



TO: Members of the Academic Board

SPONSOR: Louis Charpentier, Secretary of the Governing Council

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DATE: May 15, 2012 for May 31, 2012

AGENDA ITEM: 7i

TITLE OF ITEM OF BUSINESS: Constitutional Amendments: Faculty of Law

ACTION:

For Approval

JURISDICTIONAL INFORMATION:

The Governing Council has the authority to establish faculty and college councils and to determine the composition, powers, and duties of those councils under the provisions of the *University of Toronto Act, 1971*, Section 2 (14)(i).

Section 5.2.2 of the Academic Board's terms of reference calls for amended divisional constitutions to be considered by the Board and confirmed by the Executive Committee. Amendments to By-laws are approved by divisional councils.

PREVIOUS ACTION TAKEN:

On October 28, 2010, the Governing Council approved in principle the [Report of the Task Force on Governance](#) and the 32 recommendations outlined in the *Report*. Recommendation 15 provides for the re-distribution of and greater delegation of responsibilities. Specifically, the Task Force recommended that, as a guiding principle, transactional matters be delegated to either the lowest appropriate level within governance, or where appropriate, to the administration, with reporting back of decisions to a suitable level of governance.

An Implementation Committee, established by the Governing Council in October 2010 and led by then Vice-Chair Richard Nunn, was charged with overseeing and coordinating implementation of the Task Force's recommendations, ensuring appropriate participation among relevant bodies of governance, administrative offices and the Secretariat.

At the same time, and in line with the work of the Task Force on Governance, the University approved a new policy governing the Approval and Review of Academic Programs and Units

PREVIOUS ACTION TAKEN (cont'd)

(June 24, 2010) and developed the University of Toronto Quality Assurance Process (UTQAP) which was approved by the Ontario Universities Council on Quality Assurance on March 31, 2011. The UTQAP reflects the delegation to universities of an important degree of responsibility and authority over the quality of their academic programs. At the same time it provided a new definition of categories of academic change and envisaged the delegation to Faculty Councils of an important degree of authority and responsibility for that academic change.

Together, these two processes culminated in revisions to Board and Committee Terms of Reference and led to Governing Council approval in May 2011 of the re-alignment of responsibilities among the Committee on Academic Policy and Programs, the Planning and Budget Committee, the Academic Board and the divisional councils with respect to academic program review and approval.

In June, 2011, Principals and Deans were advised of the need for amendments to the constitutions of the academic divisions arising from changes to the approval processes for proposals for new academic programs and modification of existing programs. During the summer and early fall, 2011, representatives from the Office of the Governing Council and the Office of the Vice-President and Provost met with divisional representatives to discuss the required constitutional and related by-laws changes as well as the implications for divisional processes. Updated templates for divisional constitutions and by-laws were provided in order to enable greater consistency across the University, and divisional representatives were encouraged to draw freely from the templates when drafting revisions to their documents.

In the fall of 2011, the Faculty of Law began the process of drafting a resolution that incorporated the delegated authority to approve proposals for major and minor modifications to existing academic programs and modifications to existing diploma and certificate programs. The proposed resolution was sent to the Director, Academic Programs and Policy and the Office of the Governing Council for feedback on February 21, 2012. The Faculty of Law adopted revisions pursuant to feedback provided. On February 27, 2012 the Faculty of Law was informed that the Provost's Advisory Group had accepted the language of the resolution, and the resolution was posted in advance of the Law Faculty Council meeting of February 29, 2012. The resolution was scheduled for information and discussion on February 29, and further discussion and a final vote took place at the Law Faculty Council meeting of March 21, 2012. It was adopted unanimously at the March 28, 2012 meeting.

HIGHLIGHTS:

The Faculty of Law included in its resolution the following powers and duties of Council.

- **Academic Programs**
 - Council's responsibility for overseeing the content of academic programs and courses of study that lead to degrees, diplomas, certificates, credit and non-credit courses over which the Faculty has authority.
 - Council's authority to recommend for approval to the appropriate body of Governing Council proposals for new academic programs.
 - Council's delegated authority to approve proposals for major and minor modifications to existing academic programs. (Definitions of major modifications of existing programs, minor modifications, and new academic programs are provided in the *University of Toronto Quality Assurance Process* and are subject to change.)
 - Council's delegated authority to approve proposals for the modification of existing diploma and certificate programs, pursuant to the University's *Policy on Diploma and Certificate Programs*.

- **Delegation of Authority**

Council's ability to delegate its authority for the approval of minor modifications to academic programs to various committees. All such changes must be reported for information to Council.

- **Transcript Notations**

Council's delegated authority to approve transcript notations within existing degree programs, in accordance with University policy. An annual report on such actions, as required by policy, must be provided for information to the appropriate body of Governing Council.

No amendments or other resolutions were considered.

BUDGETARY/FINANCIAL IMPLICATIONS:

N/A

ACTION:

Be It Recommended

THAT, subject to confirmation by the Executive Committee, the amended Constitution of the Faculty of Law, which was approved by the Council of the Faculty of Law on March 28, 2012, be approved.