

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
**REPORT NUMBER 348 OF
THE EXECUTIVE COMMITTEE**

Tuesday, May 21, 2002

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Tuesday, May 21, 2002 at 5:00 p.m. in the Board Room, Simcoe Hall, with the following members present:

Ms Wendy M. Cecil (In the Chair)	Mrs. Susan M. Scace
Professor Robert J. Birgeneau, President	Ms Heather C. Schramm
Dr. Robert M. Bennett *	Dr. Thomas H. Simpson
Mrs. Mary Anne V. Chambers	
Professor Brian Corman	Non-Voting Member:
Professor W. Raymond Cummins	Mr. Louis R. Charpentier
Professor Brian Langille	
Ms Karen Lewis	Secretariat:
Mr. Gerald A. Lokash	Ms Cristina Oke
Mr. Kashif Pirzada	
Dr. Joseph L. Rotman	

In Attendance:

Professor Jack Carr, Chair, Academic Board
Mr. Amir Shalaby, Chair, Business Board
Mr. David Melville, Member, Governing Council
Ms Geeta Yadav, Member, Governing Council
Professor Adel S. Sedra, Member, Governing Council and Vice-President and Provost
Mr. Felix P. Chee, Vice-President, Business Affairs **
Dr. Beata FitzPatrick, Director of the Office of the President and Assistant Vice-President
Professor David Naylor, Dean of Medicine and Vice-Provost, Relations with Health Care
Institutions ***

Add to the Agenda

On motion duly moved and seconded, two external appointments were added to the agenda.

Vary the Agenda

On motion duly moved and seconded, the order of the agenda was varied to allow the consideration of the Proposed Memorandum of Understanding between the University and the Teaching Hospitals Affiliated with the University after agenda item 3.

* not present for Item 2 (a)

** not present for Item 2 (c)

*** present only for item 4.

On motion duly moved and seconded,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and (f) of By-Law Number 2, consideration of agenda items 1, 2, 3 and 4 take place *in camera*, with the Board Chairs, Mr. Chee, Professor Sedra, and Dr. FitzPatrick admitted to the meeting for appropriate items to facilitate the work of the Committee.

1. Naming Proposal

The Executive Committee considered a recommendation from the President for a naming.

Following discussion,

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

The recommendation for a naming contained in the letter from the President dated May 17, 2002.

The naming would remain strictly confidential until a public announcement was made.

2. External Appointments

(a) Hart House

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Dr. Robert M. Bennett be re-appointed to the Hart House Board of Stewards for a one-year term, July 1, 2002 to June 30, 2003.

THAT Mr. James Myers be re-appointed to the Hart House Finance Committee for a one-year term, July 1, 2002 to June 30, 2003.

(b) Sunnybrook and Women's College Health Sciences Centre (S&WCHSC)

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the following be appointed to the Board of Directors of Sunnybrook and Women's College Health Sciences Centre for a three year term effective July 1, 2002: Ms Heather Reid and Mr. John L. Sherrington.

2. External Appointments (cont'd)

(c) University of Toronto Innovations Foundation

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Mr. Felix P. Chee be appointed to the Board of the University of Toronto Innovations Foundation effective June 1, 2002 until December 31, 2002 or until the next Vice-President, Research and International Relations, takes office, whichever comes first.

(d) University Health Network

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Professor Carolyn Tuohy, Vice-President, Policy Development and Associate Provost, and Interim Vice-President, Research and International Relations, be named to the University Health Network Board of Trustees, effective June 1, 2002 until December 31, 2002 or until the next Vice-President, RIR, takes office, whichever comes first.

3. Board and Committee Assignments

On motion duly moved and seconded,

YOUR COMMITTEE RECOMMENDS

THAT the Board and Committee assignments for 2002-2003, as described in Appendix "A" hereto, be approved.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT, pursuant to Section 38 and 40 of By-Law Number 2, the recommendation be considered by the Governing Council *in camera*.

3. Board and Committee Assignments (cont'd)

It was noted some positions were yet to be filled and, ideally, would be brought to the June 17th Executive Committee and June 27th Governing Council meetings. They included the following:

- Positions had been reserved for vacancies among the Lieutenant Governor in Council appointees and were noted as TBA assignments;
- Nominations had been re-opened for the position of a part-time undergraduate/graduate student on the Executive Committee in 2002-03. The Executive Committee would consider nominations for that seat at its meeting on June 17, 2002;
- A recommendation for the position of Vice-Chair of the University Affairs Board had not been finalized.

4. Proposed Memorandum of Understanding between the University and the Teaching Hospitals Affiliated with the University

The Committee received for information the proposed *Memorandum of Understanding between the University and the Teaching Hospitals Affiliated with the University*. The President indicated that the *Memorandum of Understanding* did not change or depart in any way from existing policies and practices, but served to reconfirm the mutually supportive relationship that existed between the University of Toronto and its affiliated teaching hospitals. The *Memorandum* was being presented for information to brief members on the activities that were being undertaken prior to proposals for change being brought forward to governance.

THE COMMITTEE MOVED INTO CLOSED SESSION.

5. Report of the Previous Meetings

Report Number 347 of the Executive Committee meeting held on April 24, 2002 was approved.

6. Business Arising from the Report of the Previous Meeting

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

7. Minutes of the Governing Council Meeting held on May 2, 2002

The Committee received for information the minutes of the Governing Council meeting held on May 2, 2002.

8. Business Arising from the Governing Council Meeting

The Chairman noted that the Notices of Motion given at the Governing Council meeting would be considered later in the agenda. There was no other business arising from the Governing Council meeting.

9. Report of the President

The President reported briefly on the following matters.

(a) Provincial Government Relations

The President informed members that there had been indications in the Throne Speech, and in other conversations, that universities would receive full average funding from the Province for their higher enrolments. This was also expected to include this year's shortfall in funding for the additional students. He noted, however, that this would not be confirmed until the provincial budget was announced. There had been no commitment to capital funding for universities, and no mention of funding for inflation.

The President reported that the province was proposing a second round of Ontario Student Opportunity Trust Funds (OSOTF) awards. The President indicated that he and Professor Tuohy would be meeting with the Honourable Jim Flaherty, Minister of Enterprise, Opportunity and Innovation, and would be encouraging the government to replenish its investments in such programs as the Ontario Innovation Trust (OIT) and the Ontario Research and Development Challenge Fund (ORDCF).

(b) Federal Government Relations

The President described the importance that the federal government placed on universities as a source of new ideas that would benefit the Canadian economy. He reported that a small group of university presidents was being assembled to determine the quantitative needs of universities with respect to research.

The President told members of his meeting with the Presidents of the three granting councils. He also indicated that he had served recently on the Natural Sciences and Engineering Research Council (NSERC) Reallocations Committee, and briefly described its mandate.

(c) Vice-President, Research and International Relations Search Process

In response to a question from a member, the President indicated that Professor Munroe-Blum was preparing an overview report on her portfolio. A review committee would be struck to review the office and a search undertaken in the fall.

(d) Innovations Foundation

In response to a question from a member, the President noted that the Innovations Foundation, with its goal of maximizing the impact of research and capitalizing on unique opportunities, was ahead of its initial plan, but that some other Canadian universities were further ahead in the area of commercialization than the University of Toronto.

10. Item for Confirmation by the Executive Committee

(Arising from Report Number 112 of the Academic Board (May 7, 2002))

Professor Carr explained that the University of Toronto at Scarborough (UTSC) proposed to offer a third joint program with Centennial College in Paramedicine. Graduates would receive both an honours bachelor's degree and a diploma and would be eligible to write the Ministry of Health's examination to qualify to practice as a paramedic. This proposal had been discussed with the Faculty of Medicine. Costs associated with the programs would be met from the UTSC Enrolment Growth Fund allocation.

10. Item for Confirmation by the Executive Committee (cont'd)

A member commented on the number of joint programs that the university had established with community colleges, and asked whether the university had a particular strategy with respect to these programs. Professor Sedra replied that the University did not actively seek joint programs, but established them when such a program complemented current course offerings of the University.

A member expressed concern that the University was expanding into new areas rather than focusing on areas of current excellence, and asked whether such expansion was appropriate given the University's vision and mission. Professor Sedra replied that the joint programs used existing courses to support the interest of students and to assist them in obtaining professional education. The President added that current joint programs served the mission of the University, but that it might be appropriate to examine this matter.

A member noted the variety of continuing education non-credit programs that were offered by the university, and commented that such programs served a purpose. She cautioned members about limiting the University's options. Another member supported the idea of examining within governance the questions that had been raised in discussion of this matter.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED

THAT the proposal for the establishment of a new Specialist Program in Paramedicine, offered jointly with Centennial College, as described in the submission from the University of Toronto at Scarborough, dated April 10, 2002, as amended, a copy of which is attached to Report Number 112 of the Academic Board as Appendix "C" be approved, effective September, 2003.

11. Items for Endorsement and Forwarding to the Governing Council**(a) Item 4: Copyright Policy**

Professor Carr informed the members that this new Copyright Policy had grown out of the work of the Task Force on Intellectual Property relating to Instructional Media. The Committee on Academic Policy and Programs had had a good discussion of the new policy and the Academic Board had heard a presentation from the President of the University of Toronto Faculty Association (UTFA) to which Dr. Munsche had responded. The proposal, if approved, would create a new policy, repeal the old policies on copyright and computer software and amend the policy on inventions.

A member asked whether the proposed exclusion of works arising out of the research or instructional activities of faculty or librarians and the definition of substantial use of university resources were in the University's best interest. Professor Sedra replied that the home unit of the faculty member would have the best understanding of the faculty member's work and use of university resources.

11. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(a) Item 4: Copyright Policy (cont'd)**

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

1. THAT the University of Toronto Copyright Policy, dated April 9, 2002, a copy of which is attached to Report Number 112 of the Academic Board as Appendix "A", be approved.
2. THAT the University of Toronto Policy on Copyright and Other Proprietary Rights (May 19, 1977) and the University of Toronto Policy on Computer Software (April 14, 1988) be repealed.
3. THAT the University of Toronto Inventions Policy be amended as outlined in the memorandum from Vice-President Heather Munroe-Blum, dated April 8, 2002, a copy of which is attached to Report Number 112 of the Academic Board as Appendix "B".

(b) Item 6: Enrolment Expansion – Update

(Arising from Report Number 112 of the Academic Board (May 7, 2002))

Professor Carr noted that Professor McCammond had given a very effective overview of the enrolment expansion issue. A copy of his presentation was attached to the Academic Board report. Board members had asked questions about planning for the increased numbers in terms of new programs and support, ongoing discussions with the government, communication strategies and opportunities to increase the quality of the student body.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

1. THAT the enrolment expansion as described in Figure 3 of the report *Update on Enrolment Expansion*, dated April 8th, 2002, a copy of which is attached to Report Number 112 of the Academic Board as Appendix "E" be approved in principle, and
2. THAT the principles for allocation of resources as described in the section entitled RESOURCE IMPLICATIONS and detailed in Appendix A of the report be approved.

11. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(c) Item 7: Capital Project: University College Residence - Project Planning Report**

(Arising from Report Number 112 of the Academic Board (May 7, 2002) and Report Number 107 of the University Affairs Board (April 30, 2002))

The Provost reported that following consideration by Planning and Budget, Academic Board and University Affairs Board, the University had been in discussion with the City of Toronto. As a result of these discussions, greater massing would be required on one of the two proposed sites (the parking lot) while the other (the Sir Daniel Wilson quadrangle) would not be used. Consequentially, the following motion was withdrawn by the administration with the view to bringing forward revised plans at a later date:

1. THAT the Project Planning Report for the University College Residence Expansion, dated April 8, 2002, a copy of which is attached to Report Number 112 of the Academic Board as Appendix "F" be approved in principle;
2. THAT the project scope totaling some 10,708 gross square metres, allowing for the addition of a north/south wing to complete the eastern edge of the Sir Daniel Wilson residence quadrangle, and using an approved building site (Site 22) and an area currently zoned University Open Space requiring municipal approvals be approved; and,
3. THAT the project cost of \$31.100 million be approved, with the funding sources as follows:
 - (i) Donation from University College of \$3.0 million,
 - (ii) University College ancillary operation allocation of \$2.385 million,
 - (iii) University Infrastructure Investment Fund of \$1.3 million, and
 - (iv) Financing in the amount of \$24.407 million to be repaid from residence fees over a 25-year amortization period.

12. Notices of Motion

The Chairman noted that three notices of motion had been given at the May 2nd meeting of the Governing Council.

(a) Notice of Motion regarding Ticketing

The following notice of motion had been given:

(a) Be It Resolved

That, in accordance with section 2(18) of the *University of Toronto Act* which states that the meetings of Governing Council "shall be open to the public" and that "no person shall be excluded therefrom except for improper conduct;" Governing Council immediately terminate any system of ticketing for access to meetings of Governing Council or its Boards and Committees, and that the Executive Committee's decision to implement a ticketing system be declared null and void.

12. Notices of Motion (cont'd)**(a) Notice of Motion regarding Ticketing (cont'd)**

Invited to comment, the member who had given the Notice of Motion encouraged members to place the Notice of Motion on the agenda of the Governing Council in order to have a debate by the Council on the matter of ticketing.

Invited to comment, the Secretary took a different interpretation of Section 2 (18) of the *Act*, citing an opinion from the University's solicitors. Meetings of the Governing Council continued to be open to the public; ticketing was only a means of managing room capacity. The Governing Council had the right to select its seat of assembly and the current venue, the Council Chamber, had formerly been the venue for the University's Senate. Its continued use was appropriate.

A member commented that, while he rejected the two extremes of no ticketing or the current ticketing method, he would appreciate a serious discussion of ticketing and how it could best be implemented. Another member stated that, in his opinion, there had been a discussion of ticketing at the May 2nd meeting of the Governing Council in which all members had an opportunity to speak.

A member spoke in opposition of placing the motion on the agenda. He agreed that the issue should be discussed and a variety of options considered. Another member suggested referring the matter to the University Affairs Board. A member suggested that, since ticketing had been established by the Executive Committee, the Executive Committee should re-examine the issue and ask the Secretary to bring a list of options to the next meeting of the Committee. Another member asked for information on how other universities handled attendance at meetings.

A member of the Governing Council stated that she agreed with the ideas that had been expressed and was willing to amend her notice of motion. She suggested that ticketing be eliminated now, and reconsidered, based on alternatives.

The member of the Committee said that the matter had been considered twice, and that he did not see how anything would be accomplished by an additional review. Another member commented that the matter should be discussed until a workable solution had been found.

At the suggestion of the Chairman, the member of the Governing Council withdrew her notice of motion on the understanding that the matter of ticketing would be placed on the agenda of the next Executive Committee meeting.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Executive Committee request that the Secretary of the Governing Council examine the issues associated with attendance at meetings of the Governing Council, and examine and evaluate options available to address the issues identified.

It was agreed by the Committee that ticketing would continue for the June 3rd meeting of the Governing Council. If a reserved seat remained vacant for 15 minutes after the start of the meeting, it would become available to any guests waiting for admission to the Council Chamber.

12. Notices of Motion (cont'd)

(b) Notice of Motion regarding Faculty of Law Bursary

The following notice of motion had been given:

Be It Resolved

THAT there be established a Faculty of Law Alumni Bursary Fund, designed to be eligible for matching funds from the Province of Ontario, if any, which, once the Faculty exceeds the annual alumni donations projected in the Strategic Plan, will be used to fund tuition fee rebates.

(c) Notice of Motion regarding the separation of elements of the tuition fee schedule

The following notice of motion had been given:

That, for next year's tuition fee schedule and budget, any proposed increases in excess of 5% be considered separately.

It was agreed that the two notices of motion would be considered together. It was suggested that a possible breakdown of the tuition fee schedule would be into regulated and de-regulated programs.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the following motions be referred to the Vice-President and Provost for a response by the end of September 2002, to be considered during the first governance cycle of 2002-03:

THAT there be established a Faculty of Law Alumni Bursary Fund, designed to be eligible for matching funds from the Province of Ontario, if any, which, once the Faculty exceeds the annual alumni donations projected in the Strategic Plan, will be used to fund tuition fee rebates.

THAT, for next year's tuition fee schedule and budget, any proposed increases in excess of 5% be considered separately.

13. Terms of Reference

It was agreed that the proposed revised Terms of Reference for the Executive Committee would be considered at the meeting scheduled for June 17, 2002.

14. Reports for Information

Members received in their agenda packages the following reports:

Report Number 112 of the Academic Board (May 7, 2002)

Report Number 107 of the University Affairs Board (April 30, 2002)

The following report was placed on the table:

Report Number 118 of the Business Board (May 6, 2002)

15. Date of Next Meeting

The Chairman reminded members that the Committee's next regular meeting was scheduled for Monday June 17 at 5 pm.

The meeting adjourned at 7:00 p.m.

Secretary

May 27, 2002

Chairman