

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

**REPORT NUMBER 138 OF THE UNIVERSITY AFFAIRS BOARD**

**November 7, 2006**

To the Governing Council,  
University of Toronto.

Your Board reports that it met on Tuesday, November 7, 2006 at 4:30 p.m. in the Council Chamber, Simcoe Hall, with the following members present:

Dr. Claude Davis, In the Chair  
Ms. B. Elizabeth Vosburgh, Vice-Chair  
Professor David Farrar, Deputy Provost  
and Vice-Provost, Students  
Ms. Anne E. MacDonald,  
Director, Ancillary Services  
Professor Varouj Aivazian  
Ms. Diana A.R. Alli  
Miss Coralie D'Souza  
Mr. Robin Goodfellow  
Professor William Gough  
Ms. Margaret Hancock  
Mr. Richard Hydal  
Ms. Rae Johnson  
Professor Bruce Kidd  
Mr. Josh Koziembrocki  
Mr. Steven Kraft

Non-Voting Assessors:

Ms. Susan Addario, Director, Student Affairs  
Professor Tony Chambers, Associate Vice-  
Provost, Students  
Mr. Jim Delaney, Associate Director and  
Senior Policy Advisor, Student Affairs  
Professor Angela Hildyard, Vice-President,  
Human Resources and Equity  
Mr. Tom Nowers, Assistant Principal, Students  
and Executive Director, Student Affairs,  
University of Toronto at Scarborough  
Ms. Marilyn Van Norman, Director, Student  
Services

Secretariat:

Mr. Neil Dobbs  
Mr. Henry Mulhall

Regrets:

Mr. John M. Badowski  
Mr. Terry Buckland  
Ms. Simona Chiose  
Mr. Chris McGrath  
Mr. Faraz Rahim Siddiqui  
Ms. Melanie Tharamangalam  
Professor John Wedge  
Ms. Johanna L. Weststar

In Attendance:

Mr. Nouman Ashraf, Anti-Racism and Cultural Diversity Officer  
Dr. Anthony Gray, Judicial Affairs Officer, Office of the Governing Council  
Professor Connie Guberman, Status of Women Officer and Special Advisor on Equity Issues  
Ms Rosie Parnass, Director, Organizational Development and Learning Centre

ITEM 3 CONTAINS A RECOMMENDATION FOR GOVERNING COUNCIL APPROVAL.  
ALL OTHER ITEMS ARE REPORTED FOR INFORMATION.

**1. Report of the Previous Meeting**

## REPORT NUMBER 138 OF THE UNIVERSITY AFFAIRS BOARD – November 7, 2006

The Chair noted that, regrettably, the report of the previous meeting, Report Number 137 (September 26, 2006) had not been available for distribution prior to the meeting. It would be considered for approval by the Board at its next regular meeting.

### 2. Business Arising from the Report of the Previous Meeting

Neither the Chair nor any members were aware of any business arising from the previous meeting. The Chair noted that, were any items to arise once the Report of the previous meeting was finalized, they would be dealt with at the next meeting.

### 3. *Statement on Equity, Diversity and Excellence*

Professor Hildyard noted that an earlier version of the *Statement* had been recommended by the Board to the Governing Council for approval at the Board's May 30, 2006 meeting. However, as the *Statement* had proceeded through governance it had become clear that further consultation had been required. This had been carried out, and every effort had been made to take into consideration the input that had been received. Professor Hildyard was pleased that this exercise had occurred, because it had resulted in a stronger and better *Statement*. To her knowledge, it was the first time that the three concepts of equity, diversity and excellence had been combined in a single statement of this nature in a Canadian context. It sent a clear message about what the University stood for and represented. Professor Hildyard noted that the content of the *Statement* was not new, but rather incorporated material that had been a part of earlier documents including *Stepping Up* and the President's Installation Address. In addition, it did not replace any existing policies, including the *Statement on Human Rights*. Rather, the proposed *Statement* served to flag the University's ongoing commitment to issues of equity and diversity within a context of excellence.

On the recommendation of the Vice-President, Human Resources and Equity,

YOUR BOARD RECOMMENDS

THAT the proposed *Statement on Equity, Diversity and Excellence* be approved.

### 4. *Election Guidelines 2007*

The Chair welcomed Dr. Anthony Gray, the Chief Returning Officer for Governing Council elections, and noted that this was an annual approval made by the Board. He invited Professor William Gough, a member of both the Board and the Elections Committee, to comment briefly on the proposed changes to the *Guidelines*. Professor Gough drew the attention of members to the cover memorandum which summarized the proposed changes. As it noted, the proposed revisions took into account the suggestions received from the community, changes which had arisen from new policies and legislation, and experience with the *Election Guidelines 2006*. In some sections, language had been revised to enhance clarity.

A member stated that an important issue was that of how quickly vacancies were filled by means of by-elections. He referred to page 26 of the *Guidelines* (VI, h) which states that "By-elections shall take place automatically unless the vacancy occurs within eight months of the end of a member's term. If the vacancy occurs in that period, the Chief Returning Officer shall consult the Elections Committee as to whether a by-election shall be held." In his view, the meaning of 'automatically' was unclear. The

#### 4. *Election Guidelines 2007* (cont'd)

member indicated that delays in filling vacancies could have a significant impact in student constituencies in which terms are of only one year's duration. He recommended that a specific time frame be set both for

**REPORT NUMBER 138 OF THE UNIVERSITY AFFAIRS BOARD – November 7, 2006**

the calling of a by-election and the making of the decision by the Elections Committee to hold a by-election. In response, Dr. Gray noted that ‘automatically’ was intended to indicate that, once a vacancy occurred, the by-election process would commence on its own; that is, without the need for a formal decision to call a by-election. Dr. Gray agreed with the member as to the importance of timely by-elections when necessary and reiterated the University's commitment to a full and fair elections process. It was agreed that this issue would be left for the consideration of the Elections Committee.

The member also referred to page 16 of the *Guidelines* (VI, a, viii) which states that “the signature of the candidate on the nomination form also signifies: ... the candidate’s agreement that all those who work for him or her, both formally and informally, similarly agree to abide by the rules and provisions outlined in these *Guidelines*.” In his view, the phrase “all those who work for him or her, both formally and informally” was a loose one, which would make candidates responsible for individuals who were working for them, but who had not been engaged or directed to do so. Dr. Gray noted that the issue of what constituted ‘working for’ a candidate had been raised by the Elections Overseers, discussed at all-candidates meetings, and considered by the Elections Committee during the last three or four years. It had been decided by the Elections Committee not to require all campaign workers to sign a form agreeing to abide by the rules and provisions of the *Guidelines*. It had also been decided to keep the definitions of ‘workers’, ‘formally’ and ‘informally’ deliberately vague so as to provide the Overseers with appropriate discretion in their interpretation. The member suggested that the *Guidelines* be amended to refer specifically to individuals who had been ‘authorized’ by the candidate to work on his or her behalf. Mr. Dobbs noted that substantive amendments were not normally made during the course of debate, but rather the Board limited itself to approving, rejecting, or referring items back to the Elections Committee for further consideration. In this case, the Board could choose to refer the matter back or, alternatively, the discussion that had occurred would be reflected in the Board’s report, and could be considered by the Elections Committee as it developed the *Guidelines* for 2008. The Chair agreed that this was the appropriate manner in which to proceed.

In the course of further discussion, the following points were raised. A member agreed that the definition of what constituted working for a candidate was too vague, and that too great a burden was being placed on candidates to be held responsible for their workers’ actions. Another member stated that personal experience of the elections process had demonstrated the value of keeping the language vague, and allowing its interpretation to be left to the discretion of the Chief Returning Officer and the Elections Overseers who, in the course of considering a dispute, would have the benefit of a hearing and a discussion of any relevant facts. Another member spoke in favour of the *status quo*, arguing that the *Guidelines* should not be made excessively strict, and that some flexibility should be retained to allow for the informed judgment of the Overseers and the creativity of the candidates. If specific problems arose, they could be addressed by future amendments to the *Guidelines*.

On a motion duly moved and seconded,

YOUR BOARD APPROVED

The proposed *Election Guidelines 2007*, a copy of which is attached hereto as Appendix “A”.

## **5. Reports of the Elections Committee**

Members received for information the following reports from the Elections Committee:

- (a) Report Number 45 - October 10, 2006 (including the Report on Elections, 2006)
- (b) Report Number 46 – October 26, 2006

**REPORT NUMBER 138 OF THE UNIVERSITY AFFAIRS BOARD – November 7, 2006**

On behalf of the Elections Committee, Professor Gough drew members' attention to the item 'Other Business' on page 3 of Report 45. This item reported that the Committee had reviewed the size of the full-time undergraduate student constituencies in the Governing Council elections: 40,460 students in Constituency I (Arts and Science, on all three campuses) and 11,700 in Constituency II (Professional Faculties). Two students from each constituency were elected to Governing Council. The Committee had encouraged the Chief Returning Officer to review the definitions of the student constituencies in light of the increased enrolment at the University of Toronto at Mississauga (UTM) and the University of Toronto at Scarborough (UTSC), and to explore the development of a recommendation that would result in a more equitable distribution of seats on the Governing Council.

A member noted that low voter turnout continued to be a concern in the student constituencies, and encouraged the Elections Committee to continue to consider measures to address this issue. Professor Gough noted that the Committee had discussed the issue, and that the Report Number 45 included a recommendation to explore the use of information technology, including the University Portal and other administrative systems, in elections.

**6. Report of the Senior Assessor**

Professor Farrar reported that his office, that of the Deputy Provost and Vice-Provost, Students, was currently undergoing a review, as were the student support services on the St. George campus. He would report more fully on these reviews at the Board's next meeting. The *Policy on Access to Student Academic Records* was also being reviewed, specifically in light of the application of the new *Freedom of Information and Protection of Privacy Act* to universities as of June 10, 2006. A revised policy would be brought forward for approval to the Committee on Academic Policy and Programs during the spring, and would also be introduced to the University Affairs Board for information. A member stated that his understanding was that Ryerson University had a very strict policy regarding access to student academic records, and that it might be worth examining in the course of this review. Professor Farrar noted that the University's current policy was also very strict, but that he would take this suggestion under advisement.

**7. Date of the Next Meeting**

The Chair informed members that the next meeting of the Board would take place on Tuesday, January 16, 2007 at 4:30 p.m.

**8. Other Business**

There was no other business to transact in open session.

On a motion duly moved and seconded,

The meeting moved *in camera*.

**9. Service Ancillaries Review Group (SARG): Appointment of University Affairs Board Members**

On a motion duly moved and seconded,

YOUR BOARD APPROVED

**REPORT NUMBER 138 OF THE UNIVERSITY AFFAIRS BOARD – November 7, 2006**

THAT the following be appointed to the Service Ancillaries Review Group for 2006-2007:

Ms. Diana Alli  
Miss Coralie D'Souza  
Mr. Chris McGrath

**10. Striking Committee: Appointment for 2006-07**

On a motion duly moved and seconded,

YOUR BOARD APPROVED

THAT the following be appointed to the University Affairs Board Striking Committee for 2006-2007:

Dr. Claude Davis (Chair, and Lieutenant-Governor-in-Council appointee)  
Ms Diana Alli (Administrative Staff)  
Professor William Gough (Teaching Staff)  
Ms B. Elizabeth Vosburgh (Alumni)  
Ms Johanna Westar (Student)

The meeting adjourned at 5:10 p.m.

---

Secretary

---

Chair

November 28, 2006