



Initiative on Open and Respectful Dialogue

**IMPLEMENTATION GROUP
– REPORT**

SEPTEMBER 30, 2020



INTRODUCTION

In May 2020 the Initiative on Open and Respectful Dialogue Working Group provided its Final Report to President Lenton, in which a series of recommendations were presented to ensure that future events at York University are consistent with the University's policies and procedures. In making its recommendations, the Working Group was guided by the need to "balance our commitment to our free speech policy while at the same time ensuring a safe and respectful environment where community members are able to gather and express diverse views."

Integral to the Working Group's report were the recommendations made by independent reviewer, the Honourable Thomas A. Cromwell C.C., retired Supreme Court of Canada Justice. The Working Group recommended that President Lenton accept recommendations in the Cromwell Review and undertake that the University implement all of the recommendations therein. The recommendations set out by the Independent Reviewer and the Working Group were both accepted by President Lenton (Rec 1).

The Implementation Group was formed, as per recommendation 2, and created a Terms of Reference that mandates them to oversee the implementation of the recommendations. The Implementation Group is co-chaired by Vice-President Equity, People and Culture, Sheila Cote-Meek, and Vice-Provost Students, Lucy Fromowitz. Membership of the group includes individuals working in areas responsible for the policies/procedures/guidelines identified in the Cromwell Report and/or the Working Group Final Report. In order to differentiate the various recommendations that have been made going forward, our reports will refer to recommendations from the Cromwell Report as "CR recommendations," and to those articulated by the Working Group as "WG recommendations." When referencing the recommendations as a collective, we will simply refer to "the Recommendations".

The Implementation Group committed to reporting on our progress to President Lenton on a quarterly basis (Rec. 3). The report that follows is the first quarter report ending September 30, 2020. We remain committed to our task and to reporting progress with the next report to be delivered to President Lenton at the end of January 2021.

PRINCIPLES

Immediately following the events of November 20, 2019, York University reiterated the four guiding principles which all groups and individual members of the York community are expected to follow. These Principles are an important guide to the Implementation Group and support our work in realizing York's commitments.

WE RESPECT THE RIGHT TO FREE SPEECH AND THE FREE EXCHANGE OF IDEAS:

York is committed to the fundamental values of free expression, free inquiry and respect for genuine diversity of thought and opinion. It is the right of all community members and invited guests to express their views within the law and without fear of intimidation or harassment.

SAFETY IS FUNDAMENTAL:

Every member of the York community must be and feel safe on our campuses. Students, faculty including contract faculty, and staff have the right to fully participate in all facets of university life without harassment, intimidation, threats, disruption or acts of violence.

WE HAVE NO TOLERANCE FOR DISCRIMINATION:

Targeting any member of the York community based on their race, religion, national origin, or any other identified characteristic is unacceptable and will never be tolerated.

WE ARE ALL RESPONSIBLE:

Every group and individual member of the York community must uphold these principles. There is a collective and individual responsibility to protect the rights of every member of the York community to a safe environment in which ideas can be freely exchanged.

GETTING STARTED

At the start of the Implementation Group work, some time was spent meeting with the Provost and Vice-Presidents to identify senior staff leads responsible for implementation. In addition, senior leads were tasked with ensuring that the responsible staff units understand the ways in which the Recommendations intersect with the York policies/procedures/guidelines they are responsible for implementing. More specifically, we highlighted the "CR recommendations" and the more expanded articulation of those recommendations within the Working Group report.

Many of the staff responsible for implementation of individual recommendations have been heavily engaged in the University's emergency response to the COVID-19 pandemic and the move of University operations to remote work and majority online learning. We are thankful for their commitment to this work, and we appreciate that timelines for the implementation of the Recommendations have been extended in order to accommodate the planning necessary to ensure a safe learning and working environment for all members of our community.

The quarterly reports will focus on key areas of implementation undertaken in that quarter, rather than reviewing incremental progress on each individual recommendation. Further, the Report will be future-focused and identify key areas of implementation anticipated for the next quarter.



IMPLEMENTATION – HIGHLIGHTS (Q1)

During the first quarter (June to September 2020) in addition to laying the foundation for managing the recommendations through multiple project timelines, we focused on the following:

1. Special Constables

Recommendation:

The University should consider whether it should have some members of its Security Service sworn and trained as special constables (CR5.5)

Action:

The University has reviewed the Cromwell Recommendation with respect to special constables and has determined that it will not be proceeding with this recommendation at this time.

2. Review and Draft Amendments - Policies/Procedures/Guidelines

Recommendation:

Staff Responsible for specific policies continue their review and to incorporate the recommendations set out in the Cromwell Review. Draft policies may be circulated for input from appropriate stakeholders, including the Freedom of Speech Working Group, where appropriate. Draft policies should be reviewed by the University Secretariat to ensure continuity within and amongst all York University Policies. (WG 3)

Action:

York Administrative Staff continued to review and draft amendments for the following policies/procedures/guidelines:

- Postering Guideline
- Temporary Use of University Space Policy and Procedures
- York University Student Club Recognition Rules
- Policy on Human Rights

i) Postering Guidelines

Recommendation:

The Postering Guidelines should be clarified and amended as detailed in the text of this Review. (CR 2.2)

Action:

The Postering Guidelines are undergoing an extensive review and revision, taking into account the CR Recommendations and resulting in the creation of a postering policy and procedure. Once the draft revisions are complete we will engage in consultation with key community stakeholders

ii) Temporary Use of University Space Policy and Procedures (TUUS)

There are a number of recommendations focused on amendments to the TUUS Policy and Procedures. The recommendations have been grouped together and illustrate the comprehensive review of the Policy and Procedures.

Recommendations:

The TUUS Procedure should be amended to address the issue of security costs as detailed in the text of this Review. (CR 2.3)

The University should establish a more robust and clearly defined triage capability as part of the TUUS application process. (CR 4.3)

The University should clarify whether the TUUS process applies to organized protests and that the limitations on use of sound amplification equipment apply to protestors as well as participants. (CR 4.5)

Under the TUUS policy and procedure create a mechanism to allow York University to limit attendance to current York community member attendees. The TUUS policy and procedure should set out clear criteria when such limitations are necessary (WG 7)

The University should create a policy framework establishing when it may refuse to provide a space for an event, including cancellation of a previously approved event. The policy should include a number of elements explored in the review (CR 4.1)

The University should create a policy framework setting out the circumstances under which it may postpone a planned event. The policy should address a number of parameters explored in this review. (CR 4.2)

Action:

York has reviewed the TUUS policy/procedures in light of the Recommendations and the needs of the York community. The TUUS Policy and Procedures have undergone an extensive review including an environmental scan and research on promising practices. Proposed changes, or additions are currently being drafted. The next step will be to undertake consultation amongst key stakeholders.

iii) Club Recognition

Recommendation:

Clarify the policy framework and process for club recognition and student group accountability as outlined in the Review. (CR 6.1)

Action:

Under the Student Community and Leadership Development (SCLD) the “York University Student Club Recognition Rules” were reviewed and, where necessary, amended to strengthen student club accountability along with the process involved. As a requirement of recognition, all student clubs undergo mandatory online training typically at the start of the academic year or when the club is established and recognized by York. The training this year was revised to emphasize the Statement of Policy on Freedom of Speech as well as club accountability.

iv) Discrimination and Harassment Policy

Recommendation:

The University should develop a clear policy framework defining what constitutes racism, harassment and discrimination, particularly in relation to extra-curricular activities and conduct by student organizations. (CR 3.1)

Action:

York University is guided by the Ontario Human Rights Code and fostering an environment that is free from discrimination and harassment. In light of the CR Recommendations York University has drafted a Human Rights Policy that articulates our commitment to the principles in the Code and which replaces the decades old “Policy on Racism.” It is anticipated that the draft policy will be ready for consultation within the broader York community in the Fall 2020.

v) Presidential Regulation 4

Recommendation:

Presidential Regulation 4 be updated to provide a clear understanding of roles and responsibilities for student organizations coupled with a transparent enforcement process consistent with the principles of natural justice. (WG 6)

Action:

York University has developed a consultation plan with community members to explore broad themes related to student organizations. The results of the consultation will inform the drafting of an amended Presidential Regulation 4 with the goal to clearly articulate student organizations roles and responsibilities as well as a transparent enforcement process. These consultations will continue throughout Fall 2020.

3) Education Initiatives

There are several recommendations that call upon York University to develop education initiatives for students, student organizations and other community members. The recommendations addressed in Q1 are noted below:

Recommendation:

Opportunities for faculty to engage in co-teaching courses in Jewish and Islamic studies, a joint lecture series or other intersectional learning opportunities. (WG 8)

Training and educational resources be developed for students:

- *Hosting successful events*
- *Understanding roles, rights and responsibilities under the various policies*
- *Understanding Human Rights and the enforcement of those rights within the York environment*
- *Understanding the contribution to inclusive environments*
- *How to engage in respectful dialogue while also navigating challenging conversations*
- *Understanding the role of civility and how it can co-exist with freedom of expression*
- *Understanding the parameters (WG 9)*

That all student organizations engage in yearly training on the following:

- *Roles, rights and responsibilities under the various policies*
- *Hosting successful events (W10)*

Action:

REI and SCLD have collaborated on identifying topics and learning outcomes for educational workshops that are being consulted on. Several examples include “Dialoguing Across Differences” “Collaborative and Responsible Event Planning” and “Belonging: Creating Space for Others”. The first workshops will be developed and piloted in the fall term. Other workshops and presentations will be developed as other recommendations are advanced (eg. Freedom of Expression).

SCLD developed and delivered expanded training modules for student organizations to emphasize roles and responsibilities under the various policies/procedures/guidelines. These trainings will be revised once the amended policies (see above) are complete.

Discussions have begun with faculty to develop lectures/panel discussions designed to highlight and support the commonality of experiences despite religious and cultural differences.

NEXT STEPS

For the next quarter (October to January 2021) we will be focused on the following:

- **Community Safety** – will be revising its SOPs to address recommendations related to: pre-event engagement with event and protest organizers, re-enforcing York’s responsibility for security during events and event risk assessments
- **Community Engagement** – consultation with the York Community on a variety of amended policies and procedures
- **President Regulation 4** – consultation with student organizations on themes associated with the regulation (rights, responsibilities and accountability)
- **Education Initiatives** – development of education programs for students on the amended policies/procedures/guidelines as well as on the broader themes of Freedom of Speech and respectful dialogue