

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

OCTOBER 30, 2014

MINUTES OF THE MEETING OF THE GOVERNING COUNCIL held on October 30, 2014 at 4:30 p.m. in the University of Toronto Council Chamber.

Present:

Ms Judy G. Goldring (Chair)
Ms Shirley Hoy (Vice Chair)
Professor Meric S. Gertler (President)
Ms Alexis Archbold
Mr. Nabil B. Arif
Professor John S. Bland
Mr. Harvey Botting
Mr. David Norris Bowden
Ms Caitlin Campisi
Mr. Ben Coleman
Mr. Jeff Collins
Ms Janet L. Ecker
Ms Susan Froom
Mr. Gary D. Goldberg
Professor Avrum I. Gotlieb
Professor William A. Gough
Professor Hugh P. Gunz
Ms Alexandra Harris
Ms Zabeen Hirji
Professor Edward Iacobucci
Ms Claire M.C. Kennedy
Mr. Nykolaj Kuryluk
Mr. Brian D. Lawson
Ms Nancy Carolyn Lee
Dr. Gary P. Mooney
Mr. John Paul Morgan
Ms Padraigin Murphy
Ms Susan Murray
Ms N. Jane Pepino
Professor Elizabeth Peter
Professor Cheryl Regehr
Ms Catherine Riddell

Mr. Mark Henry Rowswell
Professor Hargurdeep Saini
Professor Andrea Sass-Kortsak
Professor Elizabeth M. Smyth
Professor Salvatore M. Spadafora
Professor Janice Gross Stein
Mr. W. John Switzer
Mr. Andrew Szende
Professor Nicholas Terpstra
Mr. W. Keith Thomas

Mr. Louis R. Charpentier, Secretary of the
Governing Council

Secretariat:

Ms Mariam Ali
Ms Sheree Drummond
Ms. Cindy Ferencz-Hammond
Mr. Lee Hamilton
Mr. Anwar Kazimi
Mr. Patrick McNeill
Ms Rena Parsan
Ms Amorell Saunders N'Daw
Mr. David Walders

Absent:

Mr. Andrew Girgis
Ms Paulette L. Kennedy
Mr. R. Mark Krembil
Ms Melinda M. Rogers
Mr. Howard L. Shearer
Professor Steven J. Thorpe

In Attendance:

Mr. David Palmer, Vice-President, Advancement
Professor Scott Mabury, Vice-President, University Operations
Professor Jill Matus, Vice-Provost, Students and First-Entry Divisions
Professor Emeritus Joan Foley, University Ombudsperson

Mr. Andrew Arifuzzaman, Chief Administrative Officer, UTSC
Mr. Tad Brown, Senior Legal Counsel, Office of the Vice-President, Advancement and Office of the Vice-President, University Operations
Mr. Garvin Du Four, Assistant Ombudsperson
Ms Nora Gillespie, Senior Legal Counsel, Office of the Vice-President & Provost
Dr. Tony Gray, Director, Strategic Research, Office of the President
Mr. Steve Moate, Senior Legal Counsel, Office of the President
Ms Bryn MacPherson, Assistant Vice-President and Chief of Protocol, President's Office
Ms Archana Sridhar, Assistant Provost
Mr. Connor Aneer, Male Head of Trinity College
Ms Nicole Dionisio, Vice-President, Academics, Scarborough Campus Students' Union
Ms Yolen Bollo-Kamara, President, University of Toronto Students' Union (UTSU)
Ms Tina Saban, Female Head of Trinity College
Mr. Pierre Harfouche, Vice-President, University Affairs, UTSU
Ms Teresa Nguyen, President, Engineering Society
Soaleha Shams, Finance and Governance Commissioner, Graduate Students' Union (GSU)
Ms Kriya Siewrattan, President, Association of Part-time Undergraduate Students (APUS)

IN ACCORDANCE WITH A DETERMINATION BY THE EXECUTIVE COMMITTEE, PURSUANT TO SECTION 38 OF BY-LAW NUMBER 2 OF THE GOVERNING COUNCIL, ITEM 12 ON THE AGENDA WAS CONSIDERED BY THE GOVERNING COUNCIL *IN CAMERA*.

1) Chair's Remarks

The Chair welcomed members and noted an item (Establishment of the position of Vice-President, Communications) was inadvertently omitted from the original agenda although it had been endorsed and forwarded to the Executive Committee for consideration by the Governing Council. Members agreed to proceed with the revised agenda.

The Chair reported that the Lieutenant Governor had issued the order that Ms Shirley Hoy be re-appointed for a period of three years, effective December 3, 2014 and that Ms. N. Jane Pepino be re-appointed for a period of three years, effective September 17, 2014. She congratulated them and thanked them for their continued service to the University. The Chair also congratulated Professor Ed Iacobucci on his appointment as Dean, Faculty of Law (effective January 1, 2015) and announced the Executive Committee's approval (October 22, 2014) of the appointment of Professor Sioban Nelson as Vice-Provost, Faculty and Academic Life, effective January 1, 2015, as well as Professor Nelson's continuation in her current role as Vice-Provost, Academic Programs. Finally, the Chair congratulated Ms Zabeen Hirji for her recent recognition as the 2014 Catalyst Canada Honours Champion, Human Resources/Diversity Leader.

The Chair advised members that speaking requests had been received from the Association of Part-Time Students (APUS), the Engineering Society, the Trinity College Meeting, and the University of Toronto Students' Union (UTSU), with regard to Item #4, Student Societies Summit Report – Administrative Response, and that each group had been allotted three minutes to speak regardless of the number of speakers.

The Chair notified members that at its October 22, 2014 meeting the Executive Committee, had decided that in view of members' ongoing and serious concerns with respect to the proposed Management Agreement and the absence of clear information about options to be considered, even for an information session. It was agreed, however, that the Provost would present options that could be pursued to address the concerns, along with the implications of pursuing the various options, at the Executive Committee's December meeting. She said that the objective was to define options that would facilitate proceeding with the Commons Capital Project and the associated Student Commons Management Agreement. The Chair noted that members of the Executive Committee acknowledged the great value of the Commons Capital Project and the importance of seeing it move forward.

2) Report of the President

The Chair invited President Gertler to give his report.

President Gertler celebrated the opening of the Goldring Centre for High Performance Sport as another milestone in the University's athletics renaissance, and he invited governors to tour the new facility if they had not already taken the opportunity to do so. He then outlined university advocacy efforts at the municipal, provincial and federal levels, noting the recent municipal election results, the Government of Ontario's consideration of improved support for international graduate students, and pending clarification from the Government of Canada regarding the Canada First Research Excellence Fund (CFREF) announced in the federal government's 2014 Budget. He also noted his recent meetings in Ottawa with senior decision-makers and the Association of Universities and Colleges of Canada (AUCC).

President Gertler highlighted his participation, with university colleagues, in the recent Global Cities Conference in São Paulo, Brazil (October 22-24, 2014), which was part of an ongoing research collaboration between the University of Toronto and the University of São Paulo. He noted that the collaboration was a good example of the University's deepening and strengthening strategic partnerships, and that it provided an excellent model for successful international engagement among universities. The President also reported on a very successful breakfast meeting with business leaders in the region.

The president advised members that pursuant to the *Policy on Social and Political Issues With Respect to University Divestment*, the Executive Committee had approved the membership of an *ad hoc* advisory committee to advise the president on possible actions to be taken in response to a well-formed petition and supporting brief from the University of Toronto chapter of Toronto 350.org requesting that the University adopt a policy of divestment from the fossil fuels industry. The president noted that the advisory committee's composition brought together the appropriate range of expertise to provide disinterested and well-considered advice on divestment. He emphasized that the committee's purpose was to advise on appropriate actions to be taken by the University with regard to divestment and also climate change more generally, and not to reprise the debate on whether climate change was occurring.

The president called members' attention to the University's improved performance in the 2014 National Taiwan University (NTU) Rankings, based on research excellence, rising to 4th in the world from 8th the previous year. He highlighted that overall the University of Toronto was experiencing another good year in international university rankings: having attained 24th in the 2014 Academic Ranking of World Universities Shanghai Jiao Tong (from 28th in 2013); 20th in the 2014 Times Higher Education World University Rankings (maintaining its 2013 rank); 20th in the 2014 QS World University Rankings (from 17th in 2013); and, 14th in the 2014 US New and World Report Best Global Universities Rankings. President Gertler affirmed that the University of Toronto was

succeeding in its dual mission of excellence and accessibility, noting that the University was the top ranked public institution in the world according to NTU and the 8th ranked public institution in the world according to Times Higher Education World University Rankings.

The Chair noted that, at the previous meeting, questions had arisen concerning the new location of the Transitional Year Program (TYP), and invited Professor Cheryl Regehr to comment. The Provost stated that she had recently met with TYP students, and that they had expressed excitement about their new location. At the request of the Provost, Professor Scott Mabury, Vice-President, University Operations, addressed the specific questions that were raised at the previous Governing Council meeting concerning accessibility, a complaint of mould in the building, and the removal of asbestos in the building. He informed members that additional electronic key fobs for the wheelchair lift had been provided to those who needed them, that an inspection had revealed no evidence of mould, and that asbestos was normally removed from university facilities whenever they underwent construction or renovation. He added that the normal practice in cases where asbestos was present in sealed and inaccessible places, such as pipe insulation and within plaster ceilings, was to leave it undisturbed until that area became a construction zone.

The Chair invited Professor Jill Matus, Vice-Provost, Students and First-Entry Divisions, to update members on the inter-campus transportation survey. Professor Matus informed members that the survey had been administered in May 2014 following input from student groups and UTSC administrators, and that it had yielded robust data based on the 5000 responses it had received from faculty, staff and students. Most responses focused on either direct university-operated solutions and improved TTC bus service. Professor Matus noted that the survey also indicated that misconceptions existed regarding the UTM shuttle service, with some respondents expressing the incorrect belief that this service was free; in fact, UTM students pay an annual fee for this service, approved by referendum. Professor Matus outlined survey statistics (respondents were comprised of: 13% staff; 5% faculty; 82% students, of which 95% were full-time students, 20% were graduate students, 31% were from UTSC, and 69% were from St. George; over 50% of respondents said their primary mode of transportation was the TTC; only one-third said they were prepared to pay a higher fee for a dedicated university-operated shuttle bus, with nearly 50% saying it should be free of cost). Professor Matus noted that at the time the survey was administered, UTSC had concluded negotiations to increase TTC bus service, which resulted in the introduction of an express bus service between Kennedy Station and UTSC (i.e., the #95 route, also known as the UTSC Rocket), which will be reviewed in 2016. Professor Matus noted that the survey highlighted that travel between campuses was challenging, and informed members that a more complete report would be made available in the near future.

A member noted that UTM students benefit from a U-Pass that was negotiated by the student union to reduce the cost of transit use, and inquired if there had been any discussion of a similar arrangement for UTSC students. Professor Matus noted that the U-Pass solution arose because those students are located in Mississauga, outside of the TTC area of operations, and that therefore an analogous arrangement for UTSC would need to be for all students served by the TTC, which would entail an entirely different model.

3) Report of the University Ombudsperson for the Period July 1, 2013 to June 30, 2014 and Administrative Response

The Chair welcomed Professor Emeritus Joan Foley, the University Ombudsperson, and the Assistant Ombudsperson, Mr. Garvin De Four. The Chair reminded Governors that the University Ombudsperson was responsible to the Governing Council, through its Chair.

Professor Emeritus Joan Foley noted that she was approaching the end of her third term as University Ombudsperson. Professor Emeritus Foley stated that, as she is not seeking renewal and there will be a new appointment to the Office in July 2015, she had endeavoured to include a historical perspective on the Office and its activities in the 2013-14 report. She summarized the work of the Office and described efforts to raise awareness of its services on campus, and called members' attention to the increase in uptake of the Office's services over the past seven years.

A governor asked Professor Emeritus Foley to comment on the quality of the University of Toronto's processes relative to other institutions; Professor Emeritus Foley noted that many other universities experienced much higher caseloads than the University of Toronto, noting that the number of cases experienced by the University of Toronto was commensurate with the numbers reported by much smaller institutions within the system. She observed that achieving greater visibility for the Office was more easily accomplished at smaller institutions.

A governor inquired about breaches of privacy effecting primarily students, and the funding of solutions to improve building accessibility. Professor Emeritus Foley confirmed that, on the former question, actions taken included more frequent reminders to faculty and staff regarding policies and guidelines, and involvement of the University's Office of Freedom of Information and Protection of Privacy in orientation programs. On the issue of funding for accessibility projects, President Gertler noted that gifts received by the University included the expressed wishes of the donors regarding how the money was to be used, and that the University's efforts to find donors for accessibility projects were ongoing.

The Chair thanked Professor Emeritus Foley and her staff for their work. The Chair noted that there would be other opportunities in the coming year to acknowledge Professor Emeritus Foley's contributions, but that she wanted to offer special thanks at the present time, on behalf of governors and the entire University, for her dedicated service in her role as Ombudsperson.

The Chair informed members that the Executive Committee had approved the membership and mandate for the Committee to Review the Office of the University Ombudsperson, and that memorandum to the University community would be forthcoming.

4) Item for Governing Council Approval

- a. **Capital Project: Faculty of Applied Science and Engineering and Faculty of Medicine Translational Biology and Engineering Laboratories in the MaRS Centre Phase 2 Tower: Report of the Project Planning Committee, Project Scope, and Sources of Funding ***
(Arising from Report Number 193 of the Academic Board (October 2, 2014))

The Chair advised members that the total project costs and the sources of funding for the project would be considered during the *in camera* portion of the meeting, and invited Professor Andrea Sass-Kortsak, Chair of the Academic Board, to introduce the item and to make the motion.

Professor Andrea Sass-Kortsak summarized details of the capital project to fit out leased-space on the 16th floor at the MaRS Centre Phase 2 tower to accommodate the research needs of the proposed Translational Biology and Engineering Laboratories (TBEL). As outlined in the proposal, the TBEL was supported by the Institute of Biomaterials and Biomedical Engineering (IBBME), the Faculty of Applied Science and Engineering, and the Faculty of Medicine. In response to a query from a member, Professor Sass-Kortsak confirmed that the lease would be signed by the University with the Government of Ontario.

On motion duly moved, seconded, and carried,

IT WAS RESOLVED

THAT the Project Planning Committee Report for the Faculty of Applied Science and Engineering and Faculty of Medicine Translational Biology and Engineering Laboratories in the MaRS Centre Phase 2 Tower, dated August 6, 2014, be approved in principle; and

THAT the project scope to accommodate the Translational Biology and Engineering Laboratories in the MaRS Centre Phase 2 Tower, totalling 2,220 net assignable square metres (nasm) (3,675 gross square metres (gsm)), to be funded by the Capital Campaign, the Faculty of Applied Science and Engineering and the Faculty of Medicine, be approved in principle.

b. Establishment of the position of Vice-President, Communications

The Chair invited President Gertler to introduce the item and make the motion.

The president described the importance of communicating the University's story effectively, including the University's many accomplishments, how these accomplishments were financed, and why they mattered. He also highlighted the need to articulate the University's perspective when contentious issues arose. As a result, a thorough analysis had been undertaken of the policies and structure of central communications and how they interfaced with divisional communications and campus-based activities, as well as examination of best practices at other institutions. Among the review's recommendations was the creation of a new communications portfolio under the leadership of a Vice-President, Communications, with commensurate modifications to existing reporting structures. The president noted that the changes entailed redeployment of existing resources and that they are therefore expected to be cost-neutral.

On motion duly moved, seconded and carried,

IT WAS RESOLVED

THAT the position of the Vice-President, Communications be established effective immediately.

5) Student Societies Summit Report - Administrative Response

The Chair reminded members that at the September 11, 2014 meeting of the Governing Council the Provost had advised that an administrative response to the Student Societies Summit would be brought forward to the Governing Council in the autumn. She noted that a motion was approved at the Executive Committee meeting on October 22, 2014 to place the Administrative Response to the Student Societies Summit Report on the agenda for the current meeting for information, and called members' attention to that report of the Executive Committee which contained a comprehensive summary of the Provost's presentation and overview of the Administrative Response. The Chair then invited the Provost to address the item.

Professor Regehr provided members with a summary of developments to date, an overview of the Administrative Response, and outlined next steps. Next steps included development of new policy for implementation in the near-term future to enhance the democratic operation of student societies while simultaneously preserving their autonomy and strengthening their accountability to their members, as well as a longer-term policy development initiative to help guide changes that would improve the recognition, restructuring, and evolution of student societies. The Provost noted that, in the coming

months, the Provost's Office intended to begin initial work on developing this policy and that this would include consultations, especially with those student groups that did not directly participate in the Student Societies Summit. The Provost acknowledged that a great deal of work remained to be done, and expressed her confidence that the collaborative and consultative approach she outlined would enhance contributions to the policy development process, facilitating a constructive resolution of issues.

The Chair invited questions from members.

A member expressed support for the Provost's inclusion of APUS, GSU and UTSU in future consultations and inquired if a draft report on proposed policy changes would be provided to student societies prior to the report's entry into governance. The Provost confirmed that the draft policy would be made widely available, per standard practice, and that there would be opportunities to provide comments on the draft policy, which would be considered in its further development. The member commented that Governing Council should intervene only in cases where problems are systematic and long-term, observing that there should be a high threshold for introducing policy in order to preserve the autonomy of student societies, and that a good process was needed that would incorporate student input.

Another member expressed reservations about the inclusion of the St. George Roundtable, and noted that, in her view, there were qualitative distinctions in accountability and process that set apart the student unions that, according to her, operated under the *University of Toronto Act*. The member claimed further that these organizations warranted a degree of autonomy because they were formally incorporated, and were recognized student governments under the tuition framework guidelines for publicly assisted universities.

The Chair invited those students who had been granted speaking privileges to make their remarks.

Ms Kriya Siewrattan commented that APUS had anticipated that they would be contacted by the Provost's Office in summer 2014 for consultations, but that this had not occurred. She indicated that in her view the process to date had been undemocratic. She advised members of a meeting that had occurred over the summer, chaired by SCSU, which had resulted in a draft report on a proposed dispute resolution process, which would include informal dispute resolution, dispute mediation by a board, and off-campus third-party adjudication. She said that this report would be finalized and presented to the Provost in the near future.

Ms Teresa Nguyen advised members that the Engineering Society supported the recommendations of the Student Societies Summit Report, She noted that many students from the St. George campus had expressed serious concerns about the Students' Administrative Council (SAC/UTSU) and that the Engineering Society had tried for many years to improve SAC by working from within. She expressed the view that SAC did not operate openly, transparently, and accountably, particularly in light of its responsibility to manage a \$16 million annual budget.

Mr. Connor Anear and Ms Tina Saban, Male Head of Trinity College and Female Head of Trinity College respectively, expressed support for the Student Societies Summit Report's recommendations and the general principles outlined in the Administrative Response. They highlighted the critical importance of an appeal board, noting that many grievances had arisen in recent years which had never been addressed or resolved. They said that one example of an outstanding issue was the financial relationship between UTMSU and UTSU. In their view the UTSU was not interested in effectively representing the students on the St. George campus. They noted that the recent UTSU

AGM was illustrative of the tension between some St. George students and some UTM students, and said that ten grievances had been put forward.

Mr. Pierre Harfouche, Vice-President, University Affairs, expressed support for a restructuring of UTSU, but stated that the solution should come from within the UTSU rather than through the intervention of the University's Administration.

Ms. Yolen Bollo-Kamara, President, UTSU President advised governors that the motion to restructure the Board at UTSU's AGM had received a majority of votes in support, but that it had not attained the requisite two-thirds majority to pass. She commented on the role of UTSU's AGM as UTSU's final decision-making body, and observed that some students were motivated to become involved in UTSU because they did not feel represented in other bodies. She expressed her belief in the importance of including underrepresented and marginal viewpoints in student government, the examination of issues at an institution-wide level, and the inclusion of broader issues on the student government agenda, such as sustainability.

A governor inquired as to when the draft report referenced by Ms Siewrattan would be completed. Ms Siewrattan said that she expected it would be available by the next Governing Council meeting. Another member observed that, to her knowledge, eight of the ten grievances arising from the UTSU AGM were currently being addressed. A member expressed the view that UTM students were not represented at St. George, that they are not directly involved with the UTSU, and that they felt under attack at the recent UTSU AGM.

CONSENT AGENDA

The Chair noted that of the items listed on the Consent Agenda, one required approval, the report of the previous meeting (Item 6), and that the others were for information only.

Before requesting a motion to have the consent agenda approved, the Chair noted that the Secretary had received a request from a member that item 8(f) - Report Number 467 of the Executive Committee (October 22, 2014) – be removed from the Consent Agenda.

On a motion duly made, seconded, and carried,

IT WAS RESOLVED

THAT the consent agenda be adopted and that the item be approved.

6) Minutes of the Previous Meeting of September 11, 2014

The minutes of the meeting held on September 11, 2014 were approved.

7) Business Arising from the Report of the Previous Meeting

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

8) Reports for Information

Members received the following reports for information:

- a. Report Number 193 of the Academic Board (October 2, 2014)

- b. Report Number 213 of the Business Board (September 22, 2014)
- c. Report Number 183 of the University Affairs Board (September 30, 2014)
- d. Report Number 7 of the University of Toronto Mississauga Campus Council (October 8, 2014)
- e. Report Number 7 of the University of Toronto Scarborough Campus Council (October 15, 2014)
- f. Report Number 467 of the Executive Committee (October 22, 2014)

END OF CONSENT AGENDA

The Chair opened the floor to discussion on Report Number 467 of the Executive Committee. A member indicated that she had hoped to discuss the issue of the Student Commons project at this meeting and that it had been difficult to prepare for this in light of the fact that the Report had only been made available to members the previous day. The Secretary indicated that it was not the normal practice, however, he noted that for this cycle the Executive Committee meeting had taken place a week prior to the Governing Council meeting.

9) Date of Next Meeting – December 11, 2014 from 4:30 to 6:30 p.m.

The Chair reminded members that the next meeting was scheduled for Thursday, December 11, 2014 from 4:30 p.m. to 6:30 p.m.

10) Question Period

There were no questions for members of the senior administration.

11) Other Business

a. Presentation by Student Government Leaders

The Chair advised members that the purpose of the presentation by student government leaders was to provide members with information on their respective organizations – their governance practices, their mandates, aspirations and goals, and current activities, including services and engagement efforts directed to students.

The Chair invited the following leaders to make their presentation:

- Nicole Dionisio - Scarborough Campus Students' Union - Vice-President Academics
- Yolen Bollo-Kamara - University of Toronto Students' Union – President
- Kriya Siewrattan - Association of Part-time Undergraduate Students – President
- Hassan Havili - University of Toronto Mississauga Students' Union – President
- Soaleha Shams - Graduate Students' Union - Finance and Governance Commissioner

Using a series of slides, the student representatives began their presentation by providing a brief account of the long history of activism of the student governments. They summarized their services, structures (e.g., not-for-profit, democratic), priorities, and current advocacy campaigns. They showed a video on the Student Commons project and expressed their shared view that the project would have a meaningful impact on the quality of the student experience on the St. George Campus and that, as such, it needed to move forward.

The Chair thanked the student leaders for their presentation.

THE GOVERNING COUNCIL MOVED *IN CAMERA*.

12) Item for Governing Council Approval

- a. Capital Project: Faculty of Applied Science and Engineering, and Faculty of Medicine, Translational Biology and Engineering Laboratories in the MaRS Centre Phase 2 Tower: Report of the Project Planning Committee, Total Project Cost and Sources of Funding**

On motion duly moved, seconded and carried

IT WAS RESOLVED,

THAT the Faculty of Applied Science and Engineering and Faculty of Medicine Translational Biology and Engineering Laboratories in the MaRS Centre Phase 2 Tower, be approved in principle with a total project cost and as funded from the sources and in the amounts delineated in the memorandum from the Vice-President, University Operations dated October 23, 2014 be approved in principle.

The meeting adjourned at 6:55 p.m.

Secretary

Chair

November 20, 2014