed for Consultative Committees charged with advising on the appointment of department heads. The provisions relating to confidentiality outlined for committees on the appointment of department heads shall apply with equal force to Consultative Committees established under this paragraph.
65. The term of appointment of line library administrative officers above the position of department head shall not exceed seven years.

The Chief Librarian

66. The appointment of the Chief Librarian of the University shall be recommended by the President on the advice of a search committee chaired by the Vice-President and Provost or his or her designate, with an additional twelve members, of whom no fewer than seven shall be appointed from within the Library system, and of whom no fewer than four shall be librarians in this University. The committee shall be appointed by the Vice-President and Provost and shall be as representative of the University community as is feasible.
67. The term of appointment of the Chief Librarian shall be that recommended by the President and approved by the Governing Council, which should not be less than seven nor more than ten years.
68. The formation and membership of the search committee for A Chief Librarian of the University shall be made widely known throughout the University.

Acting Appointments

69. Nothing in the foregoing shall be taken to preclude the appointment by the Chief Librarian of acting administrative officers for periods of not more than one year, nor the appointment by the President of an Acting Chief Librarian for such a period as he or she may recommend and the Governing Council approve.

TRANSITIONAL PROVISIONS

70. All librarians who will have completed at least four years of full-time employment in the University on July 1, 1978, shall be deemed to have permanent status and shall receive

confirmation in writing of this status. Librarians I and II who have been employed by the University for less than four years, and Librarians III and IV who have been employed by the University for less than one year shall be considered for permanent status as prescribed in these regulations.

71. Library administrators appointed prior to the adoption of this policy by the Governing Council shall not have their terms of office limited except at their own election, which may be made at any time.
72. This Report does not apply to part-time librarians (i.e., to those appointed at less than 75 per cent of full-time employment). Policies for part-time librarians should be developed which are compatible with the recommendations of this Report.

END OF POLICIES FOR LIBRARIANS

Section:	LIBRARIANS	Code Number:	4.01.02
Item:	Part-Time Librarians		

A part-time appointment is one that is less than 75% of full-time employment as a librarian.

1. Initial part-time appointment at any rank shall be up to one year's duration.
2. Initial appointments may be made to any rank on a part-time basis.
3. Since all new part-time appointments are for limited terms which may or may not be renewed at the discretion of the department, there can be no ground for appeal if the appointment is not renewed. Otherwise, grievance procedures for part-time librarians shall be the same as for full-time librarians. The librarian shall be advised at least one month before the termination of the contract if there will be a renewal.
4. Part-time librarians shall be eligible for participation in the pension plan according to present policy. In addition, part-time librarians holding appointments of 25% or more shall be eligible for other benefits on a pro-rated basis, and for merit increases after one year.
5. A librarian currently holding full-time permanent status may, with the agreement of the department head, the appropriate division or area head, the Chief Librarian, and the Vice-President and Provost, change to part-time permanent status. Changes to such part-time status may occur only with the consent of all parties.
6.
 - a) Part-time librarians may hold permanent status only in the case of full-time permanent librarians who change to part-time in accordance with section 5. above.
 - b) After three successive annual part-time appointments a librarian may, at the discretion of the department head, and with the approval of the division or area head, the Chief Librarian, and the Vice-President and Provost, be considered for a three-year part-time appointment.
 - c) A part-time librarian being considered for a three-year appointment must be reviewed during his or her third annual appointment. This review will be conducted by a committee appointed by the Chief Librarian in consultation with

- the department head. He/she shall be notified about the renewal of the contract by December 31 of the third year.
- d) A part-time librarian who holds a three-year appointment may be eligible for renewal of the appointment at the discretion of the department head, and with the approval of the area head and the Chief Librarian, and after 2 further review as in 6(c) above.
7. A part-time librarian who holds the third in a series of three-year part-time appointments, and who for the whole period has held an appointment of 50% or more, shall be eligible to apply for research or study leave for up to twelve months at 50% of the part-time salary.
8. The criteria and procedures for promotion through the ranks from Librarian I to Librarian IV shall be the same as for full-time librarians, except that permanent status is not granted.
9. When these policies come into effect, the Chief Librarian will appoint a committee to review all existing part-time librarian appointments. The review will establish rank and term of appointment, and research or study leave entitlement based on past service.

END OF POLICY ON PART-TIME LIBRARIANS

Section:	LIBRARIANS	Code Number:	4.01.03
Item:	Policy on Conflict of Interest Librarians		

1. Preamble

Librarians at the University of Toronto are committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. While the pattern of a librarian's professional activity, research (which includes both scholarly and creative professional activity), and service to the University may vary from individual to individual, these three activities constitute a librarian's principal responsibilities. A full-time librarian appointment entails a year-round commitment to these responsibilities, unless the individual librarian has a written agreement with the University to the contrary.

It is often intrinsic to this commitment that librarians will engage in professional activities from which they may derive supplementary income. These activities represent an important mechanism for disseminating the knowledge and expertise of librarians to the community and for contributing to the librarian's intellectual and professional development.

The freedom that librarians properly enjoy to engage in these activities and to earn supplementary income means that, on occasion, their personal interests might seem to conflict with those of the University. All librarians have an obligation to report and discuss with the person to whom they report all real or apparent significant conflicts of interest; that is, all conflicts that the librarian believes -- or an objective observer would believe -- to be significant. The purpose of this Policy is, therefore, to set out what constitutes a conflict of interest, to describe the procedures to be followed when librarians engage in professional work from which they derive supplementary income, and to establish procedures for other situations which could give rise to an apparent conflict of interest.

2. Conflict of Interest

No librarian shall engage in activities which create for that librarian a conflict of interest as defined in this Policy; however, where approval of an activity has been sought and received from the person with the authority to grant such approval, the activity shall be deemed not to be a conflict of interest.

3. Definitions

Academic Year

"Academic Year" means the period from July 1 of any calendar year to June 30 of the following calendar year.

Conflict of Interest

A conflict of interest exists when:

- (a) a librarian's paid professional activities undermine rather than enhance the librarian's ability to meet the librarian's responsibilities to the University; or
- (b) a librarian's non-professional activities which are engaged in for personal gain undermine rather than enhance the librarian's ability to meet the librarian's responsibilities to the University; or
- (c) a librarian's personal or financial interest conflicts with the librarian's responsibilities to the University.

Supervisor

"Supervisor" means the person to whom the librarian normally reports.

Gifts

"Gifts" includes not only articles of value, but also includes, and is not limited to, travel, accommodation, extravagant meals, and the like, including those that might be provided by commercial external sponsors of conferences in which the librarian is playing no role other than that of an attendee.

Paid Professional Activity

A paid professional activity is an activity funded by sources other than the University which (1) arises from the librarian's academic position and expertise, and (2) confers a financial benefit.

Major Paid Professional Activity

A paid professional activity is a major paid professional activity if it involves:

- (a) working as a librarian outside the University, or
- (b) work which requires the librarian to be engaged in that work during the librarian's normal working hours.

Minor Paid Professional Activity

A minor paid professional activity is any paid professional activity that is not a major one but which, nevertheless, involves more than a minimal amount of the librarian's time.

4. Activities Requiring Prior Approval

The following activities require the prior written approval of the librarian's supervisor:

- (a) All major paid professional activities;

- (b) The use of University facilities, supplies, University support staff, or students whenever privately undertaken work or work of a paid professional activity entails more than trivial use of those facilities, supplies, staff or students.
- (c) Where the funds involved are administered by the University, the hiring, supervising, or evaluating of, purchasing from, selling to, engaging in any commercial transaction with, or conferring or denying any financial or commercial benefit on any member of the librarian's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship;
- (d) The academic evaluation of, or the conferring or denying of any academic or administrative benefit on any member of the librarian's immediate family or a person with whom there exists, or has recently existed, an intimate personal relationship; and
- (e) Where the funds involved are administered by the University, any research undertaken by a librarian for a company or organization in which a significant financial interest is held by the librarian, any member of the librarian's immediate family, or any person with whom there exists, or has recently existed, an intimate personal relationship.

5. The Approvals Process

Major Paid Professional Activities

- (a) The request for approval of a major paid professional activity shall be made in writing to the librarian's supervisor and shall specify:
 - (i) the category or type of client;
 - (ii) the nature of the work;
 - (iii) an estimate of the time required to perform the work;
 - (iv) the extent, if any, of the use of University facilities, supplies, support staff or students;
 - (v) any other major paid professional activities that have already been approved in that year or which are continuing from an earlier year; and
 - (vi) the impact the activity will have on the librarian's normal responsibilities.
- (b) In exceptional circumstances and with the written approval of the Provost, the supervisor may require that the identity of the client and any pertinent financial details of any specific activity be revealed by the librarian to the supervisor on a strictly confidential basis.
- (c) The librarian's supervisor shall evaluate the request in light of the extent to which the activity will undermine rather than enhance the librarian's normal responsibilities, while at the same time recognizing that librarians are not to be discouraged from nor unduly restricted in this sort of activity, as it represents an important mechanism for disseminating the knowledge and expertise of librarians to the community and for contributing to the librarian's intellectual and professional development.
- (d) In evaluating the request, the supervisor may seek the advice of an advisory committee, although information received under 5(b), above, may not be revealed by the supervisor to anyone, including members of any advisory committee. Members of such a committee shall be directed by the supervisor to comply strictly with the rule on confidentiality set out in section 12, below.
- (e) The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days. The decision must, of course,

reflect consistency of treatment among the librarians in the division or department.

- (f) If it is advisable for a librarian to be permitted to undertake a major paid professional activity that would undermine the meeting of the librarian's primary obligations and responsibilities, the supervisor may require in granting approval that the librarian take full or partial released time without pay; moreover, if a librarian wishes to continue such activity indefinitely, the librarian may be required to relinquish his or her status as a full-time appointee.
- (g) If approval is denied, the librarian shall be provided with the reasons for the denial in the letter of denial. The reasons for the denial shall be expressed in the same terms as the evaluation criteria set out in 5(c), above.

Use of University Resources

- (a) A librarian who wishes to carry out any of the activities listed in 4(b), above, shall make a request to do so in writing to the librarian's supervisor. The request shall outline the nature of the use to be made of the facilities, supplies, support staff, or students.
- (b) The supervisor shall evaluate the request in light of the extent to which the request can be accommodated without interfering with work being carried out by others as part of their University work.
- (c) The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.
- (d) Absent exceptional circumstances, the supervisor shall require payment to the University by the librarian for the use of the facilities, supplies, or support staff, but only to the extent of the actual cost, including overhead, to the University of the use of the facilities, supplies, support staff, or students.

Dealings With Family Members

- (a) A librarian who wishes to carry out any of the activities listed in 4(c) or (d), above, shall request permission to do so in writing from the librarian's supervisor. The request shall set out the activity to be carried out and shall indicate why it is desirable for the activity to be carried out, despite the apparent conflict of interest.
- (b) The supervisor shall evaluate the request having regard to the extent to which special procedures could be instituted in the particular circumstances which would ameliorate the effects of the conflict of interest.
- (c) The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

Research in Which the Librarian Has a Financial Interest

- (a) A librarian who wishes to carry out University-administered research as described in 4(e), above, shall request permission to do so in writing from the librarian's supervisor. The request shall specify the nature of the research and the extent of the interest held in the company or organization for which the research is to be done by the librarian or the librarian's immediate family or person with whom there exists or has recently existed an intimate relationship.
- (b) The supervisor shall consider the request for approval as soon as possible and shall render a decision in writing within 10 days.

6. Conflict of Interest for Supervisor

If the person to whom reports are normally made has a personal interest in the matter to be discussed or approved, that supervisor shall refer the matter in writing to the person at the next higher level of authority, who shall respond in writing within 10 days.

7. Activities Requiring Disclosure

If a librarian has recently received or is receiving supplementary income from a company, or if the librarian, any member of the librarian's immediate family, or a person with whom there exists, or has recently existed, an intimate personal relationship has a significant financial interest in a company, the librarian must disclose the nature of the involvement with the company in any situation in which the librarian is in a position to influence whether or not University funds will be used to purchase goods and services from that company or where the company may otherwise receive some benefit from the University.

8. Sources of Support for Research

When publishing the results of any research for which funding was supplied, the librarian shall name the source or sources of funding in the publication, unless explicit approval to do otherwise has been obtained from the librarian's supervisor.

9. Paid Activities Report

Every librarian shall submit a Paid Activities Report as part of the general annual activity report. The Paid Activities Report shall include:

- (a) the total time involved in each major paid professional activity, if any major activities were undertaken;
- (b) the aggregate number of days devoted to minor activities, if any, and , if greater than 12 days in total, a brief description of the activities involved; and
- (c) any use other than trivial made of University resources in any paid professional activity.

10. Approval of Expenses

All expense claims made by librarians involving funds administered by the University require the signature of the librarian's supervisor.

11. Acceptance of Gifts

The acceptance of gifts from individuals or organizations which are associated with the University activities of the librarian, with the exception of minor gifts as token courtesies, is not normally permitted. If a librarian has any doubts about the propriety of accepting a particular gift, the librarian should discuss the matter with the librarian's supervisor.

12. Confidentiality

Any information gathered about an individual librarian under this Policy shall be held in strict confidence and shall not be divulged to any other person, except for internal University administrative purposes, without the express written consent of the librarian or under compulsion of law.

13. Application

All librarians must abide by this Policy.

14. Grievances

Any complaint by a librarian about the application of this Policy may be raised in accordance with Article 7 of the Memorandum of Agreement between the University of Toronto Faculty Association and the Governing Council of the University of Toronto.

15. Distribution

This Policy shall be distributed to each librarian upon initial appointment.

END OF POLICY ON CONFLICT OF INTEREST

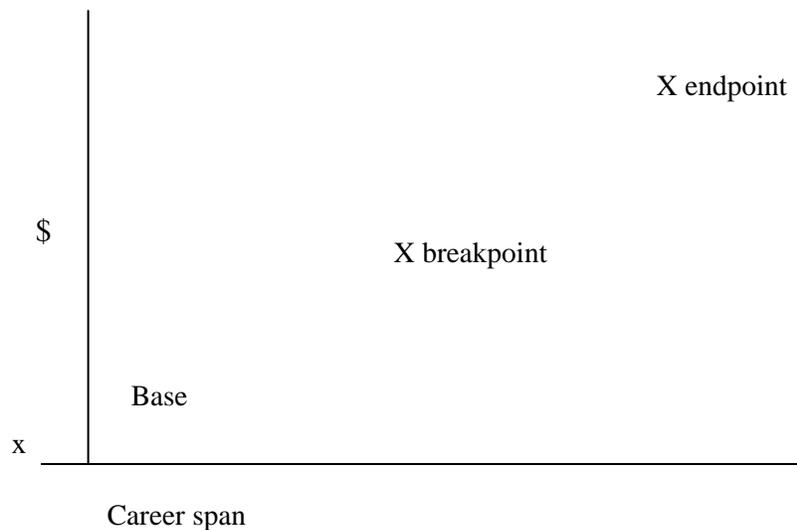
Section:	LIBRARIANS	Code Number:	4.02.01
Item:	Progress through the Ranks		

INTRODUCTION

The Librarian Progress Through the Ranks (PTR) plan represents a-career advancement model for Librarians in which the distribution of increases is discretionary and awarded on the basis of merit. The plan itself operates as a model which outlines general career opportunity and determines the increments for merit available from year to year; however, the profile of individual staff members in relation to the model will primarily be a function of his or her individual merit over the period of their careers. The Librarian PTR plan and salary ranges were designed to function in conjunction with the Policies for Librarians (see Manual of Staff Policies, Code Number 5.01.01) which cover promotions and appointments.

PROGRESS THROUGH THE RANKS (PTR) PLAN

The PTR plan is a linear career model with three reference points: a base, a breakpoint, and an endpoint. These points determine the rate of career advancement opportunity provided by the plan and are illustrated below:



The base in the Librarian PTR plan has been set at the hiring rate for a Librarian I who is just beginning a career in librarianship. The breakpoint has been set at a point approximately 1.8 times the base and at sixteen years into a career as a Librarian. In the model, the rate of increase between the base and the breakpoint is greater than that between the breakpoint and endpoint. The shape of this model reflects the normal personal growth and professional development in the early years of a career. The endpoint represents an approximation of an average career expectation for a Librarian who has fulfilled all growth and contribution expectations and successfully attained the highest rank of Librarian. This model serves to define the increments for funding annual PTR increases. For instance, the breakpoint minus the base divided by the number of years set in the model determines the increments provided to divisions based on the number of staff members with salaries below the breakpoint. Divisions then distribute available funds on the basis of performance keeping in mind that the weighting of criteria for assessing merit may vary from rank to rank and that, in general, funds should not pass across the breakpoint. The PTR model is updated by taking into account the previous year's economic adjustment.

SALARY RANGES

Salary ranges have also been established taking into consideration the promotion patterns outlined in the Policies on Librarians as well as the general salary opportunity of Librarians in other institutions. The ranges are published each year in the budget instructions. The base rate for Librarian I is the hiring rate for a Librarian just beginning a career in librarianship although appointments may be made at any rank and are subject to the approval of the Chief Librarian (see Manual of Staff Policies, Code Number 5.01.01, paragraphs 21 - 28). The salary must be at least the minimum of the range for the rank and may be above the minimum depending on experience and qualifications. Salary adjustments beyond the maximum may be awarded in exceptional cases upon the recommendation of the Chief Librarian and the approval of the Vice-President and Provost.

The ranges represent salary opportunity for Librarians not performing specific administrative functions such as department head, Associate Librarian, etc. These positions are on a term

appointment basis and include additional compensation in the form of an Administrative Stipend during the term of the appointment.

END OF POLICY ON PROGRESS THROUGH THE RANKS

Section: LIBRARIANS	Code Number: 4.02.02
Item: Vacations	

INTRODUCTION

The vacation year begins on July 1 of any calendar year and ends on June 30 of the next. Vacation credits are earned in the twelve months immediately preceding July 1. Vacation earned during this period must be taken within the first ten months of the vacation year which immediately follows and will lapse unless deferment is requested by the staff member and approved by the department head. Vacation should not be granted in advance of entitlement unless this is warranted by exceptional circumstances.

RESPONSIBILITY

It is the responsibility of the department when engaging staff to ensure that the appropriate vacation entitlement and the scheduling or payment provisions as applicable are communicated in advance of the appointment being accepted. The onus is on the department head/supervisor to ensure that staff members take their appropriate vacation entitlement within the ten-month period. Where deferment of vacation has been approved the department head/supervisor is to ensure that the deferred vacation entitlement is taken within a reasonable period of time. The Employment Standards Act requires that a record of vacations earned and taken by staff members be maintained.

PROVISIONS

1. Full-time Librarians

Length of Service	Vacation Entitlement
1 to 5 vacation years	21 days
6 to 11 vacation years	23 days
12 to 13 vacation years	24 days
14 to 15 vacation years	25 days
16 to 17 vacation years	26 days
18 or more vacation years	27 days

Librarians with less than one year's service as of July 1 are entitled to the following:

Length of Service	Vacation Entitlement
1 month	1 day
2 months	3 days
3 months	5 days
4 months	7 days
5 months	8 days
6 months	10 days
7 months	12 days

8 months	14 days
9 months	15 days
10 months	17 days
11 months	19 days

2. Part-time Librarians

The provisions for regularly appointed part-time staff, excluding sessional appointments, are as described in #1 above, but awarded on a pro-rated basis according to the percentage of full-time hours worked.

Example 1: A staff member with one year's service who regularly works 3 days a week (or 60% of full-time weekly hours) will accrue 60% of the annual vacation entitlement for full-time staff (i.e., 60% of 21 working days or 12--1/2 days).

Example 2: A staff member with five years' continuous service who regularly works 5 half-days a week (or 50% of full-time weekly hours) will accrue 21 half-working days.

In both of the above examples, the staff members receive the equivalent of 21 days' vacation in relation to their work week.

3 Librarians on Sessional Appointments

Provided service is unbroken, vacation entitlement will accrue as follows:

Length of Service	Vacation Entitlement
1 to 5 sessions	8.4% of gross sessional earnings
6 to 11 sessions	9.2% of gross sessional earnings
12 to 13 sessions	9.6% of gross sessional earnings
14 to 15 sessions	10.0% of gross sessional earnings
16 to 17 sessions	10.4% of gross sessional earnings
18 or more sessions	10.8% of gross-sessional earnings

Sessional staff may be given time off within the session rather than vacation allowance. However, vacation granted must not exceed the value of the allowance to which the staff member is entitled.

In no case should vacation entitlement be less than 8.4% of gross sessional earnings, or the equivalent if time off is granted. Where the appointment of staff has been reduced from annual to sessional the staff members should continue to receive the same proportional vacation to which they were entitled while on regular annual appointment.

CREDIT FOR A STATUTORY OR UNIVERSITY HOLIDAY

If a statutory or University holiday occurs during a vacation period, the staff member will be granted an extra day. If this day is not taken in conjunction with the vacation period, the staff member may use this entitlement at a later date.

TRANSFER OF VACATION CREDITS AND SENIORITY ON INTER-DEPARTMENTAL TRANSFERS

When a staff member transfers to another department, the new department agrees to accept all seniority accumulated by the staff member, including any vacation credits earned but not taken at the time of transfer. In certain cases, however, it may be necessary to delay the transfer until the staff member has taken some or all of the vacation owing. Any outstanding vacation will be reported in the "Remarks" section of the Status Change Form on which the transfer is processed. Staff members will not receive vacation pay at the time of transfer.

VACATION PAY ON TERMINATION OF EMPLOYMENT

When employment is terminated, the allowance for any vacation days earned in the present vacation year but not taken will be calculated as follows:

Length of Service	Rate of Vacation Entitlement
Up to 5 vacation years	8.4% of gross earnings
6 to 11 vacation years	9.2% of gross earnings
12 to 13 vacation years	9.6% of gross earnings
14 to 15 vacation years	10.0% of gross earnings
16 to 17 vacation years	10.4% of gross earnings
18 or more vacation years	10.8% of gross earnings

END OF POLICY ON VACATIONS