

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 154 OF
THE UNIVERSITY AFFAIRS BOARD

November 3, 2009

To the Governing Council,
University of Toronto.

Your Board reports that it met on Tuesday, November 3, 2009 at 4:30 p.m. in the Council Chamber, Simcoe Hall, with the following members present:

Ms B. Elizabeth Vosburgh, In the Chair
Ms Judith Goldring, Vice-Chair
Professor Jill Matus, Vice-Provost, Students
Ms Lucy Fromowitz, Assistant Vice-President,
Student Life
Ms Diana A.R. Alli
Dr. Louise Cowin
Ms Erin Fitzgerald
Professor William Gough
Mr. Allan Grant
Ms Joeita Gupta
Mr. Maciek Lipinski-Harten
Mr. Ben Liu
Mr. Chris McGrath
Mr. Olivier Sorin

Mr. John David Stewart
Mr. Fanxun Peter Zeng

Non-Voting Assessors:

Mr. Louis R. Charpentier, Secretary of the
Governing Council
Mr. Jim Delaney, Director, Office of the Vice-
Provost, Students
Mr. Tom Nowers, Dean of Student Affairs,
University of Toronto at Scarborough (UTSC)

Secretariat:

Mr. Henry Mulhall (Secretary)

Regrets:

Ms Greta Chiu
Mr. Adam Heller
Professor Bruce Kidd
Ms Kimberley Stemshorn
Dr. Sarita Verma

In Attendance:

Mr. Stephen Smith, Member of the Governing Council, and Chair, Elections Committee
Ms Murphy Browne, Former Member of the Governing Council
Mr. Jeff Peters, Former Member of the Governing Council, and President, Association of Part-time Undergraduate Students (APUS)
Dr. Anthony Gray, Special Advisor to the President
Ms Joan Griffin, Office of the Vice-Provost, Students
Ms Mae-Yu Tan, Assistant Secretary of the Governing Council

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ITEM 6 CONTAINS A RECOMMENDATION FOR GOVERNING COUNCIL APPROVAL.
ALL OTHER ITEMS ARE REPORTED FOR INFORMATION.

1. Chair's Welcome and Orientation Remarks

The Chair welcomed members, assessors, and guests to the first meeting of the University Affairs Board for the 2009-10 governance year. She referred to her memorandum to the Board entitled 'Orientation of Members' ¹, dated October 27, 2009 which had been distributed as part of the meeting documentation. By means of a PowerPoint presentation she outlined the highlights of the memorandum concerning the general role of the Board, its specific areas of responsibility, the role of its assessors, and the role and responsibilities of its members.

2. Report of the Previous Meeting

Report Number 153 (June 2, 2009) was approved.

3. Business Arising from the Report of the Previous Meeting

The Chair noted that Professor Matus had indicated at the June 2, 2009 meeting (reported on page 4 of the Report) that she would report back to the Board in the fall on the process to update the *Code of Student Conduct*. She would do so under item 8 on the agenda.

There was no other business arising from the Report of the previous meeting.

4. Calendar of Business for 2009-10

The Chair noted that the Calendar of Business listed the items scheduled to come before the Board during the 2009-10 governance year. It changed regularly, for a variety of reasons, including the emergence of new priorities and issues. The most up to date version was posted weekly on the Governing Council website.

5. Report on Approvals under Summer Executive Authority

The Chair stated that this was an annual report of any matters under the authority of the Board that had been approved on its behalf by the President and Chair of the Governing Council under summer executive authority, that is, since the last regular meeting of the Board during the previous governance year. There had been no approvals within the Board's terms of reference during the summer of 2009.

6. Election Guidelines 2010

The Chair noted that each year the revised *Election Guidelines* were recommended for approval to the Board by the Elections Committee, its standing committee. Minor editorial or updating amendments were approved by the Board. The proposed *Guidelines* for 2010, however, included major amendments to policy and procedures relating to the conduct of elections, and these required approval by the Governing Council.

Mr. Stephen Smith, Chair of the Elections Committee, referred members to his memorandum to the Board, ² dated October 22, 2009 which summarized the amendments that had been made to the previous

¹ <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=6498>

² <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=6500>

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year's *Guidelines* in order to create the proposed *Election Guidelines 2010*. As in most years, minor editorial revisions had been made throughout the document in an effort to use more precise and consistent language. A more substantive change had been the addition of a new section outlining the procedures which applied specifically to the Academic Board elections (pp. 77-97), as opposed to those for elections to the Governing Council. The new section, adapted from that for teaching staff elections to the Governing Council, was designed to assist teaching staff and librarians who sought election to the Board. Another significant change had been the shortening of the campaign period from five to three weeks for all constituencies. The 2010 campaign period would run from Friday, February 19, 2010 (one week later than in previous years) to Friday, March 12, 2010. This change was a response to suggestions received as part of the process by which past candidates and members of the University community provided feedback on the elections process to the Elections Committee. In particular, students had commented that it was difficult to sustain momentum during a lengthy campaign period while also fulfilling their academic requirements. More generally, the Committee also hoped that members of the University community would be more likely to participate in elections in early March rather than nearer the end of term when academic demands would increase.

Mr. Smith stated that a further significant change being recommended in the *Guidelines* was the reduction of the number of nominators required for Governing Council elections to 5 for all constituencies. The requirements for nominators in 2009 had varied by constituency, reflecting variations in constituency size, as follows: administrative staff (20), teaching staff (10), full-time undergraduate students (20), graduate students (20), and part-time undergraduate students (20). The number of required nominators had varied over the years since the establishment of the Governing Council in 1972, and were outlined on page 2 of Report Number 57 of the Elections Committee (October 15, 2009).³ The proposed change for 2010 had arisen as a result of a representation by a member of the Board to the Elections Committee, and it had been discussed extensively. The Committee had concluded that the requirement for nominators was largely a formality, but that it was also sometimes difficult to fulfill, in particular for members of certain constituencies such as part-time undergraduate students. The rationale for reducing the number of nominators to 5 was to encourage members of the University to submit nominations and to stand for election, and the Committee would assess the outcome of the change when preparing the *Election Guidelines 2011*.

A member drew the Board's attention to revisions that had been made to the *Guidelines* to address practices with respect to assisting individuals with disabilities who might wish accommodation arrangements to facilitate their participation in the elections process. It was her view that, as a student with a disability, she had faced an extra burden in having to combine campaigning for election with making arrangements for appropriate accommodation. There had been little precedent for providing accommodation, and the member was pleased that the *Guidelines* had been revised to reflect this need. She was concerned, however, that she and other students with disabilities had not been consulted on this issue. In her view, accommodation for disabilities needed to be considered more holistically. The onus should not be on the student to seek out accommodation. The *Guidelines* required further development in this regard, and she recommended that the Board establish a task force to this end. Mr. Charpentier noted that the mandate of the Task Force on Governance struck by the Governing Council included consideration of the election, selection, and appointment of members of the Governing Council, and it had received input on the issue of accommodation for individuals with disabilities. In his view, it would be premature for the University Affairs Board to establish its own committee before the Task Force on Governance had made its recommendations to the Governing Council in June 2010. He encouraged the

³ <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=6494>

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member to provide a submission to the Task Force on Governance, and she indicated that she wished to do so.

On the recommendation of the Elections Committee,

YOUR BOARD RECOMMENDS

THAT the proposed *Election Guidelines 2010*, a copy of which is attached hereto as "[Appendix A](#)" be approved, effective immediately.

7. Reports of the Elections Committee

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

- (a) Report Number 56 – September 17, 2009 (including the Report on Elections, 2009)
- (b) Report Number 57 – October 15, 2009

Mr. Smith noted a number of highlights from the reports. Each year the Elections Committee considered strategies to increase the number of individuals who ran for Governing Council, as well as the percentage of members of the various constituencies who voted in elections. To that end, advertising on the CIUT FM radio station had been introduced for the 2009 Elections. He was pleased to report that the number of nominations received from student candidates in 2009 had increased by 55% over 2008 levels. In addition, the number of valid votes cast within the full-time undergraduate student Constituency I (Arts and Science, UTM, UTSC) had increased by 36%, while the participation rate in the graduate student Constituency II (sciences) had increased from 8% in 2008 to 15.4% in 2009. He added that online voting had been implemented for teaching staff and administrative staff Governing Council elections and librarian Academic Board elections for 2009, resulting in significantly reduced demands on staff time and paper consumption in the Office of the Governing Council.

8. Report of the Senior Assessor**Recruitment Materials**

Professor Matus provided an update on the revised recruitment materials which had been developed with a view to attracting excellent students to the University. They communicated the dual message that the University was both a stellar academic institution, as well as one which was welcoming and provided a wealth of opportunities outside the classroom. She referred to the Domestic and International Viewbooks,⁴ copies of which had been placed on the table. These provided both an overview of the University, as well an introduction to some of its smaller elements, and sought to overcome existing stereotypes. New students were encouraged to become the architect of their individual experience at the University, and to become part of its living legacy. Professor Matus noted that the Viewbooks were intentionally brief, and that they directed students to the in-depth information available online.

⁴ http://discover.utoronto.ca/_shared/assets/Domestic_Viewbook_PDF3005.pdf and http://discover.utoronto.ca/_shared/assets/International_Viewbook_PDF3004.pdf

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8. Report of the Senior Assessor (cont'd)

Professor Matus played a selection of the new recruitment videos⁵ which were also available online, and which developed some of the themes contained in the Viewbooks. In addition, she provided a survey of a number of the new websites which had been developed to assist potential students to discover the University, to apply to be a student, and to make the most of their time at the University both inside and outside the classroom.⁶ A number of members commented positively on the new recruitment materials. One member recommended that in future the Viewbooks contain more images of female athletes and disabled students. Another noted that the videos appeared not to have adequately taken into consideration the needs of viewers with visual impairments. She recommended that they be accompanied by text that described the images. Professor Matus responded that the accessibility features were still being implemented, and noted that some of the videos had text that accompanied the dialogue.

AODA Customer Service Standard

The University was completing the necessary steps to comply with the Customer Service Standard, a requirement of the *Accessibility for Ontarians with Disabilities Act (AODA)*, by the deadline of January 1, 2010. The Customer Service Standard was one of five such standards required under the AODA which were intended to bring about a fully accessible Ontario by 2015. The University had begun the information sessions required by the Standard, and would provide information to all its employees regarding the delivery of service. A full Customer Service Standard Report would be issued in March 2010, as required by the Ministry of Community and Social Services.

Code of Student Conduct Update

Professor Matus referred to her memorandum regarding an Update of the *Code of Student Conduct*, which had been distributed to the Board on October 30, 2009, and copies of which had been placed on the table.⁷ The *Code* had last been revised in 2002, and in response to requests from members of the University community, an administrative update would be undertaken by the Office of the Vice-Provost, Students during the current year. It was expected that the update would focus largely on procedural issues, and elements of the Code that were outdated or confusing. As part of the process, a series of broad consultations would be undertaken with members of the University community in order to solicit suggestions and advice. In particular, student societies, student life professionals, registrars, and members of the administration who dealt with *Code*-related matters would be asked for submissions and advice.

A member commented that information regarding students' rights and responsibilities under the *Code of Behaviour on Academic Matters* was available online, but that similar information did not appear to be available regarding the *Code of Student Conduct*. He recommended that such information be developed as part of the updating process, and be made available to assist students.

⁵ <http://virtualtour.utoronto.ca/video.php>

⁶ <http://discover.utoronto.ca/home.htm>, <http://www.adm.utoronto.ca/adm-awards/index.action>, <http://start.utoronto.ca/Page4.aspx>, <http://life.utoronto.ca/Page15.aspx>

⁷ <http://www.provost.utoronto.ca/public/pdadc/200910/28.htm>

REPORT NUMBER 154 OF THE UNIVERSITY AFFAIRS BOARD – November 3, 2009**8. Report of the Senior Assessor (cont'd)**

A member questioned why Professor Matus' memorandum had been distributed to the Board just four days prior to the meeting, allowing members inadequate opportunity to be prepared to discuss the matter. In her view, the *Code of Student Conduct* was outdated, and she recommended that it be rescinded. It was her opinion that the *Code* was used by the University to silence dissent, and it thus violated freedom of speech. Further, it treated students differently from other members of the University community. She maintained that it had been inappropriate to make use of the *Code* during a strike by teaching assistants in 2000, and following a protest by students at Simcoe Hall in 2008. She added that her views were shared by many students, and that numerous faculty members had also signed a letter of support for students charged under the *Code* in March 2008. Rather than carrying out an administrative update of the *Code*, the member recommended that a full review be undertaken to determine whether or not it was relevant. She recommended that it be replaced by a human rights committee. Professor Matus reiterated that broad consultations would be undertaken as part of the updating process, and that if it became apparent that views such as those expressed by the member were held by a broad representation of all parties concerned, they would be taken under advisement. If there were sufficient expressions of interest in a full review of the *Code*, that could be an outcome.

9. Date of the Next Meeting

The Chair informed members that the next regular meeting of the Board was scheduled for Tuesday, January 26, 2010 at 4:30 p.m. She reminded members that the meeting originally scheduled for December 8, 2009 had been cancelled for lack of sufficient business. Though seven meetings were scheduled during each governance year, two had been cancelled for lack of business in most recent years, and it could be that fewer meetings would be scheduled in future years.

10. Other Business

The Chair invited Mr. Jeff Peters, President of the Association of Part-time Undergraduate Students (APUS) to address the Board. He reiterated many of the comments previously made by the member who had recommended a full review of the *Code of Student Conduct*. He added that, in his view, the *Code* was paternalistic and undermined academic freedom. It could be used to impose academic sanctions for non-academic behaviour; it maintained students in a state of insubordination; and it could be used to silence criticism of the administration and to forbid protests. He recommended that the *Code* be subject to a full review, and be replaced.

There was no other business.

On a motion duly moved, seconded, and carried,

The Board moved *in camera*.

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In Camera Session

11. Service Ancillaries Review Group: Appointment of University Affairs Board Members

On a motion duly moved, seconded, and carried,

YOUR BOARD APPROVED

THAT the following be appointed to the Service Ancillaries Review Group for 2009-2010:

Mr. Allan Grant
Mr. Ben Liu
Mr. Olivier Sorin

12. Striking Committee: Appointment for 2009-10

On a motion duly moved, seconded, and carried,

YOUR BOARD APPROVED

THAT the following be appointed to the University Affairs Board Striking Committee for 2009-2010:

Ms Elizabeth Vosburgh (Chair, *ex officio*)
Ms Judith Goldring (Lieutenant Governor in Council appointee)
Professor William Gough (teaching staff)
Mr. Christopher McGrath (administrative staff)
Ms Kimberley Stemshorn (student)
Mr. John Stewart (alumni)

13. Council on Student Services (COSS) – Chair: Appointment

On a motion duly moved, seconded, and carried,

YOUR BOARD APPROVED

THAT Ms Carol Rodrigues be appointed chair of the Council on Student Services, effective immediately until April 30, 2010.

On a motion duly moved, seconded, and carried,

The Board returned to open session.

The meeting adjourned at 5:55 p.m.

Secretary

Chair

November 12, 2009