



UNIVERSITY OF TORONTO
STUDENTS' UNION

University-Mandated Leave of Absence Policy September Consultation Report

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Content Warning: Mentions of Suicide and Suicidal Ideation

If you or someone you know is struggling with suicidal ideation, you can call the Good2Talk Student Helpline at 1-866-925-5454, the Gerstein Centre Crisis Line at 416-929-5200, and/or Canada Suicide Prevention Service at 1-833-456-4566.

Please reach out. The world is better with you in it.

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Introduction

The [University-Mandated Leave of Absence Policy](#) (“UMLAP” or “the Policy”) allows the University of Toronto (“the University”) to temporarily remove students from study if they are displaying serious, concerning behaviour as a result of mental health issues [1]. The Policy is intended to be a compassionate, non-punitive way to address mental health concerns without academic consequences. However, it has been subject to criticism that it discriminates against students with disabilities and perpetuates stigma surrounding mental health.

The UTSU fielded a survey in March 2021, with the intention of gathering students’ opinions on the Policy. Though the survey received 135 responses, 25 of them were rejected during data cleaning in September 2021 (details in Appendix A), meaning that the base for all data presented in this report is $n = 110$.¹

This document was created with the intention of communicating student views to the Review of the University-Mandated Leave of Absence Policy Committee. It was presented to members of the Committee in a consultation on 15 September 2021.

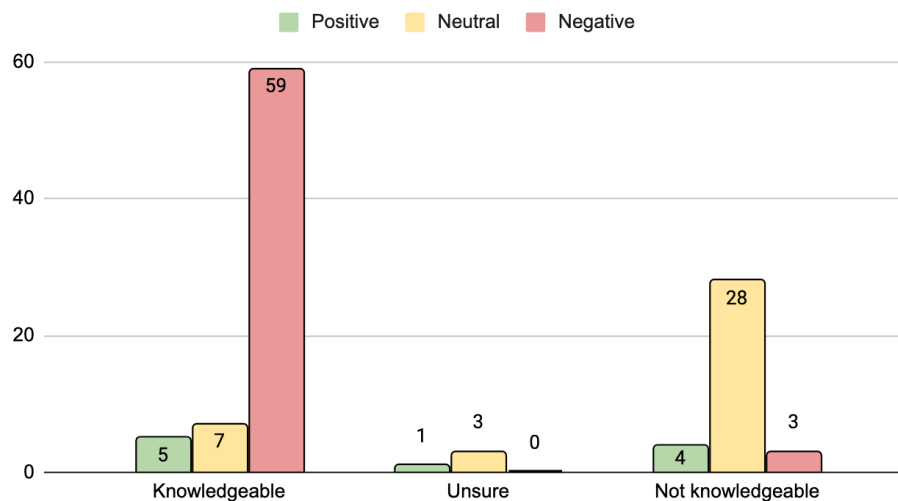
¹ The preliminary numbers – which included all 135 responses – were presented at a town hall on March 23, and subsequently [recorded in *The Varsity*](#) [2]. The UTSU has reached out to *The Varsity* to inform them of the error, and apologizes for any confusion or inconvenience it may have caused.



General Knowledge & Perceptions

Of the 110 responses from the survey conducted in March 2021, 71 identified they had previously heard of the University-Mandated Leave of Absence Policy. The perceptions of the Policy among those who had heard of it were overwhelmingly negative, with 83.1% of knowledgeable students holding a negative perception.

Perceptions of UMLAP Across Knowledge Levels



This likely indicates that the sample was not representative of the general student population. It is incredibly unlikely that 64.5% of students have heard of the Policy, as most are more concerned with academics and student life than the policies that govern the University.

It is also difficult to believe that all 71 individuals who stated that they had heard of UMLAP were genuinely familiar with the content, and unfortunately the survey did not distinguish between hearing about the Policy and actually reading it. Thus, it is likely that most of the survey respondents had not read the Policy themselves, but previously heard about it through word of mouth. This is unsurprising, as UMLAP has been widely [reported on](#) by student publications such as *The Varsity* and [criticized](#) by student groups such as Students for Barrier-Free Access and the Mental Health Policy Council [2][3][4]. If students did encounter the Policy solely by word of mouth, then it is likely that it was already being presented in a negative light. This is not to invalidate those perceptions, but to acknowledge that many students interact only fleetingly with the Policy through its criticisms by student advocates.



Autonomy and Discrimination

Many respondents fundamentally disagreed with the Policy due to its potential violation of students' autonomy. These respondents valued students' freedom of choice over nearly all other relevant considerations, and held the belief that students will be able to make the best decisions for their own mental wellbeing. Several responses stated that students should only be placed on University-Mandated Leave if they are a danger to others, and that students who are determined to be a danger to themselves should only be placed on Leave voluntarily.

In addition, many of the same respondents raised concerns that the Policy was inherently discriminatory. These are founded concerns, as the Policy amounts to legal discrimination under section 17 of the [Ontario Human Rights Code](#); removing a student from study as a result of mental health issues is technically refusing education due to disability [5]. Since there is no effective way to have a mandated leave of absence policy without elements of discrimination, we can conclude that these students are not necessarily against UMLAP specifically, but fundamentally disagree with the concept of a mandated leave of absence.

Several respondents also raised concerns that the Policy violates the *Ontario Human Rights Code*. This is almost certainly due to the letter of concern from the Chief Commissioner of the Ontario Human Rights Commission sent on 29 January 2018, as well as its [subsequent coverage](#) in *The Varsity* and discussion by student groups [6][7]. While the changes made during the 2018 Winter semester ensure compliance with the *Ontario Human Rights Code* as long as the Policy is applied within its stated scope, this does not seem to have changed the opinions of the general student body. It is unclear whether this is because the changes and their implications were poorly communicated, or because students simply do not believe that the Policy will be applied solely within its stated scope.



Burden on Students

A large proportion of respondents expressed concerns over the potential negative effects of the Policy on the students for whom it is invoked. These generally fall into five categories, which are expanded upon in this section.

Lack of Support

Many respondents expressed concern that students who are placed on Leave may be required to physically leave campus, subsequently being isolated and uprooted from their friends and academic community. This may leave mentally ill students without their support systems, which does not facilitate the improvement of their mental state. While there is nothing in the Policy which requires all students to physically leave campus, there is also little information on the circumstances or procedures governing students' access to University premises, leaving the Policy open to interpretation in this regard.

Punitive Interpretation

While the Policy is expressly non-punitive in terms of academics, this does not stop it from being socially and emotionally punitive for those placed on Leave. Several respondents stated that such a drastic disruption of a student's life will almost certainly be interpreted as punishment, which would be inappropriate for students with mental health issues. In addition, several students stated that being placed on Leave may estrange students from their community due to the stigma surrounding mental health.

Removal from Residence

A large number of respondents were concerned that students for whom the Policy is invoked may be forced to leave residence, possibly losing housing or being returned to an unsafe home. There is nothing in the Policy which requires students to leave residence, and the UTSU has been informed that the decision on whether or not to remove a student from residence is contingent on several factors including safety and residence-specific policies. However, it should be noted that there is no section of the Policy which outlines the circumstances in which students will or will not be allowed to remain in residence. This lack of information leads to an interpreted lack of security, as those who read the Policy may believe that it requires students on Leave to physically leave campus, and by extension, residence.



Finances

Several respondents cited concerns that students for whom the Policy is invoked will suffer financially as a result, as they may have paid tuition and residence expenses which they are no longer using. While the potential for tuition reimbursement is explicitly mentioned in section IV-G-48 of the Policy, and while the UTSU has been assured that students asked to leave residences will receive prorated refunds, there is nothing written in the Policy that guarantees that students will not suffer financially as a result of its invocation.

University Liability

Several respondents expressed that the Policy can be perceived as a “liability shield” for the University, allowing it to shirk responsibility for potential student suicides. This is fueled by the misconceptions and lack of clarity surrounding students’ ability to remain on University premises and the support offered throughout their Leave. Many students believe that the University ceases to provide support to the student once they are placed on Leave or that the supports are insufficient, leading to the belief that the University is “abandoning” those it places on Leave. This has led to the belief among some student groups that the University uses the Policy to force mentally ill students off campus in order to lower suicide rates.



Threshold for Invocation

There were generally few issues with the portion of scenario one which described harm to others, but some respondents expressed concern that removing a student from study due to risk of self-injury is a violation of their autonomy and should be removed from the Policy. One respondent stated that scenario one should be applied only to instances where a student poses a risk to others, as “many people living with mental illness have chronic suicidal thoughts that do not interfere substantially with their social and academic function.” In addition, the respondent noted that “some people may have suicide attempts or gestures when dissociated or in temporary crisis, and be able to return to baseline fairly quickly to participate in academic activities.” The respondent also mentioned that self-harm may be a coping mechanism for some mentally ill students which time off is unlikely to mitigate.

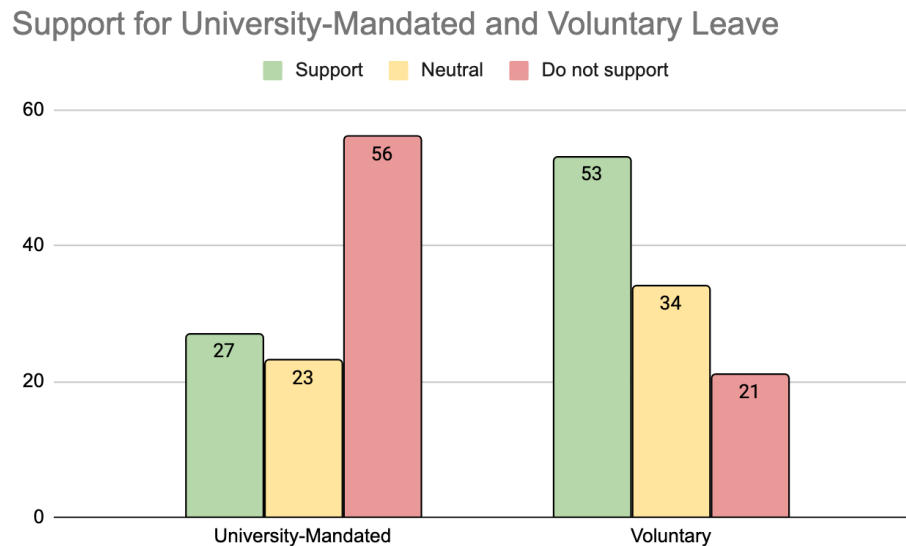
The majority of concerns over the threshold of invocation were about scenario two, which respondents found to be vague. A large number of respondents expressed worry that this scenario gave the University broad powers to remove students from study, due to this lack of specificity in regards to the behaviours which may prompt invocation.

Of particular concern with regards to scenario two was the clause which stated that the Policy would be applied in instances “where the Student has not participated or cooperated with [Accommodations or supportive resources which have] been offered and/or deployed.” This garnered pushback due to the lack of faith in the University’s mental health support system. If students do not believe that the University’s mental health services are effective, then the notion that the Policy is a last resort is not comforting. If a student believes that the Accommodations provided are – as one respondent put it – “the number to a help line or a referral to a psych who doesn’t care about you,” then every step before the invocation of the Policy would be ineffective.



Voluntary Leave of Absence

Considering that one of the main concerns respondents expressed was autonomy, it is unsurprising that there was more support for the Voluntary Leave than the University-Mandated Leave, as shown in the chart below:



However, some respondents expressed concerns about whether the nature of the Leave was truly voluntary, as the potential for being put on University-Mandated Leave may intimidate students into agreeing to a Voluntary Leave. Several students indicated that the Voluntary Leave was a false option since refusing a Voluntary Leave may lead to a University-Mandated Leave regardless, meaning that the student is removed from study in either case.

In addition, many respondents expressed a desire for Voluntary Leave to be a student-initiated process, whereby students experiencing mental health issues may request a Voluntary Leave of Absence without academic consequences.



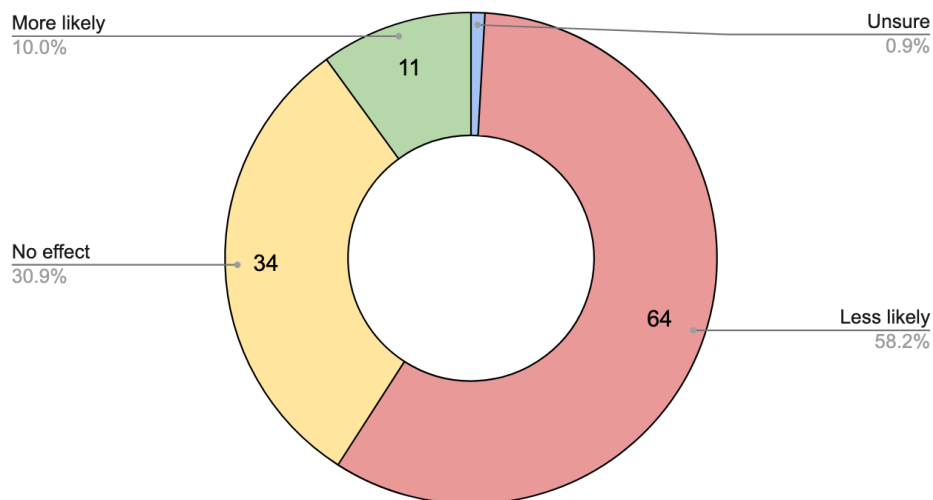
Effect on Students Seeking Mental Health Care

While the Policy's scope extends only to those displaying serious, concerning behaviour as a result of mental health issues, it has affected a much larger group of people. It has long been a concern that students will avoid seeking mental health support at the University due to fear of the Policy being invoked – a concern expressed by student advocates and University administrators.

As acknowledged by the [final report](#) of the Presidential & Provostial Task Force on Student Mental Health, the Policy is “viewed by some members of our community as a potential barrier to students seeking mental health services” [8]. The report goes on to recommend that the University should “address this issue to ensure that students understand they will not be put on leave for simply seeking medical care,” and “make the supportive and compassionate intent of the policy more apparent through a comprehensive educational strategy.”

Unfortunately, since the publication of that report in December 2019 and the fielding of the UTSU student survey in March 2021, little seems to have changed in regards to this issue. As seen in the graph below, 58.2% of students stated that they were less likely to seek care at the University as a result of the Policy.

UMLAP's Effect on Student's Likelihood of Seeking Care



In the qualitative responses, at least four students stated that they either avoided seeking out mental health care at the University or withheld information from Health & Wellness out of fear of the Policy. Of these, two stated that their mental



health suffered as a result. Although this sample is comparatively small and not necessarily representative of the University community, these responses warrant serious consideration of whether the Policy does more harm than good as a deterrent to students seeking care.



Recommendations

The previous sections are in no way a comprehensive list of student concerns, nor are they necessarily a wholly representative sample of the student body. However, they do – to the best of our ability – reflect the concerns reported in the March 2021 survey.

In order to address these concerns, the UTSU has developed the following recommendations for the Review of the University-Mandated Leave of Absence Policy Committee:

1. Ensure periodic review of the Policy.

While section VII of the Policy is titled Annual Reporting and Periodic Review, this is not an accurate reflection of the contents of that section. Under VII-79, the Policy need only be reviewed “in the third academic year of its operation,” and that “subsequent reviews shall be as requested by the Governing Council or as suggested by the Provost.” Unfortunately, despite the title of the section, neither of these guarantee periodic (ie. regularly recurring) reviews.

While it is controversial and divisive, the Policy must be revisited regularly with the goal of incremental improvement. Indeed, this is included in Recommendation 18 of the Presidential & Provostial Task Force’s final report, which encourages the University to “keep the dialogue open and continue engaging with students through the periodic review and evaluation of this policy.”

The UTSU recommends that section VII-79 be amended to include a review every three years.

2. Allow students to request a Voluntary Leave.

Under the current Policy, a Voluntary Leave must be initiated by the administration, and not by the student. Students for whom the Policy has not been invoked but who wish to take a leave of absence for mental health reasons must face academic and/or financial penalties, which depend on at what point in the semester they choose to withdraw. This places an undue burden on the student, who is experiencing difficulties at no fault of their own.

Creating a process by which students may request a Voluntary Leave of Absence due to mental health would remove this undue burden from



students, and would likely result in more students choosing to take the time off they require. In addition, it may help mitigate the potentially “coercive” aspect of the Voluntary Leave as it stands now.

The UTSU recommends creating a process by which students may request a Voluntary Leave of Absence for mental health reasons.

3. Add a section outlining the procedure surrounding residence, in accordance with current practices.

As stated in the Burden on Students section, no section of the Policy outlines the circumstances in which students will or will not be allowed to remain in residence. This lack of information leaves the procedures up to the reader's interpretation, which may result in the fear of being removed from residence acting as a deterrent for students seeking mental health support.

Outlining the circumstances in which students would be removed from or allowed to remain in residence would dispel the misconception that a Leave of Absence requires students to physically leave the University, and would help mitigate students' fear of losing housing.

The UTSU recommends that a section be inserted between IV-F and IV-G which outlines the procedure surrounding residence. This section should be in accordance with the current practices surrounding the application of the Policy.

4. Add a section outlining the procedure surrounding finance and refunds, in accordance with current practices.

As stated in the Burden on Students section, no section of the Policy guarantees that students will not suffer financially as a result of its invocation. Much like the issue of residence, this lack of information leaves the procedure up to the reader's interpretation and may act as a deterrent for students seeking support.

Outlining the financial procedures that students can expect would mitigate student concerns of financial burden.

The UTSU recommends that a section be inserted between IV-F and IV-G which outlines the procedure surrounding finances, including residence and



tuition refunds, emergency housing costs, and psychiatric assessment costs as stated in sections IV-F-40 and VI-75. This section should be in accordance with the current practices surrounding the application of the Policy.

5. Reconsider the role of Campus Safety (formerly Campus Police).

In the current policy, Campus Safety may be included in a Student Support Team, which exercises some control over the decision to place a student on Leave and the return to study process. This is a mistake.

Considering the well-publicized [handcuffing of a student](#) seeking mental health support in November 2019, the [assault of a student](#) in September 2017, and the [active Cops Off Campus movement](#), it can be concluded that student perceptions of Campus Safety are generally negative and fear-based [9][10][11]. In addition, this impact of Campus Safety is disproportionately felt by racialized students, who may be (re)traumatized by their presence on a Student Support Team.

The UTSU recommends that Campus Safety's role on a student support team be removed entirely, or clarified by writing a specific clause describing the circumstances of their use.



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Appendix A – Data Cleaning

The March 2021 student survey was open from March 2 to March 17. In those 15 days, it received 135 responses, 25 of which were rejected during data cleaning in September 2021. None of the rejected responses were submitted under an email ending in “@mail.utoronto.ca”.

One response was rejected as only the first two fields were filled out, which detailed the year and faculty. This was not useful data, and so the response was left out.

Twenty-three of the responses were rejected as the UTSU believes they were submitted by one or more individuals using a random email generator. These responses were submitted in groups, which shared extremely similar answers to the multiple choice questions and identical/extremely similar feedback in the qualitative response sections.

1. Six responses were submitted between 06:12 and 08:04 on March 3. The responses shared nearly identical answers to the multiple choice questions, and shared typos and grammar mistakes across the qualitative responses. The email addresses provided all shared the same formula, which indicates that they were randomly generated.
2. Five responses were submitted between 01:07 and 01:19 on March 5, for which the qualitative feedback was identical. The email addresses provided all shared the same formula, which indicates that they were randomly generated. An additional response submitted at 02:45 was also rejected due to similarity with this group, and shared the same formula for the email address.
3. Four responses were submitted between 06:02 and 06:07 on March 5, for which the answers to the multiple choice questions were identical and the qualitative feedback was extremely similar. The email addresses provided all shared the same formula, which indicates that they were randomly generated. Two additional responses submitted at 03:38 and 09:24 were also rejected due to similarity with this group, and shared the same formula for the email address.
4. A pair of responses submitted seconds apart at 01:27 on March 15 shared identical answers and qualitative feedback. Two different email addresses were provided, which shared the same formula, indicating they were randomly generated. An additional response submitted at 10:00 was rejected



due to similarity with this pair and shared the same formula for the email address.

Two additional responses were submitted at 11:17 on March 3 and 10:07 on March 11, and were rejected for similarities to each other and to Groups 1 and 3. It is possible that some of the responses rejected due to shared similarities with the Groups may have been legitimate responses; however, the UTSU believes this to be unlikely and chose to eliminate them anyway out of an abundance of caution.

The final rejected response was an exact replica of a response submitted four hours earlier. These responses had very long and detailed qualitative feedback, and were submitted at 06:29 and 10:42 on March 14. No email was provided for either response. Due to the timing of the responses, length of the qualitative feedback, and lack of email provided, the UTSU concluded that this was likely accidental and not done with the intent to bias the results. The second response was rejected and the first kept in the dataset.

In order to avoid issues such as spam from individuals using random email generators, the UTSU will require emails ending in “@mail.utoronto.ca” for any future surveys on the subject.