



University of Toronto

OFFICE OF THE GOVERNING COUNCIL

TO: Academic Board

SPONSOR: Dean David Naylor

CONTACT INFO: 946-7810 medicine.dean@utoronto.ca

DATE: March 22 for April 8, 2004 meeting

AGENDA ITEM:

ITEM IDENTIFICATION:

Faculty of Medicine – Constitution Amendments

JURISDICTIONAL INFORMATION:

New or amended divisional constitutions are forwarded by divisional council to the Academic Board for consideration and confirmation by the Executive Committee.

PREVIOUS ACTION TAKEN:

The Constitution was last amended in 1995.

HIGHLIGHTS:

The memorandum from Dean Naylor details the process for reviewing the constitution and lists the changes proposed. The changes include a reduction in the membership from about 230 members to 100 members with the quorum reduced from 25 to 20, a reduction in the number of meetings per year from 6 to 3, and the disbanding of the Faculty Assembly.

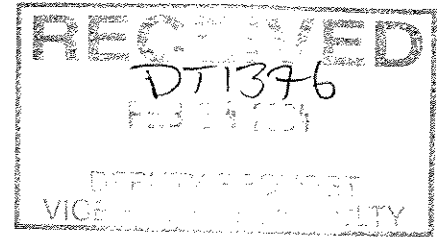
RECOMMENDATION:

It is recommended that the Academic Board approve (for Executive Committee confirmation)

The Constitution of the Faculty of Medicine as amended, dated November 10, 2003.

FACULTY OF MEDICINE
University of Toronto

OFFICE OF THE DEAN



February 16, 2004

Prof. V. Goel.
Interim Vice-President & Provost
University of Toronto
Simcoe Hall room 225
27 King's College Circle.

Dear Prof. Goel, *V. Goel*

Re: Revision of the Constitution of the Faculty Council of the Faculty of Medicine

The Constitution of our Faculty Council requires that the Constitution and by-Laws be renewed at least every ten years. Thus, during 2003, the Agenda Committee of Council and a subcommittee that it established, reviewed these documents and eventually made recommendations for change.

The primary changes recommended to the Constitution are:

- i) A reduction of approximately 50% in the membership of Council to be accompanied by a drop in quorum from 25 to 20 members.

This results in a decrease in membership from about 230 members to about 100. This change was proposed with the intent of involving members of Council more closely in the proceedings of Council and hoping that members would feel a greater sense of responsibility for Council and its mandate if they were fewer in number. The number for a quorum was not reduced proportionately because we assume that members will be more involved, and we did not want policy approved by a very small number of colleagues.

- ii) A reduction in the number of regular meetings from 6 to 3 each year.

This was recommended because the amount of business in recent years does not justify meeting as often as in the past. Extraordinary meetings can still be called as needed.

- iii) The disbanding of Faculty Assembly

The membership of Faculty Assembly currently consists all members of Faculty Council plus all of the teaching staff of the Faculty i.e. as many as 5,100 people. Assembly meets twice a year "To consider the actions of Faculty Council." The quorum of Assembly is 50 people. Attendance at the meetings of Assembly in recent years has not always reached 50 members. Assembly also has the responsibility of approving recommendations of Council with regard to changes in the Constitution.

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Medical Sciences Building
One King's College Circle, Suite 2109
Toronto, Ontario M5S 1A8

Phone (416) 978.6585 Fax (416) 978.1774

**GREAT MINDS FOR
A GREAT FUTURE**

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Because disbanding the Assembly would eliminate the function of a review of the actions of Council, a new clause – Clause XI - has been added to the Constitution , entitled “Dispute of a Motion Passed or Rejected.” Through this new procedure, any 50 members of the teaching staff are enabled to question a resolution recently passed or rejected by Faculty Council. It is felt that this process more than adequately replaces the capability of the present Assembly to “consider the actions of Council.”

The Process

The Agenda Committee of Faculty Council, in reviewing the Constitution and By-Laws took pains to ensure that the process was open and consultative. Thus, the whole period of review was begun with a discussion in Faculty Council seeking members’ views on changes that should be made. When the Constitution Sub-Committee and the Agenda committee had constructed the first draft of the proposed changes, these were discussed by the Standing Committees of Council and by the Dean’s Executive Committee. In addition, the proposed changes were posted on the Faculty website and all members’ attention drawn to them through our weekly newsletter Med-E-Mail. When everyone’s comments had been received, the Constitution sub-Committee and the Agenda Committee made changes to the draft and circulated the document again. In addition to posting on the website, the proposed changes were discussed at a meeting of Faculty Council to give members another chance to recommend changes. Finally, the proposed revisions were brought to the joint meeting of Faculty Council and Faculty Assembly on December 8, 2003.

Approval

At the joint meeting of Faculty Council and Faculty Assembly on December 8, 2003, Council approved the changes to the By-Laws and recommended to Faculty Assembly the proposed changes to the Constitution. Unfortunately, there was not a quorum of members of the Assembly present (quorum required was 50 members) and so the proposed changes to the Constitution could not be considered. In consultation with the Governing Council Secretariat, it was decided to approach the members of the Faculty Assembly and ask them to vote on the proposed changes to the Constitution by e-mail and a website. Thus, an e-mail message was sent to all members of the teaching staff inviting them to access a website specially constructed for the purpose and vote on the proposed changes. Two questions were asked of members:

- i) “Do you approve of Faculty Assembly considering motions electronically?” and
- ii) “Do you approve of the proposed changes to the Constitution of Faculty Council as summarised in the e-mail and as they appear on the Faculty’s website?”

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241 members voted, with 226 of the 241 approving of the use of the electronic process and 215 approving of the proposed changes to the Constitution. This number of votes is substantially greater than the attendance at any Assembly in the last several years.

I am therefore recommending to you that the proposed changes to the Constitution of the Council of the Faculty of Medicine be approved. Please contact me if you have any questions.

Best wishes

Yours Sincerely

A handwritten signature in cursive script, appearing to read "David".

David Naylor, Dean
Faculty of Medicine

encl.

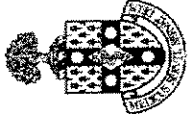


CONSTITUTION OF THE FACULTY OF MEDICINE

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CONSTITUTION OF THE COUNCIL OF THE FACULTY OF MEDICINE

Original		Revision
Authority from the U. of T. Act	I. The Council of the Faculty of Medicine exercises its duties and powers under the provisions of the University of Toronto Act 1971, as amended.	No change
Council to determine its composition and powers	II. Council shall determine its composition and powers, including the numbers, composition and authority of Committees of Council, subject to the provisions of the University of Toronto Act 1971, as amended, and, as required, with the approval of the Governing Council of the University.	No change
Council to determine its rules and regulations	III. Council shall determine rules and regulations for governing its proceedings and those of its committees, including provisions for a quorum at meetings	No change
Authority for academic policy	IV. A. Council has the ultimate authority for the academic policies of the Faculty, subject to the approval of such policies, as required, by the Governing Council. Academic policy sets out the principles for, the general directions of and/or priorities for the teaching and research activities of the Faculty. Decisions on academic policy shall be referred to Council for discussion, advice and approval.	No change
Determine teaching programs	B. Without limiting the generality of the foregoing, among the specific powers, duties and responsibilities of Council are the following:	No change

Original		Revision
	i)	Council shall determine the content and requirements of the teaching programs and courses of study which lead to degrees, diplomas, certificates and credits over which the Faculty has authority.
	ii)	Council shall review and approve proposals to create or terminate academic departments and units of the Faculty. When such proposals have significant implications for other Faculties and Schools of the University, their advice shall be sought.
Academic departments and units		No change
	iii)	Subject to the provisions of A, B i), and ii), Council may delegate its authority over teaching programs and courses of study to various committees and departments, to make minor changes without obtaining the approval of Council. All such changes shall be reported for information to Council. Major changes to any program require the approval of Council.
Delegation of authority over teaching programs		Subject to the provisions of A, B i), and ii), Council may delegate its authority over teaching programs and their component courses of study to its Standing Committees , to make minor changes without obtaining the approval of Council. All such changes shall be reported for information to Council. Major changes to any program require the approval of Council.
	iv)	Recognising that Faculty of Medicine teaching staff are responsible for certain teaching programs and courses of study leading to degrees, diplomas, certificates and credits under the authority of the Councils of other Faculties and Schools of the University, the Dean of the Faculty of Medicine shall seek the advice of the Council of the Faculty of Medicine whenever it is proposed to initiate, terminate or make changes to such programs of instruction, courses of study or academic departments or units that will have major implications for the Faculty of Medicine.
Concerning teaching under the authority of another Council		No change
	v)	Council shall award scholarships, bursaries, prizes and other awards in the gift of the Faculty and may delegate this responsibility to committees or officers of the Faculty.
Awards		No change

Original		Revision
Applications and memorials	vi) Council shall deal with and decide upon all applications and memorials by students and others in connection with the teaching programs and courses of study of the Faculty, subject to an appeal to the Governing Council, and may delegate this responsibility to a committee or committees of Council.	No change
Implications of resource and management proposals	C. Council recognizes that the Dean has authority for the allocation and management of the Faculty's resources. The Dean shall advise Council of the resource implications of proposed academic policy decisions. The Dean shall also advise Council of major management proposals that may have a significant impact on the academic programs of the Faculty.	No change
Option to report to Governing Council	V. Subject to the provisions of the University of Toronto Act 1971, as amended, Council shall report on such matters as it may determine to Governing Council.	No change
Membership of Council	VI. Membership of the Council of the Faculty of Medicine is defined in Appendix A to this Constitution.	No change
Meetings	VII. a) There will be a minimum of six meetings of Council per academic year with the scheduling of the meetings as described in the By-laws.	a) There will be a minimum of three meetings of Council per academic year with the scheduling of the meetings as described in the By-laws.
Quorum	b) <u>Quorum</u> A quorum shall be 25 members	b) <u>Quorum</u> A quorum shall be 20 members
The Faculty Assembly	VIII. The Faculty Assembly	To be disbanded
Functions	<u>Functions:</u> (a) To approve constitutional changes recommended by Council before submission for ratification to the Governing Council of the University.	↓ ↓ ↓ ↓

Original	Revision
(b) To make recommendations to Council. (c) To consider actions of Council. (d) Under exceptional circumstances to vote no confidence in Council.	↓ ↓ ↓ ↓
<u>Memberships:</u> The Faculty Assembly shall consist of the members of the Council of the Faculty of Medicine and the members of the teaching staff of the University whose primary appointments are in the Faculty of Medicine. The Chair of the Assembly is the Dean of the Faculty of Medicine or delegate.	↓ ↓ ↓ ↓
<u>Meetings:</u> The Assembly shall be convened twice a year, once in the fall and once in the spring term, or by the Dean at the request of any 10 members of the Assembly. These meetings may be held jointly with meetings of Council.	↓ ↓ ↓ ↓
<u>Quorum:</u> A quorum shall be 50 members.	↓ ↓ ↓
Dean's authority IX. Council recognizes that the Dean exercises powers under the authority of the "Policy on Appointment of Academic Administrators" as amended from time to time as follows:	No change
Dean is CEO A. The Dean of the Faculty of Medicine is the chief executive officer of the Faculty and reports directly to the Vice-President and Provost or delegate.	No change
Overall direction of the Faculty B. While the Dean may elect to delegate authority to other academic administrators in the Faculty, the Dean retains responsibility for the overall direction of the Faculty and in particular for	No change

Original		Revision
	authority over the budget, appointments and promotions.	
Council's advice concerning academic policy	C. The Dean, who is ultimately responsible for all administrative decisions within her/his jurisdiction and authority, will seek the advice of Council in developing academic policy.	No change
Amendment of the Constitution	X. The Constitution of the Council may only be amended with the approval of the Faculty Assembly and the Governing Council of the University of Toronto. The process is initiated at the Council of the Faculty of Medicine by notice of motion being presented to Council one month before the matter will be considered. After debate on the amendment is complete, an affirmative vote by two-thirds of the members present and voting is required. Following this affirmative vote, the amendment is referred to the Faculty Assembly where an affirmative vote of two-thirds of the members present and voting is also required for approval. Following approval of the amendment by the Assembly, the amendment is forwarded to Governing Council for approval.	X. The Constitution of the Council may only be amended with the approval of the Faculty Council and the Governing Council of the University of Toronto. The process is initiated at the Council of the Faculty of Medicine by notice of motion being presented to Council two weeks before the matter will be considered. After debate on the amendment is complete, an affirmative vote by two-thirds of the members present and voting is required. Following approval of the amendment by the Council , the amendment is forwarded to Governing Council for approval.
Dispute of a Motion Passed or Rejected	XI. New Clause	XI. If the situation arises in which some members of the full-time teaching staff of the Faculty of Medicine wish to dispute a motion passed or rejected by Faculty Council, then, providing there are at least 50 members of the full-time teaching staff of the Faculty who are thus determined, they shall have recourse as specified in the By-Laws of Faculty Council.

APPENDIX A

MEMBERSHIP OF COUNCIL

as of April 2003

Constituency Title		Revision	
Original			
1. President	1	No change	1
2. Provost or delegate	1	No change	1
3. University Librarian or delegate	1	No change	1
4. Deans of other Faculties	6	(Arts and Science, Dentistry, School of Graduate Studies, Nursing, Pharmacy, Physical Education and Health and Social Work)	7
5. Dean of the Faculty of Medicine	1	No change	1
6. Vice-Dean	1	No change	1
7. Associate Deans	4	No change	4
8. Departmental Chairs	26	Reduced	10
(a) Basic Sciences	9	(a) Banting and Best, Biochemistry, Immunology, Medical Biophysics, Medical Genetics and Microbiology, Nutritional Sciences, Physiology	3
(b) Clinical Sciences	12	(b) Anaesthesia, Family and Community Medicine, Medical Imaging, Laboratory Medicine and Pathobiology, Medicine, Obstetrics and Gynaecology, Otolaryngology, Paediatrics, Psychiatry, Radiation Oncology, Surgery	5
(c) Community Health	2	(c) Health Policy, Management & Evaluation, Public Health Sciences	1
(d) Rehabilitation Sciences	3	(d) Occupational Therapy, Physical Therapy, Speech-Language Pathology	1
9. Directors and Other Chairs	3	Deleted	
10. Speaker and Deputy Speaker	2	No change	2
11. Chairs of Standing Committees*	10	Reduced	6
12A. Elected Representatives of Basic Science Departments	18	Reduced	8
12B. Elected Representatives of Basic Science Sector	8	Deleted	0
13A. Elected Representatives of Clinical Science Departments	24	Reduced	12
13B. Elected Representatives of Clinical	10	Deleted	0

Original			Revision
	Science Sector		
14A.	Elected Representatives of the Community Health Departments	4	Reduced 2
14B.	Elected Representatives of the Community Health Sector	6	Deleted 0
15A.	Elected Representatives of the Rehabilitation Science Departments	6	Reduced 3
15B.	Elected Representatives of the Rehabilitation Science Sector	6	Deleted 0
16.	Elected Representatives of the Faculty at Large	28	Reduced 14
17.	Elected Student Representatives	51	Reduced 19 - [Undergraduate Medicine (12), Radiation Sciences Program (1), Postgraduate Medicine (1), Graduate (5)]
18.	Alumni Representatives	9	Reduced 2 - Medicine (2)
19.	Chief Executive Officers of Affiliated Teaching Hospitals	1	No change 1
20.	Representative of Public Health Teaching Units	1	No change 1
21.	Faculty Representatives on Governing Council*	2	No change 2
22.	Faculty Representatives on Academic Board*	11	No change 11
23.	Administrative Staff	4	Reduced 2

* If not otherwise on Council, shall be members *ex officio*
The Chair of the Board of Examiners OT/PT Programs to continue until September 2004

