



The Senate of York University

Notice of Special Meeting

to be held at 3:00 pm. on Thursday, March 19, 2015
in the Senate Chamber, N940 Ross Building.

AGENDA

- 1. Chair's Remarks (*R. Mykitiuk*)
- 2. Committee Reports
 - a. Executive (*G. Comninel*).....1
- 3. Other Business for Which Due Notice Has Been Given
 - a. Motion Concerning the Suspension of Classes.....19

MEETING NOTES:

The Chair, with the agreement of Senate Executive, has determined that voting on the motion under item 3. a will be conducted by paper ballot following customary Senate protocols.

At a Special Meeting of Senate, no business is transacted except for items listed on the agenda page (there is no "other business" at a special meeting).

The Senate Chamber has capacity seating for 144, which is only slightly greater than the current membership of Senate. Members of the community who are not Senators are invited to view a streamed video of the meeting in Vari Hall B. Normal Senate rules apply in the Senate Chamber and Vari Hall B, and no audio or visual recordings of the proceedings are permitted without the express agreement of the Chair of Senate.

M. Armstrong, Secretary



EXECUTIVE COMMITTEE

Report to Senate
at its Special Meeting of March 19, 2015

FOR INFORMATION

1. **Senate Executive and the Disruption of Academic Activities**

The Special Meeting of Senate on March 19 coincides with the seventeenth day of the academic disruption that began on March 3. A disruption of seven days or more is defined as “long” in the *Senate Policy on Academic Implications of Disruptions or Cessations of University Business Due to Labour Disputes or Other Causes*. At day fourteen the Policy presumes that all courses – quarter-, half- and full -- will require “substantial remediation.” This report describes for Senators how the Executive Committee has applied the Policy and conveys timely information to the community.

Application of Senate Policy

When a disruption of academic activities appeared imminent, the Senate Policy on Academic Implications of Disruptions or Cessations of University Business Due to Labour Disputes or Other Causes came into force. Senate Executive members are unanimous in their conviction that the Committee has

- correctly applied and implemented the Disruption Policy and other relevant academic policies and regulations
- sought and appropriately utilized relevant precedents
- conducted its deliberations with candor, collegiality and due regard to the views of the community imparted by members and registered in correspondence

The Disruptions Policy clearly contemplates circumstances in which some courses are not offered during a disruption or are subject to adjustment. Some courses have continued throughout the disruption while others have resumed over time. Many students have indicated that they will not participate in academic activities while the strike is on. Others have communicated their desire to return to their studies as soon as possible. Knowing this, Senate Executive’s most recent communique underlined protections afforded by the Disruptions Policy:

students who are unable or unwilling to participate in academic activities because of the strike are entitled to immunity from penalty, to reasonable alternative access to materials covered in their absence, to reasonable extensions of deadlines and other forms of remediation (for example, changes in academic regulations) that are necessary and consistent with the principle of academic integrity. Senate Executive will communicate promptly changes that it authorizes.

The Committee also affirmed that accommodations and remediation options are available now and others may be authorized in the future.

The Evolving Context of the Academic Disruption

Prior to the disruption, the Provost, Deans and Principal recommended to Senate Executive that all courses with the exception of those with a limited number of distinctive characteristics would be suspended at the outset if a strike by CUPE 3903 occurred.¹ The Committee agreed and communicated its decision widely. Additional exceptions to the suspension were added on March 9 (all courses in the JD program offered by the Osgoode Hall Law School, on the understanding that CUPE 3903 work will not be replaced) and March 10 (all courses offered by the Lassonde School of Engineering, the Schulich School of Business, the School of Nursing, the School of Administrative Studies and the School of Human Resources Management). Requests were presented by the Provost on behalf of the relevant Deans and Principal.

Decision-making has been deliberate and informed. The Committee reached back to previous disruptions to adopt a set of criteria by which to assess proposals to expand the list of exempted activities (see Appendix A). To these it added additional factors that should be taken into account. The Provost, with the input of the Committee, developed “Institutional Remediation Guidelines” (Appendix B) that build on Senate policies and precedents. On March 12, Committee members commented on a draft of the “Guidelines” document and on preliminary remediation frameworks provided by the Deans and Principal.² It was agreed that Faculty frameworks should align with the overall framework developed by the Provost.

At the special meeting held on the morning of March 16 a majority of members agreed that classes would resume on Tuesday, March 17 for School of the Arts, Media, Performance and Design, the Faculty of Education, Glendon, Faculty of Health (classes not already resumed), Faculty of Science. At the same time, it was agreed that additional classes will resume on Monday, March 23, 2015 in the Faculty of Liberal Arts & Professional Studies (for programs not already approved for resumption) and the Faculty of Environmental Studies. The cases made for resumption were multi-faceted and members often emphasized these factors:

- unlike previous strikes by CUPE 3903, most course directors are available to teach
- with the normal end of term so close, students are facing serious consequences now
- summer term increasingly jeopardized after March 23rd start
- extra support has been put in place for safety
- the provision of choice for students, not least international and exchange students facing visa deadlines or those with employment commitments
- time restrictions such as those imposed by external accreditation imperatives
- the completion of internships and placements

1 On March 3 these were identified as:

- courses not involving CUPE 3903 members
- activities already scheduled off campus, such as off-campus courses, practicums, placements or internships not involving CUPE 3903 members
- degree credit activities offered through the Osgoode Hall Law School at its downtown Toronto facilities
- graduate degree credit activities at the Schulich School of Business, including the Schulich Executive Education program and Schulich-Kellogg courses
- Master of Human Resources Management [clarified on March 6]

This list is identical to the one approved by Senate Executive in 2008 at the outset of a CUPE 3903 strike that year.

2 Faculty frameworks are to be posted on Faculty Websites.

- thorough remediation frameworks that match the principles and concrete measures set out in the Provost's overarching document and Senate policies, with attention to students who will not return to classes

A Senator inquired at the most recent meeting of Senate what had changed between the declaration of a disruption on March 3 and the Executive Committee's agreement that classes would be widely resumed on March 16. Significantly, ratification of an agreement by CUPE 3903 Unit 2 now means that the only course directors who are not available to teach are those who have a Unit 1 teaching ticket. What has not changed is the need for solid remediation plans in support of resumption. Although LA&PS and FES asked to resume on the same start-back date as Faculties authorized to resume on March 17, it was clear to the Committee that more detailed remediation planning was required, not least for graduate courses anchored in these Faculties. For this reason, and in view of concerns about the weight given to academic integrity, the Committee requested elaborations. At a meeting held on March 17, Senate Executive refined its request such that these two Faculties should provide lists of those courses that can proceed with academic integrity. These complementary lists are due to the Committee by 4:00 p.m. Friday. The Committee trusts colleagues to carefully assess academic integrity and to take account of fairness to students. They will not be subject to approval by Senate Executive. The Committee also expects to learn and share more about plans to enhance community safety.³

Senate Executive plays an ongoing role in monitoring the disruption and its impact. This is accomplished by frequent reports from the Provost, review of decisions made during prior disruptions, and direct inquiries and communications (the Committee is composed of faculty members and a student who represent a wide spectrum of the community and are closely attuned to developments). If circumstances require the Committee to revisit a decision, including ones that involve suspensions and resumptions, it will do so.

Changes Available to Students Authorized by Senate Executive

Senate Executive has announced that the last day to withdraw from W term courses without receiving a grade will be **extended until Friday, April 17**, an option that will be available to all undergraduate students. It has also authorized a reduction in the term by seven days (one week) and adjustments to the formal examination schedule.

See the Registrar's Website for full updated schedules. A common examination schedule has been designed by the Registrar in the interest of promoting the greatest possible synchronization. The Committee is also assured that a second examination schedule can be mounted to complete course requirements who do not participate in academic activities until the strike is over.

³ The Committee will also receive updates and advise Senate of on-going plans to enhance community safety. On March 18 the Provost updated the Chair and Vice-Chair, and subsequently provided the full Committee with the following information:

- York Security management is re-engaging and communicating to all picket captains on safety at the picket lines - de-escalation, and engaging security/police.
- York Security is providing static/mobile/CCTV coverage at the picket lines and adjusting shift schedules including overtime assignments where possible to add additional resources to monitoring assignments.
- York Security is engaging TPS daily in attempting to increase University and Picket safety at the various locations
- York Security has reached out to TPS industrial liaison unit for their assistance
- York Security has reached out to TPS industrial liaison unit for picket line safety messaging and assistance in the communication piece from their end.

For many of the resumed courses the key dates are as follows:

- the last day of classes will be April 18 (because this is a Saturday, when few courses meet, it will be, for the vast majority of students, the study day between classes and examination)
- the common final examination period will begin April 19, 2015
- the common final examination period will end May 3, 2015⁴

Other Accommodations Available to Students

Two of the three foundational principles of the Disruptions policy are academic integrity and fairness to students. The meaning and scope of these terms is critical:

Of academic integrity the policy states: “In the event of a Disruption, the primary obligation of Senate is to ensure the academic integrity of all programs. No dilution of standards normally expected of students should be permitted and there should be as little diminution as possible in the instructional or supervisory support given to students.”

With regard to fairness to students, students who are unable or unwilling to participate in academic activities “are entitled to immunity from penalty, to reasonable alternative access to materials covered in their absence, to reasonable extensions of deadlines and to such other remedy as Senate deems necessary and consistent with the principle of academic integrity. Such remedies shall not alter the academic standards associated with the missed activity, nor shall it relieve the student of the responsibility for mastering materials covered.” [It should be noted “that the availability of a remedy under this policy does not guarantee students the same learning experience that they would have received in the absence of a disruption.”]

The Policy indicates that Senate Executive has the responsibility to “resolve conflicts between the principles of academic integrity and fairness to students” and can “anticipate and apply remedies which would otherwise be available by petition and shall do so in light of University precedent and practice.” Accommodations that are routinely available:

- deferrals (subject to the agreement of course directors)
- provision for the alternative scheduling of presentations, performances, practica or the equivalent (i.e., outside of scheduled class meets) so that collaborative classroom or studio work can meet at a time convenient for course directors and students (subject to the availability of appropriate space)
- normal accommodations for persons with disabilities and for religious reasons are in place

The Registrar has corresponded with counterparts at other universities to inform them of the disruption and seek their assistance in processing late applications from York students.

In light of students concerns, instructors are urged to

- prepare to re-orient students and to discuss changes and options with them during the first course meeting

⁴ Dates will differ for Osgoode Hall Law School, Graduate Studies and the Schulich School of Business graduate program (e.g. MBA, IMBA etc.). Students and faculty members should consult the Websites of these Faculties. The Registrar has advised that the last day of classes for programs resuming prior to March 23rd may be earlier; such programs may elect to use that week to schedule make-up classes if possible, and in coordination with the Registrar's Office.

- hold off on tests the submission of assignments in all courses (including internet and correspondence) until at least one class “meet” with course directors has been held (this does not apply to assignments or work such as laboratory exercises which are typically assigned and submitted as a regular and integral part of the laboratory session)

Academic Matters at a Time of a Labour Dispute

Correspondence addressed to members of Senate Executive has ranged over numerous aspects of the disruption, including collective bargaining dynamics. The Committee’s decision-making has focused solely on academic matters and, especially, the application of the three principles of the Disruptions Policy. The Committee cannot and will not stray from its mandated role in this regard. To do so would exceed its – and Senate’s – mandate.

Updated Chronology

Attached as Appendix C is an updated chronology of actions taken by Senate Executive prior to and during the disruption.

Roxanne Mykitiuk, Chair

Appendix A – Criteria for the Assessment of Resumption Proposals and Remediation Plans

Excerpt from the Executive Committee's report to Senate, January 22, 2009

- the ability to resume a full and integral instructional program
- the nature and timing of externally-mandated requirements for certification or other constraints and considerations imposed by bodies external to the University
- confirmation that there would be no replacement of work done by CUPE 3903 instructors
- remediation plans that are consistent with Senate policies, including the Disruptions policy
- assurances that students who choose not to participate in resumed classes will continue to receive the protections and accommodations set out in Senate legislation

Additional and specific factors detailed in the minutes of Executive Committee minutes of 2008-2009:

- express collegial support for initiatives
- external considerations including internships
- externally-mandated requirements for certification and sensitivities associated with the confirmation of eligibility
- external considerations including the financial arrangements made with employers of many students enrolled in a program
- written confirmation of an agreement of the Ontario Teachers' Federation to lift the suspension of practica (Education)
- where a small proportion of courses taught in a program are by CUPE members – Osgoode's case and others -- remediation planning that provides for the later resumption of courses taught by CUPE 3903 instructors

Issues raised by Senate Executive members on March 10, 2015

- viability of graduate programs and the resumption of courses
- remediation plans addressing courses directed by CUPE 3903 members or courses where CUPE 3903 members make a significant contribution as TAs / marker-graders, laboratory leaders, etc.
- remediation plans for students who choose not to or are unable to cross picket lines
- resources available to faculty members to provide "reasonable alternative access" to course material (e.g., video of lectures)

Appendix B - Institutional Remediation Guidelines for Senate Executive

[Faculty-Specific Remediation Frameworks have been developed in alignment with this document]

March 17 2015

Submitted on Behalf of the Deans

by Provost & Vice President Academic Rhonda Lenton

The institutional remediation guidelines document has been informed by the following factors:

- the Senate legislation dealing with remediation (remediation plans that are consistent with Senate policies, including the Disruptions policy);
- the three principles of fairness to students, academic integrity and timely information;
- the implications that follow from the timing of the labour disruption for the completion of the 2014-15 academic year;
- Senate Executive decisions in previous periods labour disruption;
- the likelihood that similar decisions will be required at the conclusion of this labour disruption in order to complete the 2015 Winter term so as to adhere to the principles above and minimize the negative impact on our students and the Summer term;
- collegial input in regards to the Faculty-specific Remediation Frameworks;
- no replacement of work done by CUPE 3903 instructors by others; and
- assurances that students who choose not to participate in resumed classes will continue to receive the protections and accommodations set out in Senate legislation.

Please note that the Guidelines document reflects the input from all deans and their unanimous endorsement.

Senate legislation in regards to Remediation

“Remediation” and “Remedial Actions” refer to accommodations for students, modification of normal academic regulations, and adjustments in class and examination schedules. Once Senate Executive recommends the resumption of classes, Senate legislation emphasizes that course directors are in the best position to determine appropriate remediation for courses, and will do so in conjunction with their departments / Faculty and with their students. Remediation is to be governed by the principles of flexibility and discretion. Course directors are encouraged to be flexible in dealing with individual requests, and must not unreasonably deny them.

Three principles of fairness to students, academic integrity and timely information

A labour disruption necessarily results in limitations in regards to fairness to students, academic integrity and timely information. The goal is to take the actions needed to minimize those limitations.

Fairness to students

Guiding Principles:

- *Flexibility for students*
- *Respect students' right not to resume classes until after the labour disruption is resolved as provided by Senate legislation*
- *Remedies shall not alter the academic standards associated with the missed activity*
- *The availability of a remedy under this policy does not guarantee students the same learning experience that they would have received in the absence of a Disruption.*

The University had hoped that the labour disruption would have been resolved before it became necessary to resume classes. There is general recognition that there will be challenges associated with the resumption of classes when our teaching assistants and graduate assistants remain on strike. Matters have been raised about students' rights not to cross the picket line, safety and the potential impact on the learning experience. The latter issue is covered in more detail under academic integrity. However we would point out that safety issues have been and will continue to be addressed. Students moreover have the right not to cross the picket line and to resume their studies with other like-minded students. We must also ask about what "rights" we are affording to students who want to resume their academic studies. In assessing the challenges that we will undoubtedly face, we must also consider the potential negative implications for the thousands of students who need to graduate. These students include:

- international students whose visas are expiring and who have non-refundable tickets to return home
- students who have applications for graduate school or professional programs pending final grades
- students who work part-time and who have made childcare or other arrangements
- students who have employment offers pending graduation
- students who have exchange or other community placements or practicum
- students who are risking losing an entire 6 months in terms of being able to write qualifying exams (the nature and timing of externally-mandated requirements for certification or other constraints and considerations imposed by bodies external to the University are a major limitation).

These types of considerations have informed the previous decisions made on the part of this and other Senate Executives in exempting programs from the suspension of classes. We are now facing similarly negative implications for students in the remaining programs if we do not resume classes by March 17th, 2015. Further to that, students are increasingly asking how it is fair to provide some students with the opportunity to resume their classes but not others.

Finally, while we might be able to identify a specific list of courses that might be delayed for another week, it would be challenging to do so given the highly interdisciplinary nature of our programs, and the inter-Faculty interdependence for degree completion on the part of so many students. [Note:

Despite the challenges, a delay in the resumption of courses offered by FES and LA&PS was approved in recognition that more time might be needed to implement the resumption].

Academic Integrity

Principle: All students will have an opportunity to meet the learning outcomes of the course with the understanding that it may be necessary to meet those outcomes in alternative ways.

In this case, the deans have been guided by previous decisions that Senate Executive has had to make in order to complete the term without undue hardship for students, as well as the types of provisions that will be necessary for course completion on the part of those students who elect not to resume their classes until after the labour disruption is over.

The recommendation / necessity for resuming classes no later than March 17th (March 23rd for FES and LA&PS) has been informed by input from the Registrar as well as all deans. We will have lost between two – three full weeks of classes, and at a time of year (so close to the end of classes) that there is little room to make the necessary adjustments for a timely graduation.

As a consequence, the Institutional Remediation Guidelines document takes the position that it is reasonable to assume that similar provisions as those approved in the 2008 labour disruption will be required. The Faculty-specific Remediation Frameworks therefore incorporate elements provided for in the last labour disruption, including:

- a reduction in the number of teaching days in all terms (a start date of March 17th will require a reduction to an 11-week winter term to maintain a timely graduation and avoid compromising the summer term);
- changes to deadlines;
- alternative access to course material;
- potentially changes to the number, kind and weight of assignments (instructors may make changes to the number, kind and weight of assignments including changes that would impact on work already submitted and graded - however, students will have the choice of completing the assignments as set out in the originally published grading scheme);
- provisions for the alternative scheduling of tutorials, presentations, performances, practica or the equivalent (ie, outside of scheduled class meets) so that collaborative classroom or studio work can be adjusted as needed or meet at a time convenient for course directors and students (subject to the availability of appropriate space).

Please note that there is no request to change the Senate policy regarding the weight of tests in the final two weeks of classes. Senate policy requires that no examination or test worth more than 20% of the final grade will be given during the final two weeks of classes in a term, with the exception of classes which regularly meet Friday evenings or on the weekend (Saturday and/or Sunday at any time).

As always and in accordance with existing Senate legislation, appropriate accommodations will be provided to persons with disabilities and to those who cannot attend an examination on grounds of religious observance.

Further remedial actions not anticipated in the March 16th documents may be necessary for students who do not resume their classes until after the labour disruption – the full implications of which will only be evident once that date is known. Additional requests not covered by the submitted documents will be brought back to Senate Executive. As the potential date for the end of the labour disruption is not known, it may be necessary, for example, to implement other accommodations for students who must return to another country.

The University's normal mechanisms for petitions will continue to be available to students through their home Faculty.

Timely Information

Students, staff and faculty have a right to be informed in a timely manner of changed requirements, rescheduled academic activities, and procedures to be in effect. The efforts made with the development of an institutional guidelines document for the Faculty-specific Remediation Frameworks are intended to provide Senate Executive with as much information as is possible and to provide clarity to faculty, staff and students.

A FAQ has also been set up in combination with a comprehensive communication strategy for our community.

Schedule

The original recommendation from the RO outlined below will have to be adjusted by approximately one week to accommodate the March 23rd resumption date of courses offered by FES and LA&PS. The RO is in the process of working out the new schedule but exams will likely go to approximately May 7th. This entails a delay in the start of the summer session (originally planned to commence May 4th). Final scheduling adjustments will be posted shortly.

The original RO Recommendation (assuming that all courses had started March 17th) had to be adjusted to reflect the March 23rd resumption in FES and LA&PS as follows:

- Reduce the term to 11 sessions
- Last day of class April 18
- Exam dates - April 19 - May 3

Given the staggered resumption dates, the last day of classes for programs that resumed on, or prior to March 17th, will occur prior to April 18th but the examination schedule is based on the April 18th date. Further adjustments may be necessary pending the end of the labour disruption.

Other implications beyond the adjustment of the summer term:

- In the context of the above schedule, we will be able to start the summer term as of May 4th. Any further delays will impact the summer term. In that case, we will likely be looking at

Financial Aid for students for the Summer Session. Further, it will be tight for instructors to get their grades in on-time to meet convocation. Implications for convocation ARE under review.

There is full appreciation for the fact that further remedial actions will be required for students who decide not to resume classes until after the labour disruption is over. However, a resumption of as many classes as possible now allows for greater flexibility in accommodating those students who do not resume classes.

Specific Issues

1) Graduate classes

There is appreciation for the difficulties associated with resuming graduate classes when many of our graduate students are striking. In the context of requests from students, however, the recommendation is being made that graduate courses should resume at the same time as the undergraduate classes offered by the respective faculties to give students the opportunity to resume their studies if they so choose. It will likely be the case that a substantial number of graduate classes will have to wait for the labour disruption to be resolved. However, small numbers of returning students might still be able to be accommodated as outlined below under 4) in some cases.

2) Approach to dealing with CUPE Unit 1 work where members do not return to work

Principle: It is assumed that, unless exceptions are approved, both undergraduate and graduate programs will resume by March 17th, 2015. [Note the exception for FES and LA&PS until March 23rd]

Principle: Courses directed by CUPE 3903 Unit 1 will be suspended unless the Unit 1 instructor has declared that s/he is returning to work (situation to be monitored and revisited in about a week).

The Office of Institutional Planning and Analysis is developing a form and data base for CUPE 1 declarations of intentions regarding return to work, to be monitored by an Associate Dean in each Faculty (to be specified by Faculty).

While it may be legally possible on a voluntary basis, there is a strong presumption that others will not undertake CUPE work (tutorials, labs, etc.); remediation is to be offered following return to work.

Adjustments may need to be made to the structure, delivery, etc. of the course in order to maintain academic integrity.

3) Some examples for course or assignment redesign to maintain academic integrity:

- In the case of tutorials/labs that have not already been completed prior to the labour disruption, an assessment might be made regarding the impact of not holding the remaining tutorials - - given that it is almost the end of the term, the impact of not holding tutorials or labs may be minimal or a decision might be made to defer the tutorials.

- Creating student-led discussion groups - peer tutoring or student-led discussion or study sessions, in person or online (Teaching Commons and/or Learning Commons may be able to provide some guidance on structure, etc.) is another option.
- Consistent with not introducing inequity for students (i.e, avoiding a situation where some students have access to tutorials/labs and some do not).
- Students in tutorials that are not meeting should not be redirected to non-CUPE 1 tutorials (with possible exception of a course director voluntarily providing access to all students), and/or being provided with the relevant materials (typically students already have materials).
- At the graduate level, comprehensives and thesis defenses should be held on York property or rescheduled (students have the option to defer post-disruption)
- Academic processes, e.g., petitions, academic honesty, affecting students' records should continue

4) Plans for proceeding with courses in which there is minimal student attendance.

There are three likely scenarios that emerge:

- 1) students can choose not to engage in the course at all
- 2) students can choose to fully engage
- 3) students may approach instructors to participate in an alternative format

It is assumed that in most cases courses will proceed even if a number of students choose not to attend understanding that adjustments may be necessary to accommodate SLOs in different ways. Faculty members are in the best position to develop remedial actions. We would note that similar types of circumstances arise for other reasons including courses where a substantial number of students voluntarily withdraw from a course before the deadline for VW that change the nature of the student interaction in the course and/or that require changes in student-group composition or projects.

If a relatively small number of students do not attend a course, a variety of approaches can be taken in order to provide non-attending students with alternative access to material they miss, e.g., providing students with lecture notes, posting lectures and/or notes and materials on the website, asking other students to share lecture notes.

Faculty members may engage in interactions, Q&A, etc. with students via Moodle or in other ways.

If a large number of students do not attend, students who do attend can be offered an adjusted course format, e.g., discussion or reading course format, for the duration of the strike. Note: it is expected that courses will meet in the scheduled location; it is not expected that courses would be moved to an off-campus location, unless off-campus activity is normally a part of the course; however, it may be appropriate in a limited number of very specific circumstances to move a small

class to an off-campus location with the agreement of all of the students in the class and with the approval of the Dean.

5) Remediation plan for students who do not participate until after the disruption is over.

Guiding Principle: Students cannot be required to cross picket lines or submit assignments, take tests or exams during the strike, and must be provided with the same remediation opportunities post-strike.

Given that there is variation across units in the amount and nature of CUPE 1 teaching, individual unit approaches will need to be developed.

In addition to alternative forms of access to materials (as above) for students not attending, post-strike, the instructor might offer additional lectures or work through the material with students who did not attend.

Note: in cases where full-time faculty members or CUPE Unit 2 do not resume their teaching activities for any reason, normal processes under the collective agreement will be followed; in this circumstance, students should be kept informed of the status of their courses.

6) Marking/grading

This issue has been deferred until it becomes necessary to discuss with Senate Executive.

7) Academic Freedom

We are very much mindful of concerns regarding faculty members' academic freedom in the context of a resumption of classes during the current labour disruption. We are confident that in the context of a Senate Executive Committee approved remediation guidelines document, there will be no requirements of individual faculty members around the format and delivery of their courses that will be inconsistent with their academic freedom. In this context, we are also confident that our faculty colleagues will proceed with the best interests of students in mind.

As an example, remedial actions approved by Senate Executive in the past have supported students having alternative access to course materials but it need not be through online posting of those materials.

As specified in the Senate policy on disruptions, Senate Executive has responsibility for suspending and resuming classes in the event of a labour disruption, and for approving the range of remedial actions that might be employed in responding to a disruption. Individual faculty members are in the best position for determining how to best implement the available remedial actions to maintain the academic standards of their courses. Any faculty members / programs who have concerns about the ability to continue their course(s) within the remediation framework based on considerations of academic integrity should raise the concerns with the Dean or Principal to see if a resolution is possible. It may be that some number of courses may not be able to resume. Please note however that the availability of a remedy under the Senate policy on disruptions does not guarantee students the same learning experience or instructional / supervisory support that they would have received in the absence of a disruption. To ensure timely information to students, we will continue to keep a running list of all courses as they resume.

Finally, it is the Senate Executive Committee who shall after consultation recommend to Senate

that credit not be given for the course(s) should a Disruption continue to a point where no feasible remedy consistent with the principle of academic integrity is available.

8) Health and Safety

Health and Safety considerations must be paramount in any work-related circumstance. We would note that our professional librarians and staff have continued to work during the labour disruption and that the staged resumption of classes has facilitated having an opportunity to respond to the increased volume on campus and to emerging issues. The following steps have been taken:

- York Security management is re-engaging and communicating to all picket captains on safety at the picket lines - de-escalation, and engaging security/police
- York Security is providing static/mobile/CCTV coverage at the picket lines and adjusting shift schedules including overtime assignments where possible to add additional resources to monitoring assignments.
- York Security is engaging TPS daily in attempting to increase University and Picket safety at the various locations
- York Security has reached out to TPS industrial liaison unit for their assistance
- York Security has reached out to TPS industrial liaison unit for picket line safety messaging and assistance in the communication piece from their end.

The University also continues to support specific accommodations required for employees with accessibility issues.

Appendix C - Senate Executive and the Academic Disruption 2015

February 10	At its regular February meeting, the Committee reviewed Senate's Policy on the Academic Implications of Disruptions or Cessations of University Business Due to Labour Disputes or Other Causes and discussed the role it would play in the event of disruption
February 26	The Chair confirmed at the February meeting of Senate that the Executive Committee was preparing for the possibility of an academic disruption resulting from a strike by CUPE 3903.
February 27	With a strike appearing possible within days ("imminent" in the words of the Policy), the Committee held a special meeting after which it issued a "Statement on Academic Implications of Potential Disruption." This document was informed by Senate Policy, a chronology of actions taken by Senate Executive before, during and after the Disruption of 2008-2009, and the Provost's recommendations regarding academic activities in the event of a strike. The Executive Committee's February 27 communique noted that "at the outset of a disruption, if it were to occur...all academic activities, classes and examinations will be suspended at the University except for a minimal number with distinctive characteristics." The Committee also pledged to deal "quickly and sensitively with academic implications if they were to arise, and will communicate decisions that it makes widely and promptly."
March 3	<p>On the first day of the strike by CUPE 3903, the Committee issued a formal declaration that there had been a significant disruption of academic activities. As a result, and based on decisions made at the February 27 meeting, all academic activities were suspended with the following exceptions:</p> <ul style="list-style-type: none"> • non-degree courses not involving CUPE 3903 members • activities already scheduled off campus, such as off-campus courses, practicums, placements or internships not involving CUPE 3903 members • degree credit activities offered through the Osgoode Hall Law School at its downtown Toronto site • graduate degree credit activities at the Schulich School of Business, including the Schulich Executive Education program and Schulich-Kellogg courses
March 5	<p>At a special meeting, the Committee began to actively monitor the disruption and to discharge its responsibilities in accordance with Senate Policy. The Chair confirmed that the Registrar had communicated with counterparts at other universities to advise them of the disruption and to seek their assistance in processing late applications from York students. The University Librarian had communicated with users about access to libraries.</p> <p>The Secretary reported that collegial governance activities were largely unaffected, with some reports of postponements for reasons other than the strike. The Secretary also provided the Committee with a day-by-day projection of responsibilities.</p> <p>Members had a preliminary discussion of the timing of a Senate meeting which, pursuant to the Disruptions Policy, must be called by the fourteenth day of a disruption. Because the strike was in an early stage, a decision was deferred. The Committee also reviewed current sessional dates given the possibility that some modifications would be required in the future.</p> <p>The Provost asked that the list of exempted activities include the Master of Human Resources Management which had been inadvertently omitted from the original</p>

	<p>request. The Committee approved this addition.</p> <p>Provost Lenton provided the Committee with an assessment of the impact of the disruption and described measures that had been enacted (including the extension of bursary assistance deadlines and guidance on the scheduling of recruitment events). The Registrar reported on class and examination schedule scenarios.</p> <p>The Committee endorsed a proposal to move the final date to withdraw without receiving a grade in Winter term undergraduate courses from March 6 to the final day of classes. It was noted that Faculties should adjust petition and appeal due dates to align with this change.</p>
March 6	<p>The Committee updated its March 5 bulletin by adding the Master of Human Resources Management to the list of activities that were exempt from the suspension, and defining a “suspension” of academic activities:</p> <ul style="list-style-type: none"> • classes are not held -- on campus or online -- and are not moved to other locations • no course tests or examinations are scheduled with the exception of graduate defences (which may proceed at the request of the students) • no course assignments of any kind are due
March 9	<p>The strike reached its seventh day, and the Committee issued a communication confirming that the disruption would exceed one week. The Disruptions Policy presumes that a disruption of this length will entail remediation for quarter and half courses, and the Committee confirmed that “some adjustments to class schedules will be necessary. There may also be modifications to normal academic regulations (it has already been announced that the last day to withdraw from courses without receiving a grade will be extended, with details to be announced).” Decisions will continue to be guided by the core principles of academic integrity and fairness to students. The communication was not distributed and posted until late in the evening until the results of voting by the three CUPE 3903 units were announced.</p>
March 10 - present	<p>Members of the Committee received correspondence from individual students and faculty members, and from groups of faculty members. These were acknowledged generally by the Chair in her remarks at Committee meetings. Correspondence from groups was distributed to the membership and filed.</p>
March 10	<p>At a special meeting, the Committee welcomed Professor Leslie Sanders (Chair of ASCP) and Professor Saridakis (Chair of Appeals) to the Committee as full voting members of Senate Executive for the duration of the disruption. The Committee continued to build on its repertoire of options and decision-making criteria by reviewing material from previous disruptions.</p> <p>The Provost submitted a memorandum on “Resumption of Classes” together with a confidential summary of current or pending resumption requests and projected start dates. Faculties and programs seeking a resumption in the near future stressed the overriding imperative of fairness to students. It was estimated that 56 courses taught by Unit 1 members with course director “tickets” would not resume. The Provost reported that many students have asked that classes resume, and fairness argued in favour of allowing them a choice. Remediation plans have been completed or are at an advanced stage for all Faculties as the Deans and Principal work with colleagues on comprehensive arrangements. Out of the discussion emerged additional criteria by which to assess remediation plans.</p>

	<p>The Committee reviewed remediation plans and approved the resumption on March 11, 2015 of all courses offered by:</p> <ul style="list-style-type: none"> - the Lassonde School of Engineering - the Schulich School of Business - the School of Nursing - the School of Administrative Studies - the School of Human Resources Management <p>The Committee's decisions were communicated immediately after the conclusion of the meeting.</p>
March 12	<p>At a special meeting the Committee received, in draft and confidential form, a document entitled "Institutional Guidelines for Faculty-Specific Remediation Frameworks." The draft guidelines were based on the principles of the Disruption Policy and included recommended changes to sessional dates, principles for remediation, and accommodations for students who are unable or unwilling to participate in academic activities because of the strike. Draft Faculty remediation frameworks, based on the resumption of all classes except those taught by CUPE 3903 Unit 1 course directors, were distributed for review by the Committee and some Deans in attendance spoke to their planning. It was agreed that members would review the material, relay questions to the Deans and Principal, and reconvene Monday morning.</p> <p>The Osgoode Hall Law School asked to resume courses in JD programs on Monday, March 16. The Committee approved the proposal on the understanding that CUPE 3903 work will not be replaced. This decision was relayed in a fifth bulletin issued by the Committee.</p>
March 16 (Senate Executive meeting)	<p>The Committee held a special meeting at which it reviewed Faculty-specific remediation frameworks and the Provost's Institutional Remediation Guidelines, which supported requests for resumptions. In a bulletin that also declared that the disruption had reached its fourteenth day, the Committee issued its decisions, stating that classes in the following Faculties will resume on Tuesday, March 17:</p> <p>School of the Arts, Media, Performance and Design; Faculty of Education; Glendon Faculty of Health (classes not already resumed) and Faculty of Science.</p> <p>Classes for the following Faculties for which additional time to prepare for resumption would begin on Monday, March 23:</p> <p>Faculty of Environmental Studies Faculty of Liberal Arts and Professional Studies classes not already resumed</p> <p>The Committee agreed that the term would be reduced by seven days, and that there would be concomitant adjustments of examination schedules.</p> <p>In its communique, the Committee noted that some courses will not resume – notably those that are directed by CUPE 3903 Unit 1 members who remain on strike. Tutorials and labs associated with these and other courses may not be active. Some assignments may not be graded until after the disruption. The Executive Committee also reported that there would be reduction in the length of the Y and W terms of seven days. Additionally, the formal examination schedule will start later than originally planned.</p>

March 16 (Senate)	The Committee, having called a Special Meeting of Senate on the fourteenth day of the Disruption, reported on its actions prior to and during the disruption. It also elaborated on the decisions made earlier in the day and responded, through the Chair and Vice-Chair, to matters raised by Senators.
March 17	<p>At its regular March meeting, the Committee noted that the Chair planned to call a special meeting of Senate following receipt of a petition from the requisite number Senators. Although the petitioners had requested a meeting time of 10:00 a.m. on March 18, members agreed that that the meeting would be held at 3:00 p.m. on Thursday, March 19. A draft motion was also considered. To maximize participation it was agreed that voting on a motion should be conducted by paper ballot. The Committee also reflected on the Senate meeting of March 16 and agreed to a process whereby lists of courses that could be resumed with academic integrity in FES and LA&PS would be forwarded by Friday, March 19. The lists would not be subject to approval.</p> <p>The Committee received advice from the Registrar and Provost on class and examination schedules, and agreed to further modifications that would result in a common examination schedule with the exception of Osgoode, Schulich graduate courses, and other resumed graduate courses.</p>
March 18	Members assisted in the preparation of a report to Senate which focused on matters related to the Disruption and its actions.

Special Senate Meeting of March 19, 2015

Other Business for Which Due Notice Has Been Given

Item 3. A: Motion for Consideration by Senate

Motion

“that Senate call upon Senate Executive Committee to continue the suspension of all classes that have not yet resumed until the end of the labour disruption.”

Rationale

The decision of the Senate Executive Committee to re-start classes while the labour disruption continues has already created confusion and concern among both students and faculty in many parts of the university. It is essential for the academic integrity of courses and programs and for the safety of members of the York community that no more classes be started until the strike has been settled.

This step has been taken after widespread discussion in academic units across the university and in recognition of the large numbers of faculty and students (more than 5,000 of whom have signed a petition) who have expressed their concerns in writing to the Senate Executive Committee and senior administrators.

- Submitted by Senator C. Heron