



## SENATE ACADEMIC POLICY COMMITTEE EXTRAORDINARY MEETING MINUTES

Wednesday 1 September 2021 10:31-11:41 am via Zoom

### Attendees

#### Senators

M. Aronson  
E. Bhangu  
J. Burnham  
J. Gilbert  
S. Gopalakrishnan  
P. Harrison  
C. Krebs  
K. Lo (Chair)  
C.W. Marshall

S. Matsui

J. Schumacher

A. Pratap Singh

K. Smith

R. Spencer (Vice-Chair)

H. Zerriffi

#### Ex Officio

M. Quayle

K. Ross

#### Regrets

J. Fox

#### Senate Staff

C. Eaton

J. Iverson

M. Jud

B. Menard

### Call to Order

The extraordinary meeting of the Senate Academic Policy Committee (the "Committee") was called to order at 10:31 am on 1 September 2021 by K. Lo, Chair.

### Agenda

***THAT THE Senate Academic Policy Committee adopts the 1 September 2021 agenda as presented.***

**Adopted by general consent.**

### Vaccine Mandates and Options for Online Instruction

K. Lo explained the extraordinary meeting was called at the request of C.W. Marshall to discuss the issue of vaccine mandates and options for online instruction.

C.W. Marshall said the Okanagan Senate approved a resolution in favour of a mandate and that he would like to see the Vancouver Senate carry a similar motion. He presented four ideas for a set of recommendations:

1. Dovetail the Okanagan resolution;
2. Introduce clear and explicit protocols for noncompliance;
3. Affirm the need for flexibility in moving individual courses on and offline according to pedagogical need;
4. Should the Board of Governors be unwilling to implement these resolutions, require the Board to release its reasons and evidence for doing so.

E. Bhangu asked whether protocols for noncompliance fall within the Senate's purview. She supported flexibility for teaching but suggested an end date for online instruction.

- C. Eaton said the compliance issue is complicated. The Senate does not have jurisdiction over student discipline, but it does have appellate jurisdiction over decisions of the President when it comes to student discipline. Any enforcement with respect to discipline is a responsibility of the President. When Senate has required vaccination of students it has been handled as a non-academic admission requirement; the challenge now is this is impacting current students.

M. Aronson asked what the role of the Senate is in this case, noting the intersection with the collective agreement.

- C. Eaton said it is a matter of both academic policy and contract. Mode of instruction is within the Senate's purview and it has mandated modes for some programs.
- K. Lo noted students have registered for courses expecting a predetermined mode of instruction, which is itself a sort of contract; student consent may be required to change the mode.
- J. Burnham said the University also has a contract with its students that students will be safe.

J. Burnham shared a link from the University of Calgary that affirms providing false vaccination declarations is considered serious misconduct under the University's code of conduct and Student Academic Misconduct Policy.

- C. Eaton noted failure to comply with a university officer is grounds for student discipline, but that process takes time. He asked whether deregistration would be an appropriate penalty in these cases. Normally that only occurs for failure to comply with a public university regulation, and this is not exactly an academic regulation.

P. Harrison said mandating vaccines is key to providing a safe classroom environment for everyone. Should the administration not strengthen the mandate, then questions about flexibility for faculty members come to the fore. A classroom of hundreds of students is not safe; students are mobile, and move not as cohorts but as individuals. He supported C.W. Marshall's first idea.

K. Lo focused the Committee's attention on the idea of dovetailing the Okanagan resolution.

M. Quayle said a safe campus is the highest priority, and the Public Health Officer believes UBC is safe with the measures imposed by the government. The President has been clear about the challenges UBC faces. The forthcoming public health order should help clarify things like instructors wearing masks, vaccine requirements, etc.

- C.W. Marshall said the University has a mandate to protect its students and should exceed the minimum standard.

***THAT THE Vancouver Senate urges the President and Board of Governors to require all students, staff, and faculty attending, supporting, or delivering in-***

*person classes, tutorials, or labs to be fully vaccinated against the COVID-19 virus prior to doing so.*

Moved: C.W. Marshall  
Seconded: E. Bhangu

R. Spencer supported the motion and added there will be issues whether or not the University goes down this road. C. Krebs also supported the motion and added a vaccine mandate does not exclude anyone from access to education, but a non-mandate does.

H. Zerriffi asked what impact the Committee's deliberations have given any resolutions will not be recommended to the Senate until the end of the first week of classes.

- C. Eaton clarified that should the Committee make a recommendation, it could be brought to the 10 September special meeting of the Senate for consideration.

H. Zerriffi supported a vaccine mandate and asked what happens if there isn't one. The Committee needs to discuss that gap.

- C. Eaton said a mandate for faculty and staff is handled via WorkSafeBC. For students, when there are vaccine mandates, they are usually treated as an admission requirement. The way in which this has been framed and structured is one in terms of physical access to the University's property, and that access is controlled by the Board of Governors, in consultation with the two Senates.
- C. Eaton said the question for the Committee to consider is if the Board of Governor does mandate vaccines, what happens to students who refuse to comply?
- H. Zerriffi said the University's right to self-govern is being threatened.

R. Spencer called the question. K. Lo clarified the motion was pasted in the chat box, and would be amended to clarify that the Committee is making the recommendation (*"The Vancouver Senate Academic Policy Committee recommends the following: **THAT THE** Vancouver Senate urges..."*). With that, the Committee voted.

**Carried.**

*The Vancouver Senate Academic Policy Committee recommends the following: **THAT THE** Vancouver Senate affirms the need for flexibility for moving individual courses on and offline this year according to pedagogical need until December 31 in accordance with a responsibility to maintain the health and safety of our classrooms and minimize disruptions to course delivery.*

Moved: C.W. Marshall  
Seconded: E. Bhangu

E. Bhangu spoke in favour of flexibility but was not comfortable with the end date. Many students were told to be on campus by 7 September; it would not be equitable if most classes move online. C.W. Marshall said regardless of which date is decided, pedagogical consistency is needed.

E. Bhangu moved to amend the motion on the floor, replacing December 31 with October 22 (*"...according to pedagogical need until October 22 in accordance with a responsibility..."*). C.K. seconded. The Committee voted on the amendment.

**Carried.**

R. Spencer called the question, to which H. Zerriffi objected, noting the motion does not clarify who has the authority to move a course online.

- C. Eaton said that depends, in part, on whether a Faculty is departmentalized; these decisions are typically made by heads in consultation with faculty members. A motion made at the August 30 Okanagan Senate meeting gave this authority to instructors, and it failed. He suggested decisions be made in consultation with heads.

R. Spencer moved to amend the motion on the floor, suggesting "with appropriate approval" be added. P. Harrison seconded. Members offered alternatives and ultimately decided on, "subject to the approval of heads and directors for department or school-based courses, and deans for those courses offered directly by faculties" R. Spencer accepted the suggestion and the Committee voted on the amendment.

**Carried.**

The Committee returned to the main motion, which had been amended to read:

*The Vancouver Senate Academic Policy Committee recommends the following: **THAT THE** Vancouver Senate affirms the need for flexibility for moving individual courses (subject to the approval of heads and directors for department or school-based courses, and deans for those courses offered directly by faculties) on and offline this year according to pedagogical need until October 22 in accordance with a responsibility to maintain the health and safety of our classrooms and minimize disruptions to course delivery.*

**Carried.**

**Next Meeting** The next regular meeting of the Committee will be held on 27 September 2021 3:30-5 pm.

**Adjournment** The meeting was adjourned at 11:41 am.