To: Senate
From: Vancouver Academic Policy Committee
RE: 30 September 2021 (National Day for Truth and Reconciliation)
Date: 9 August 2021

Recommendation(s):

The Vancouver Senate Academic Policy Committee recommends the following to Senate:

That, Policy V-125 notwithstanding, the Vancouver Senate amend the 2021-2022 Academic Year to close the University on 30 September 2021 in recognition of the National Day for Truth and Reconciliation

Background:

On June 3, 2021, federal Bill C-5 was given Royal Assent, establishing the “National Day for Truth and Reconciliation” on September 30. The bill’s stated purpose is to respond to the Truth and Reconciliation Commission’s call to action number 80. However, federal “general holidays” apply only to federal government and federally-regulated workplaces. The statutory holidays which UBC follows are governed provincially, through the Employment Standards Act in BC. The Provincial government has not yet made this day a statutory holiday, but did issue a public statement on August 3. This statement included the following paragraph:

The national holiday will be observed this Sept. 30 by federal employees and workers in federally regulated workplaces. We have advised provincial public-sector employers to honour this day and in recognition of the obligations in the vast majority of collective agreements. Many public services will remain open but may be operating at reduced levels. However, most schools, post-secondary institutions, some health sector workplaces, and Crown corporations will be closed. “ (Emphasis added.)

Therefore, despite September 30 not being declared a statutory holiday for this year, the Provincial government has made it clear that UBC and other post-secondary institutions should be closed on this day in 2021 while the Province consults and considers what action, if any, to take in subsequent years. As far as we are aware, this is the first time the Province has taken such an action with regards to the University’s academic schedule. As senators are aware, Section 48 of the University Act prohibits the government from interfering in, inter alia, “the formulation and adoption of academic policies and standards” and the academic calendar has been a matter of academic policy since the formation of the University over a century ago. In the interests of respecting our institutional autonomy, we would thus recommend that the Senate take this public statement as a request rather than as direction, regardless of the merits of recognizing this day in particular.
There is a precedent for UBC closing on a non-holiday. In 1924, the-then University Senate resolved to close UBC on the Monday following Easter Sunday, despite this not being either a Provincial statutory holiday or a Federal general holiday.

The National Day of Truth and Reconciliation is a response to the Truth and Reconciliation Commissions call to action #80

*We call upon the federal government, in collaboration with Aboriginal peoples, to establish, as a statutory holiday, a National Day for Truth and Reconciliation to honour Survivors, their families, and communities, and ensure that public commemoration of the history and legacy of residential schools remains a vital component of the reconciliation process.* (From: [https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf](https://ehprnh2mwo3.exactdn.com/wp-content/uploads/2021/01/Calls_to_Action_English2.pdf) p. 9).

UBC’s collective agreements with staff and faculty are inconsistent in their entitlements regarding statutory holidays. A preliminary analysis shows that roughly 5 000 out of ~20 000 staff are entitled to both federal general and provincial statutory holidays, including the National Day for Truth and Reconciliation. This includes BCGEU at the Okanagan campus and most CUPE locals for Vancouver. Even if not declared a statutory holiday under the Employment Standards Act, to not honour this day would be in contravention of those agreements, could incur significant overtime costs to the University should those staff be required to work on the day, and would result in questions around why UBC is not commemorating this important day when the rest of the public sector is.

The Okanagan Senate has a more complicated and constricted academic year than Vancouver, and to enable to change would require several consequential changes to their term dates and examination schedule. They are presently considering the changes that would be required to honour this request.

“University closed” is the usual diction used in the Academic Year to describe a statutory holiday. All classes are cancelled on such days and most University offices are closed. Those staff necessary for health and welfare – such as in student residences, some food services, security, and infrastructure – will continue to work as needed.

**Related Policies:**

To enact this holiday at UBC would require amendments or exception to the two academic years, which are presently set by two Senate polices (O and V-125) for each campus.

The University’s Strategic Plan and the Indigenous Strategic Plan both highlight the importance of reconciliation to UBC, and the latter in particular speaks to implementing the Truth and Reconciliation Commission’s Calls to Action.
Technical Considerations:

For UBC Vancouver, this is a relatively simple matter as the campus currently has 61 days of instruction planned and the required minimum is 60. For UBC Okanagan due to its extended reading week in Term 1, the campus is already at the minimum number of required days and thus to maintain this requirement -which is set for both pedagogical needs as well as to meet student loan and accreditation requirements around contact days/hours - a more extensive modification to their Academic Year would be needed. Options considered included shortening the Term 1 reading break, commencing classes prior to Labour Day, or adjusting the examination schedule. After consulting with the Deputy Registrar for the Okanagan campus and the Senate Office staff the recommended course of action is to extend the period for instructional days by 1 day, and to use every available day (including two Sundays) within a 1-day shortened examination schedule. Shortening the reading break was not considered acceptable given its newness and the University’s commitments to mental health and wellbeing, and commencing classes prior to Labour Day presented complications for housing and labour relations in addition to the short notice available.

One further complication with this change is that September 30 falls on the same day-of-week as November 11 (a Thursday for 2021), resulting in only 11 Thursdays this term. This shortage is balanced by 13 Tuesdays for classes that meet with a typical schedule to yield 24 Tues/Thurs classes of 1.5 hours, and this total balances with the amount of class time for Mon/Wed/Fri classes, being 36 x 1 hour. For courses that meet only once a week, the 11 Thursdays may be inadequate and it may be necessary for such courses to make alternate arrangements (such as holding a make-up class).

Finally, it is extraordinary for UBC to amend it academic year in a month prior to its commencement. As senators know, by policy we set these dates eight months in advance to give faculty, students and staff time to plan. We are aware that some faculty likely have made arrangements for this date that would be compromised or complicated by a rescheduling and that this will pose an inconvenience for faculty members and students.

Alternative Options:

Prior to the public statement issued by the Province, some faculties were planning to use 30 September as a “teach in” day to have courses focus their curriculum on the history of the Residential School System in Canada, the work of the Truth and Reconciliation Committee, or indigenous-focused issues more broadly. Recognizing the support Senate has shown for the Indigenous Strategic Plan and its commitments to review and revise our curriculum more broadly to incorporate indigenous-focused content, should UBC not close on 30 September in this or any subsequent year, we would suggest that a recommendation be made to all faculties and faculty members at UBC to endeavour to find ways to incorporate this learning into their curriculum in particular on this date each year.