

Equity Diversity and Inclusion Data Collection

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<p>Approval Authority Provost and Vice President (Academic) & General Counsel</p>	
<p>Implementation Authority Office of Equity, Diversity and, Inclusion & Privacy Office, Legal Services</p>	
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1 Background & Purpose

1.1 Background: The collection of Equity Diversity and Inclusion (“**EDI**”) Data (defined below) is necessary to assist the University of Calgary (“**UCalgary**”) to meet its EDI and accessibility objectives. At the same time, it is important to recognize that EDI Data includes sensitive personal information. It must be gathered respectfully and in accordance human rights and privacy best practices.

As such, careful consideration must be given to whether the collection, use, and disclosure of EDI Data is reasonably necessary for an institutional purpose and program, and that such collection, use, and disclosure complies with institutional obligations under applicable legislation (including, but not limited to, Alberta’s *Freedom of Information and Protection of Personal Information Act* (“**FOIP**”) and the *Alberta Human Rights Act* (“**AHRA**”)).

1.2 Purpose: To set a standard and review procedure (the “**Standard**”) for UCalgary’s collection of EDI Data. The Standard is intended to:

- Ensure clarity and consistency, avoid duplication, and reduce confusion among stakeholders and respondents in UCalgary’s collection of EDI Data;
- Ensure compliance with institutional obligations under applicable legislation;
- Facilitate UCalgary’s EDI objectives and programs; and
- Ensure EDI Data is being collected and disseminated under appropriate delegated authority.

2 Scope/Application

- 2.1** This Standard applies to the collection of EDI Data (as defined below) for UCalgary institutional/administrative purposes by all faculties and units. Such purposes may include, but are not limited to, collecting EDI Data for accreditation, program evaluation, quality improvement, reporting, and to inform other faculty or unit-level EDI initiatives.
- 2.2** This Standard does not apply to surveys conducted by external third-party organizations (e.g., National Survey of Student Engagement (NSSE) or Canadian Graduate and Professional Student Survey (CGPSS)); however, the Privacy Office, Legal Services, must still be consulted in relation to any such surveys.
- 2.3** This Standard does not apply to researchers who are collecting information directly from individuals under an ethics approved study for their own research purposes and not on behalf of UCalgary.

3 Definitions

- 3.0 EDI Data** means any Personal Information (as defined below) or group data connected Equity-Deserving Groups (as defined below). This includes (but is not limited to) any Personal Information or group data connected to a protected ground under the *AHRA*, including race, religious beliefs, colour, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, and sexual orientation.
- 3.1 Personal Information** means any information about an identifiable individual. This would include personal information of students, employees, contractors, volunteers, customers, clients, donors, and other UCalgary community members.
- 3.2 Standard Definitions for Use in EDI Data Collection:**
- a. **Gender (Gender Identity, Gender Expression)** refers to how a person feels internally (gender identity) and/or how a person expresses their self-identity publicly (gender expression). In their daily life, including at work, while shopping, or accessing other service, in their housing environment or in the broader community. A person's gender may change over time. A person's current gender may differ from what is indicated on current legal documents. Statistics Canada defines gender as inclusive of gender identity and gender expression.
 - b. **Aboriginal/Indigenous Peoples** 'Aboriginal' as defined by the Government of Canada in section 35 of the constitution includes First Nations (Status, Non-Status), Métis, and Inuit peoples. The term Aboriginal is used in Canada interchangeably with the term Indigenous in alignment with the *United Nations Declaration on the Rights of Indigenous Peoples* (2007). Indigenous peoples in Canada are diverse in culture, language, and belief systems and often identify with specific nations, communities and/or traditional languages. Examples of such include, but are not limited to: Cree/Nehiyaw, Ojibway/Anishinaabe, Blackfoot/Niitsitapi (Kainai, Piikani, Siksika), Stoney Nakoda (Bears paw, Chiniki, and Goodstoney), Tsuut'ina, Dené, Inuit, Métis, Mi'kmaq, Mohawk, and, etc. Additionally, Aboriginal, or Indigenous peoples and nations in Canada have communities, traditional lands, and tribal/kinship affiliations that cross over the 49th parallel, which was established as a colonial border between Canada and the United States of America. Examples of cross border nations include the Iroquois Confederacy and the Blackfoot Confederacy.

- c. **LGBTQ2S+** refers to lesbian, gay, bisexual, transgender, queer, Two-Spirit (Indigenous) and “plus” to signify inclusion of related identities. These letters in the “Queer Alphabet” are inclusive of, but not limited to the possibilities encompassed by these letters. For example, the letters in the acronym may be differently ordered, for example as 2SLGBTQ+, LGBT, GBTI and 2SLGBTQIA.
- d. **Persons with disabilities** refers to someone who has a “long-term or recurring physical, mental, sensory, psychiatric or learning impairment(s)” (“long-term” is defined as lasting more than six months). A person considers themselves to be disadvantaged in employment by reason of that disability or believes that an employer or potential employer is likely to consider them to be disadvantaged in employment by reason of that disability. This also includes persons with disabilities who have been accommodated in their current job or workplace (e.g., using technical aids, changes to equipment or other working arrangements).
- e. **Queer** refers to an historical slur that has been reclaimed to refer to identities and a community. It is an umbrella term that encompasses persons across a spectrum of gender and sexual identities and orientations. Some use queer primarily to refer to pangender and pansexual identities, genderqueer, and others to also include persons who are non-monogamous and non-binary. Queer is an expansive term that captures the heterogeneity, complexity, fluidity, and changing dimensions of gender and sexual identities over time and space.
- f. **Sex** typically refers to sex assigned at birth (e.g., male, female, intersex) by a medical practitioner based on physiological or biological attributes, and that may appear on current legal documents.
- g. **Sexual Orientation or Sexual Identity** refers to a person’s self-identity as a member of a community that shares an enduring emotional, romantic, or sexual attraction to other persons who may be of the opposite sex or gender (heterosexuality) the same sex or gender (homosexuality), to two sexes or genders (bisexuality), to more than one sex or gender (pansexuality or polysexuality), or to no particular sex or gender (asexuality). A person’s sexual orientation is not synonymous with their gender identity.
- h. **Transgender** is an umbrella term that refers to the self-identification of a person whose gender identity and/or gender expression is different from social and cultural expectations based on the sex assigned at birth by a medical practitioner. Being transgender is not synonymous with a specific sexual orientation. Persons who are transgender may identify as lesbian, gay, bisexual, straight, polysexual, or another identity.
- i. **Visible/racialized minority** refers to a person defined in The *Employment Equity Act* as a person who is non-white in colour, and who is not an Aboriginal/Indigenous person, regardless of birthplace or citizenship. The visible minority communities include (but are not limited to) Arab, Black, Chinese, Filipino, Japanese, Korean, Latin American, South Asian, Southeast Asian, and West Asian. Members of these communities may also self-identify as a ‘person of colour’, ‘racialized person’ or by an ethnocultural group.

- j. **Equity-Deserving Group (EDG)** Equity Deserving Groups (EDGs) refer to those groups who, by virtue of their identity, face discrimination, disadvantage, and institutional barriers to access and opportunity unrelated to ability that require proactive ameliorative measures. They are identified in the federal *Employment Equity Act* as Federally Designated Groups (FDGs) and include women, Indigenous peoples, visible/racialized minority persons, and persons with disabilities, as well as LGBTQ2S+ persons. These groups may also be referenced as equity groups, equity-seeking groups and equity denied groups.
- k. **Federally Designated Group (FDG)** Federally Designated Groups (FDGs) refer to four groups identified in the federal *Employment Equity Act* as those who have faced discrimination, disadvantage, and institutional barriers to access and opportunity that require proactive ameliorative measure. The four FDGs are women, Indigenous peoples, visible/racialized minorities, and persons with disabilities.
- l. **Intersectionality** means an approach that seeks to understand and recognize the interrelated barriers specific EDGs may face or have faced because of overlapping identities and considers the ways multiple barriers may overlap to create a unique compounding experience of disadvantage for Equity Deserving Groups.

4 Standard

- 4.1 The collection, use, and disclosure of EDI Data at UCalgary (whether at the institutional, faculty, or unit level) must meet the requirements set out in this Section and may not proceed unless approved in accordance with the Review Procedure in Section 5. EDI Data collection, use, and disclosure that does not follow this Standard is prohibited.
- 4.2 The faculty/unit wishing to collect, use, and disclose EDI Data must:
 - a. Have Senior Leadership Team approval for the initiative.
 - b. Have a clearly articulated operational need for the data collection;
 - c. Use the standard definitions as set out in section 3 (Definitions) (unless they are consistent with an external requirement for data collection, in which case, such justification must be provided); and
 - d. Comply and be consistent with the University's [Privacy Policy](#) and [Survey Guidelines](#) including ensuring:
 - a. A FOIP notice has been drafted (see Survey Guidelines for instructions and examples);
 - b. A clear purpose for the initiative and intended use/disclosure of the data is articulated in the FOIP notice;
 - c. A statement within the FOIP notice that articulates how the data will be kept confidential or de-identified and how data may be reported on;
 - d. Data protection measures are implemented, including a clear plan for secure storage, access, retention, and destruction of the data; and
 - e. Appropriate information sharing agreements for disclosure of the collected data.
- 4.3 When conducting **anonymous** institutional censuses or surveys for EDI Data, extra care must be taken to ensure that information collected cannot be matched to an identifiable individual, as this undermines the anonymity of survey responses. Additional work must

also be done to ensure that survey responses do not contain “quasi-” or “indirect identifiers” – variables that may be used to single out individuals without directly identifying them. A classic example is the combination of gender, date of birth, and postal code.

5 Review Procedure

5.1 Submissions

- a) Faculties/units intending to collect/use/disclose EDI Data must submit their intended plans to foip@ucalgary.ca, and cc EDIData@ucalgary.ca, with the subject line: **“EDI Data Collection Submission”**.
- b) Submissions must demonstrate compliance with the Standard in Section 4 and include:
 - i. the complete form of intended collection (i.e., survey, questionnaire, attestation, etc.) with draft FOIP notice;
 - ii. written approval from a member of SLT.
 - iii. a clear articulation of operational need, purpose, intended use/disclosure;
 - iv. a plan for data protection measures as outlined in section 4.
- c) The FOIP Office will be responsible for ensuring submissions meet the requirements of 5.1(b). Incomplete submissions will be returned to faculty/unit to re-submit with complete information.
- d) The FOIP Office will advise the Office of Equity, Diversity, and Inclusion (“**OEDI**”) of submissions that are complete, so that they may be forwarded to the EDI Data Review Committee for review.
- e) Faculties/units are encouraged to make their submissions well in advance of their intended implementation to ensure sufficient time for review and approval under this Standard.
- f) Questions regarding the EDI Data Review Committee Process may be directed to the OEDI at EDIData@ucalgary.ca.

5.2 EDI Data Review Group

- a) The EDI Data Review Group (“**EDI Data Review Group**”) shall be administered by the OEDI and consist of a representative from each of the units below, as designated by the Senior Leadership Team member for each unit:
 - i. Office of Equity Diversity and Inclusion
 - ii. Office of Indigenous Engagement
 - iii. Legal Services/Privacy
 - iv. Office of the Registrar
 - v. Human Resources
 - vi. Research Services
 - vii. Office of Institutional Analysis
 - viii. Information Technology
 - ix. Office of Vice Provost Student Experience
 - x. Faculty of Graduate Studies
 - xi. Office of the Vice Provost Teaching and Learning
- b) The EDI Data Review Group will be co-chaired by the representatives from OEDI and Legal Services/Privacy.

- c) The Committee will meet at least monthly and will review all submissions to ensure compliance with the standards set out in section 4. In addition, the Committee will consider the submission holistically in light of all other institutional EDI Data initiatives proceeding at UCalgary, to avoid duplication of efforts and survey fatigue.
- d) The Committee shall either approve or deny the submission. In some cases, the Committee may provide feedback to improve the submission for resubmission.
- e) In the event the Committee cannot reach a consensus on the submission, the co-chairs shall make the final decision. In the event the co-chairs disagree, the final decision rests with the Provost, with advice from General Counsel.
- f) The Committee shall keep a record of all submissions, which will include an indication of whether the submission was approved/denied, the data protection measures, the relevant faculty/unit contact responsible for the data protection measures, and the relevant Information/Data Custodian and Steward as per the Information Asset Management Policy.

6	Related Policies	Privacy Policy Information Asset Management Policy
7	Related Guidelines/Forms	Survey Guidelines
8	References	FOIP AHRA
9	History	February 1, 2024 Initial version.