

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 428 OF
THE EXECUTIVE COMMITTEE

Thursday, February 11, 2010

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Thursday, February 11, 2010 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Dr. Alice Dong, Vice-Chair
(In the Chair)

Professor David Naylor, President

Mr. Ryan Campbell

Mr. P.C. Choo

Mr. Ken Davy

Ms Judith Goldring

Dr. Gerald Halbert

Professor Ron Kluger

Professor Arthur S. Ripstein

Miss Maureen J. Somerville

Professor Janice Stein

Non-Voting Member:

Mr. Louis R. Charpentier

Secretariat:

Mr. Henry Mulhall, Secretary

Mr. Anwar Kazimi

Regrets:

Mr. John F. (Jack) Petch, Chair

Mr. Joseph Mapa

Mr. Timothy Reid

In Attendance:

Professor Varouj Aivazian, Vice-Chair, Academic Board and Member of the Governing Council

Dr. Anthony Gray, Special Advisor to the President

Ms Joeita Gupta, Member of the Governing Council ¹

Mr. Christopher Lang, Director, Office of Appeals, Discipline, and Faculty Grievances ²

Professor Cheryl Misak, Vice-President and Provost, and Member of the Governing Council

Mr. Richard Nunn, Chair, Business Board and Member of the Governing Council

Ms Catherine Riggall, Vice-President, Business Affairs

Ms B. Elizabeth Vosburgh, Chair, University Affairs Board and Member of the Governing Council

¹ In attendance for agenda items 1-9.

² In attendance for agenda item 12.

1. Report of the Previous Meeting

Report Number 427 (January 11, 2010) of the Executive Committee was approved.

2. Business Arising from the Report of the Previous Meeting

There was no business arising from the report of the previous meeting.

3. Minutes of the Governing Council Meeting

The Chair indicated that the Minutes of the Governing Council meeting of January 21, 2010 were in preparation and would be available in advance of the next meeting of the Council on February 25, 2010.

4. Business Arising from the Minutes of the Governing Council Meeting

The Chair reminded members that approval of the Minutes of the December 10, 2009 meeting of the Governing Council had been deferred at the subsequent Council meeting on January 21, 2010, in order to consider a number of revisions submitted by a member. The Secretary noted that documentation had been placed on the table for information outlining the revisions requested by the member, as well as the manner in which it was proposed that the draft Minutes be revised in response to the request. The member requested that two pieces of correspondence to the Governing Council also be appended to the Minutes. The Secretary clarified that the Governing Council's practice was that such correspondence would be distributed to members for their information but not appended to the Minutes. The only documentation appended to reports and minutes was supporting documentation related to items for approval.

There was no other business arising from the minutes of the Governing Council meeting.

5. Report of the President

(a) Honorary Degree Candidate

The President reported that one further individual, in addition to those whose names he had announced at the most recent Governing Council meeting, had accepted the University's offer to receive an honorary degree. Mr. Nandan Nilekani had been the co-founder of Infosys Technologies Limited, and was a leader in efforts to improve public policy, infrastructure, and economic opportunities in India. He was currently serving as Chairman of the Unique Identification Authority of India, an initiative aimed at providing a unique identification for every citizen in that country. Mr. Nilekani's degree would be conferred at a convocation ceremony in 2011.

(b) Budget Process

The President reported that the Budget Report would be considered for approval in the upcoming governance cycle concluding with the Governing Council meeting on April 8, 2010. The process of developing the budget had been particularly challenging given the significant uncertainties that existed. While the budget's numbers were as firm as possible, they necessarily remained tentative. Among the uncertainties that could significantly impact the budget were the following: the size of the pension liability and the solvency test that could be imposed upon it; the outcome of collective agreements currently under negotiation, including that with the University of Toronto Faculty Association (UTFA); and the degree to which the proration of Basic Income Unit (BIU) funding either intensified in the coming months or was mitigated by the next Provincial Budget. In addition, the University had not yet received details regarding the provincial tuition framework, and was uncertain whether funding in support of the institutional costs of research or the federal granting councils would

5. Report of the President (cont'd)

(b) Budget Process (cont'd)

rise beyond existing levels. All of these factors had the potential to put additional pressure on the University's operating budget.

(c) Government Relations and Advocacy

The University's advocacy efforts were intensifying in advance of a Federal Budget that was expected to be released in early March. These were focused on improved support for the institutional costs of research, the federal granting councils, as well as graduate fellowships and undergraduate scholarships and related student aid to replace those from the former Canada Millennium Scholarship Foundation. Similar efforts were continuing at the Provincial level in anticipation of the possible release of a budget later in the spring.

(d) Fundraising and Advancement

The President reminded members that, while the University had enjoyed a record year for fundraising in 2007-08, this had been followed by a challenging environment in 2008-09 that was expected to continue through 2009-10. Past experience indicated that fundraising typically declined for two years following a significant correction in the financial markets. Some signs of economic recovery were appearing, and it was important that the University be prepared to accelerate its fundraising efforts at the opportune time. These efforts would likely become more visible by the fall of 2010 in anticipation of the eventual launch of a major campaign. Planning for the campaign was well underway, and the University's senior academic leaders were closely involved to ensure that it was directly aligned to the academic mission.

(e) University of Toronto Asset Management Corporation (UTAM)

The President reported that he had held a number of productive discussions with the UTAM Board of Directors in recent weeks, and was preparing to release the administrative response to the report of the UTAM advisory committee.

The Committee moved *in camera* and was briefed by the President on a university relations matter.

The Committee returned to closed session.

6. Items for Endorsement and Forwarding to the Governing Council**(a) Revision to the *Memorandum of Agreement with the University of Toronto Faculty Association***

(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 5)

The Chair noted one correction to the agenda. It had been intended that this item be approved by the Governing Council rather than confirmed by the Executive Committee, and so the Committee was being asked to endorse and forward the item to the Council for approval at its February 25, 2010 meeting. A minor amendment to the motion reflecting this altered approval process was accepted.

Professor Aivazian reported that the item had been presented at the Academic Board meeting of January 28, 2010 as a proposal for bargaining authorization with respect to negotiations between the University administration and the University of Toronto Faculty Association (UTFA). Workload issues were of particular concern to faculty members, and the fairness and transparency of workload decisions, which were made within departments, had been the focus

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(a) Revision to the *Memorandum of Agreement* with the University of Toronto Faculty Association (cont'd)**

of discussions between the University and the UTFA for several months. UTFA preferred that workload policy be subject to the same mediation and arbitration process that applied to salaries and benefits. In the context of the current negotiations, the University had recommended that the workload provision of Article 8 of the *Memorandum of Agreement* (MOA) be subject to the same mediation/arbitration process in place for salaries and benefits. Prior governance approval to alter the terms of the MOA, if that was what was determined during negotiations, had been required. No questions had arisen, and the Academic Board had recommended approved of the proposal.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

That those negotiating on behalf of the University in the current Salary and Benefit negotiations with the University of Toronto Faculty Association be authorized to enter into an agreement, should they deem it advisable, whereby the existing Article 8 of the *Memorandum of Agreement* will be amended to provide for amendments to Article 8 being made in accordance with and as part of the process under Article 6 of the *Memorandum of Agreement*.

Documentation is attached to Report Number 165 of the Academic Board as Appendix "A".

(b) Faculty of Physical Education and Health: Proposed Bachelor of Kinesiology (B.Kin.) Program and Proposed Revision to the Bachelor of Physical Health and Education (B.P.H.E.)

(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 6)

Professor Aivazian reported that the Faculty of Physical Education and Health had consulted widely and had developed a proposal for a new Bachelor's degree program in Kinesiology (B.Kin.) as well as a proposal for revisions to its current Bachelor's degree program in Physical and Health Education (B.P.H.E.). Students in both programs would complete a core foundational curriculum in their first two years; the goal of the curricula in the last two years would be to provide depth within each program while also ensuring the breadth necessary for a multidisciplinary curriculum. The proposed B.P.H.E. curriculum changes would have no impact on the Faculty's Concurrent Teacher Education Program (CTEP) cohort. Both the Committee on Academic Policy and Programs and the Planning and Budget Committee had considered the proposal. The latter had been satisfied that there would be no resource implications for the University's operating budget resulting from the revised B.P.H.E. or the new B.Kin. program. In response to a question from a member of the Academic Board regarding the demand for the proposed programs, the Dean of the Faculty of Physical Education and Health had stated that preliminary statistics from the current application cycle supported the expected increase in first-choice applications.

A member of the Committee noted that the proposal appeared to depend on a continuing strong need for physical education and health teachers. To her knowledge, high school students were required to complete only one credit of physical and health education, and she hoped that there would be sufficient opportunities for graduates of these programs. The Vice-President and Provost responded that the B.Kin. was intended to be a broad degree, and that it had already been introduced at a number of peer institutions. Applications to the Faculty for the 2010-11

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)

- (b) Faculty of Physical Education and Health: Proposed Bachelor of Kinesiology (B.Kin.) Program and Proposed Revision to the Bachelor of Physical Health and Education (B.P.H.E.) (cont'd)**

academic year had increased significantly, and the Administration had no concerns regarding either the need or the demand for the new program. In response to a question, Professor Misak clarified that the B.Kin. would qualify students to pursue graduate studies in their field. It was noted by a member that the B.Kin. was a first-entry program, which appeared contrary to the trend whereby formerly first-entry professional programs had become second-entry. Professor Misak clarified that there was no set University policy behind this trend. The President added that it was part of a widespread shift occurring in the credentialing of professional degree programs. First-entry programs were evolving into second-entry, second-entry baccalaureate programs were becoming master's programs, and in a few cases, master's were becoming doctoral programs. There was an ongoing debate regarding the marginal societal benefits resulting from this trend that was largely driven by the professions themselves.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

- (a) THAT the proposed Bachelor of Kinesiology (B.Kin.) Program, as described in the proposal dated November 27, 2009, be approved commencing for students admitted for September 2009; and
- (b) THAT the proposed revisions to the Bachelor of Physical Health and Education (B.P.H.E.) program, as described in the proposal dated November 27, 2009, be approved commencing for students admitted for September, 2009.

Documentation is attached to Report Number 165 of the Academic Board as Appendix "B".

- (c) Capital Project: Project Planning Report for the Renovation of Chemistry Undergraduate Teaching Laboratories at the University of Toronto at Mississauga**
(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 7)

Professor Aivazian reported that it was being proposed to add 958 net assignable square metres (nasm) to the existing undergraduate chemistry teaching laboratories at UTM. The current labs had been in service since 1970 and had undergone little renovation or modernization since that time. The proposed renovation was important for safety and was needed to enhance the student experience. It would eliminate the need for Saturday and most evening classes, and would allow for the restoration of three-hour lab sessions in first-year chemistry that were required for accreditation by the Canadian Society for Chemistry. The estimated total project cost was \$4.24 million and it would be fully funded from the UTM operating budget. During the discussion at the Academic Board, a member had asked about the impact during the proposed summer construction period on UTM's course offerings at that time. A member of the Board had replied that only one second-year organic chemistry course would be affected by the temporary unavailability of the chemistry lab, and UTM students would be accommodated by means of an equivalent course offered on the St. George campus during the 2010 summer session.

Mr. Nunn reported that the Business Board considered approval for the execution of capital projects primarily from the point of view of two factors: value for money, and the security of

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(c) Capital Project: Project Planning Report for the Renovation of Chemistry Undergraduate Teaching Laboratories at the University of Toronto at Mississauga (cont'd)**

their funding and financing. The Board had reviewed the proposed project, and it had approved its execution, subject to Governing Council approval of the Project Planning Report.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

1. That the Project Planning Report for the University of Toronto at Mississauga Renovation of Chemistry Undergraduate Teaching Laboratories be approved in principle.
2. That the project scope, comprising renovation of 958 nasm in the South Building at a total project cost of \$4.24 million be approved with the full funding from the University of Toronto at Mississauga operating budget.

Documentation is attached to Report Number 165 of the Academic Board as Appendix "C".

(d) University of Toronto at Mississauga Campus Construction of a Parking Deck
(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 8, Report Number 179 of the Business Board [February 8, 2010] - Item 13, and Report Number 155 of the University Affairs Board [January 26, 2010] - Item 3)

Professor Aivazian reported that UTM was proposing to construct a parking deck on the site of an existing surface parking lot to create approximately 250 additional parking spaces. The total capacity of parking spaces available to the UTM community had been greatly reduced as a result of a number of factors including increased student enrolment and the permanent elimination of spots due to construction projects on campus. Initiatives such as a bike share program, preferential carpool parking spaces, and the U-Pass program for students had been introduced at UTM. While they had been successful, it was likely that expansion of such programs would have only minimal effects on the demand for parking spots on campus. A significant percentage of the UTM community lived in areas where they could not easily use public transportation to commute to campus. UTM had examined a number of possible solutions to the limited supply of parking spaces. Ultimately, it had determined that the addition of a parking deck above a portion of an existing surface lot would be the best solution. UTM's Parking Ancillary would carry the project's estimated total cost of \$6.5 million by means of an internal University loan amortized over a ten year period. A robust discussion of the proposal had occurred during the Planning and Budget Committee meeting, and UTM's Chief Administrative Officer had responded in detail to a number of questions. In particular, he had explained that parking rates were already at the highest level that the market could bear, and any increases over the proposed 3% level would not be feasible. No questions had been raised at the Academic Board meeting, and members had recommended approval of the proposal.

Ms Vosburgh reported that the University Affairs Board considered capital projects such as parking facilities and student residences as part of its general responsibility for matters that directly concerned the quality of student and campus life. The Board had been informed that parking was one of the key needs to facilitate a positive student experience on the UTM campus, that the proposed project would continue the trend to locate parking outside the ring road while making the inner campus more pedestrian-friendly, and that it would significantly

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(d) University of Toronto at Mississauga Campus Construction of a Parking Deck
(cont'd)**

increase the availability of accessible parking spots. A member had questioned whether the project would provide sufficient parking capacity to meet UTM's needs beyond the short term. He had been informed that it was designed to meet projected parking needs while avoiding excess capacity that could both jeopardize the funding model as well as undermine initiatives to reduce the number of vehicles on campus. The Board had concurred with the recommendation of the Academic Board for approval of the project.

Mr. Nunn reported that the Business Board had undertaken two roles with respect to this project. It had considered its execution, and had also examined the business plan of the UTM parking ancillary in order to advise the Governing Council whether the projected income of that ancillary would be sufficient to meet the project's cost. The Board had been satisfied with assurances received from UTM's Chief Administrative Officer that the revenues of the parking ancillary would be sufficient to repay the borrowing in ten years. The Board had also been satisfied with the plan to replace only 250 of the 450 parking places that had been lost to construction on the sites of former parking lots. While UTM acknowledged that there would likely be need in the future to add to the parking stock, it would still be sensible to proceed incrementally. Given the need to borrow to cover the cost, proceeding in phases would minimize financing costs and it would leave borrowing room free for UTM's other urgent priorities.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

THAT the proposed construction of a single-level parking deck, on the site of an existing surface parking lot and with a capacity of approximately 250 spaces, be approved at a total cost not to exceed \$6.5 million with funding to be provided by a loan to be repaid by the UTM Parking ancillary over a period of ten (10) years, beginning in fiscal 2010/11.

Documentation is attached to Report Number 165 of the Academic Board as Appendix "D".

**(e) Capital Project: Project Planning Report for the Centre for Collaborative Digital Media
(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 9)**

Professor Aivazian reported that the proposed Centre for Collaborative Interactive Digital Media (CCIDM) would combine the activities of existing laboratories including the Dynamic Graphics Project (DGP), the Knowledge Media Design Institute (KMDI), and a number of computer systems research groups. The goal of the project was to create an internationally renowned interactive digital media centre to facilitate collaborative research and production. The project would involve the renovation of approximately 845 gross square metres (gsm) of space and the creation of 290 gsm of new space in the Bahen Centre for Information Technology. The estimated total project cost for the renovation and construction portion of the project was \$3,187,000, with the Canadian Foundation for Innovation (CFI) and the Ontario Research Fund (ORF) providing \$1,493,500 each, and the balance of \$200,000 being provided by the Faculty of Arts and Science. Following discussion, the Academic Board had expressed its support for the proposal. Mr. Nunn reported that the Business Board had approved execution of this project on two conditions: Governing Council approval of the project

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(e) Capital Project: Project Planning Report for the Centre for Collaborative Digital Media (cont'd)**

planning report, as well as the availability of funding from the two external agencies, the Canada Foundation for Innovation and the Ontario Research Fund.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

1. That the Project Planning Report for the Centre for Collaborative Interactive Digital Media be approved in principle.
2. That the project scope as identified in the Project Planning Report be approved in principle at a Total Project Cost of \$3,187,000 with funding as follows:

Canada Foundation for Innovation	\$ 1,493,500
Ontario Research Fund	\$ 1,493,500
Faculty of Arts & Science	\$ 200,000
Total	\$ 3,187,000

Documentation is attached to Report Number 165 of the Academic Board as Appendix "E".

(f) Capital Project: Project Planning Report for the Centre for Microsatellite Science and Technology

(Arising from Report Number 165 of the Academic Board [January 28, 2010] - Item 10)

Professor Aivazian reported that the Space Flight Laboratory at the University's Institute for Aerospace Studies (UTIAS) facility had also been a recipient of CFI funding, to be used for the creation of a new Microsatellite Science and Technology Centre (MSTC). Construction of 1,115 nasm of additional assignable space would physically connect the Centre to the existing UTIAS facility at Downsview. The new facility would contain research assembly and testing facilities, and it was expected to accommodate approximately 5-10 visiting researchers at a time, up to 20 full-time staff, and up to 25 graduate students. The estimated total project cost for the construction portion of the project was \$5,400,000, with funding provided entirely from the CFI and the ORF grant awards. No questions had been raised by members, and the Academic Board had recommended approval of the proposal. Mr. Nunn reported that the Business Board had approved execution of the project on the conditions of Governing Council approval, as well as the availability of funding from the two external agencies.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

1. That the Project Planning Report for the Microsatellite Science and Technology Centre be approved in principle.
2. That the project scope as identified in the Project Planning Report be approved in principle at a Total Project Cost of \$5,400,000 with funding as follows:

6. Items for Endorsement and Forwarding to the Governing Council (cont'd)

(f) Capital Project: Project Planning Report for the Centre for Microsatellite Science and Technology (cont'd)

Canada Foundation for Innovation	\$ 2,700,000
Ontario Research Fund	\$ 2,700,000
Total	\$ 5,400,000

Documentation is attached to Report Number 165 of the Academic Board as Appendix "F".

7. Reports for Information

Members received the following reports for information.

- (a) Report Number 165 of the Academic Board (January 28, 2010)
- (b) Report Number 155 of the University Affairs Board (January 26, 2010)

8. Date of the Next Meeting

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Thursday, March 25, 2010 at 5:00 p.m.

9. Other Business

The Chair reported that speaking requests to address two separate matters had been received for the meeting of the Governing Council on February 25, 2010 from the Association of Part-time Undergraduate Students (APUS). It was agreed to grant the first request regarding the capital project for the construction of a parking deck at UTM. Clarification would be sought from APUS regarding the second request on the topic of "business arising from the last GC meeting on Jan. 11th". The Secretariat was unaware of any such business arising, and had been unable to follow up with APUS since the requests had been received just minutes prior to the beginning of the meeting of the Executive Committee.

There was no other business for consideration in closed session.

On motion duly moved, seconded, and carried,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and 33 of *By-Law Number 2*, consideration of items 10-12 take place *in camera*, with the Board Chairs, Vice-Presidents, and Special Advisor to the President admitted to facilitate the work of the Committee.

In Camera Session

10. Committee Assignment, 2009-10

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT Ms Margaret Kim be appointed to the Committee on Academic Policy and Programs, effective immediately, until June 30, 2010.

11. External Appointments: McClelland and Stewart Ltd.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the following individuals be approved and nominated as directors of McClelland and Stewart Ltd. for one year terms until the 2011 annual meeting of the Corporation, or until their successors are appointed, effective immediately.

Dr. Avie Bennett (Chair)
Ms Trina McQueen
Mr. Douglas Pepper (President and Publisher)
Ms Catherine Riggall
Ms Judith Wolfson

12. *Code of Behaviour on Academic Matters: Recommendations for Expulsion*

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the recommendations for expulsion contained in the Memoranda from the Secretary of the Governing Council dated February 4, 2010, be placed on the agenda for the February 25, 2010 meeting of the Governing Council; and

THAT pursuant to Sections 38 and 40 of By-Law Number 2, these recommendations be considered by the Governing Council *in camera*.

The President; Vice-Presidents; Director of the Office of Appeals, Discipline, and Faculty Grievances; and the Special Advisor to the President absented themselves. The Executive Committee, Board Chairs and Vice-Chair met in their capacity as the Presidential Review Committee.

Speaking request

The Chair reported that a speaking request had been received for the meeting of the Governing Council on February 25, 2010 from the Canadian Union of Public Employees (CUPE) Local 3902 regarding “matters arising in reference to the presidential review”. After discussion, it was agreed that the request would be denied given that CUPE had already submitted written comments on this matter that would be distributed to the Governing Council prior to the meeting.

The Committee returned to closed session.

The meeting adjourned at 6:30 p.m.

Secretary
February 23, 2010

Chair