

UNIVERSITY OF TORONTO  
**THE GOVERNING COUNCIL**

**Thursday, June 26, 2003**

MINUTES OF THE GOVERNING COUNCIL meeting held on Thursday, June 26, 2003  
at 4:00 p.m. in the Council Chamber, Simcoe Hall.

**Present:**

Dr. Thomas H. Simpson (In the Chair)  
Ms Rose M. Patten, Vice-Chair  
The Honourable Henry N.R. Jackman,  
Chancellor  
Professor Robert J. Birgeneau, President  
Professor Mary Beattie  
Dr. Robert M. Bennett  
Professor Philip H. Byer  
Professor W. Raymond Cummins  
Mr. Brian Davis  
Dr. Claude S. Davis  
Professor Sherwin S. Desser  
Dr. Alice Dong  
Dr. Inez N. Elliston  
Ms Susan Eng  
Dr. Shari Graham Fell  
Professor Luigi E. Girolametto  
Dr. Gerald Halbert  
Professor Michael R. Marrus  
Professor Ian R. McDonald  
Mr. David L. Melville

Mr. Sean Mullin  
Mr. Colm J. Murphy  
Dr. John P. Nestor  
Professor Shirley C. Neuman  
Mr. Elan Ohayon  
Ms Jacqueline C. Orange  
Mr. Joshua S. Paterson  
Mr. Chris Ramsaroop  
Mr. Timothy Reid  
Mrs. Susan M. Scace  
Mr. Amir Shalaby  
Professor John H. Wedge  
Mr. Robert S. Weiss  
  
Mr. Louis R. Charpentier, Secretary of  
Governing Council  
  
Secretariat:  
  
Mr. Neil Dobbs  
Ms Cristina Oke

**Absent:**

Mr. Mark R. Braun  
Professor Brian Corman  
The Honourable William G. Davis  
Dr. Paul V. Godfrey  
Ms Durré Hanif  
Professor Ellen Hodnett  
Ms Shirley Hoy  
Professor David J.A. Jenkins  
Professor Brian A. Langille

Ms Karen Lewis  
Mr. George E. Myhall  
Mr. John F. (Jack) Petch  
The Honourable David R. Peterson  
Dr. Joseph L. Rotman  
Ms Carol Stephenson  
Mr. John H. Tory  
Professor Carolyn H. Tuohy

**In Attendance:**

Mr. Muhammad Ahmad, Member-elect, Governing Council  
Mr. Mike Foderick, Member-elect, Governing Council  
Mr. Felix Chee, Vice-President, Business Affairs  
Dr. Jon Dellandrea, Vice-President and Chief Advancement Officer  
Professor Angela Hildyard, Vice-President, Human Resources  
Dr. Sheldon Levy, Vice-President, Government and Institutional Relations  
Professor Ian Orchard, Vice-President and Principal, University of Toronto at Mississauga

**In Attendance** (cont'd):

Professor Rona Abramovitch, Director, Transitional Year Program  
 Ms Susan Addario, Director, Student Affairs  
 Mr. Dan Bandurka, President, Scarborough Campus Students' Union  
 Mr. John Bisanti, Chief Capital Projects Officer  
 Ms Sheila Brown, Acting Chief Financial Officer  
 Mr. Ken Duncliffe, Director, Centre for Physical Education, Athletics and Recreation,  
 University of Toronto at Mississauga  
 Professor David Farrar, Vice-Provost, Students  
 Dr. Beata FitzPatrick, Director of the Office of the President and Assistant Vice-President  
 Professor Vivek Goel, Deputy Provost, and Vice-Provost, Faculty  
 Ms Georgina L. Gray, Director of University Events and Presidential Liaison  
 (Advancement)  
 Mr. Andrij Harasymowycz, President, University College Literary and Athletic Society  
 Ms Lesley Lewis, Assistant Provost and Special Assistant to the Provost  
 Professor Derek McCammond, Vice-Provost, Planning and Budget  
 Mr. Mark Overton, Dean of Student Affairs and Assistant Principal, University of Toronto at  
 Mississauga  
 Professor Paul Perron, Principal, University College  
 Mr. Pierre Piché, Acting Controller  
 Ms Judith Pöe, Vice-President, Grievances, University of Toronto Faculty Association  
 Ms Maureen Somerville, Chair, College of Electors  
 Professor Ronald Venter, Vice-Provost, Space and Facilities Planning  
 Ms Nicole Wahl, Department of Public Affairs

**Chair's Remarks**

The Chair noted that at its meeting held immediately prior to the Governing Council meeting, the Executive Committee had determined that a recommendation for a senior appointment be placed on the agenda in the *in camera* session. Accordingly, a revised agenda had been placed on the table. The Chair indicated that, pursuant to Section 38 of *By-Law Number 2*, the Executive Committee had determined that items 1, 2 and 3 would be considered by the Governing Council *in camera*.

**1. Board and Committee Assignments 2003-2004**

The Vice-Chair reminded members that, at the previous meeting, Council had approved all Board and Committee assignments except those for the Executive Committee. The membership of the Executive Committee and the appointment of a Chair of the Elections Committee were being presented for approval at this time.

On motion duly moved and seconded,

It was Resolved

- (a) THAT the following members of the Governing Council be appointed to serve on the Executive Committee of the Governing Council for the academic year 2003-2004:

Mr. R. Bennett	Mr. M. Hashim	Ms R. Patten
Professor P. Byer	Ms K. Lewis	Mr. J. Petch
Ms S. Eng	Professor M. Marrus	Dr. J. Rotman
Mr. M. Foderick	Professor I. McDonald	Ms S. Scace

**1. Board and Committee Assignments 2003-2004 (cont'd)**

- (b) THAT Professor M. Marrus be appointed Chair of the Elections Committee for the academic year 2003-2004.

**2. Committee for Honorary Degrees: Membership**

On motion duly moved and seconded,

It was Resolved

THAT the following membership on the Committee for Honorary Degrees for 2003-2004 be approved:

**Administrative Staff**

Ms V. Melnyk, Faculty of Arts and Science

**Lay Members**

Dr. S. Graham Fell

Dr. J. Rotman

Mr. K. Taylor

**Students**

Mr. D. Bandurka, part-time, University of Toronto at Scarborough

Mr. A. Chapnick, graduate, Department of History

**Teaching Staff**

University Professor M. Collins, Faculty of Applied Science and Engineering  
(Department of Civil Engineering)

Professor B. Langille, Faculty of Law

Professor J. Paterson, Faculty of Arts and Science (Department of French)

University Professor Janet Rossant, Faculty of Medicine (Department of  
Medical Genetics and Microbiology)

**3. Senior Appointment**

On motion duly moved and seconded,

It was Resolved

THAT Ms Christina Sass-Kortsak be appointed to the position of Assistant Vice-President, Human Resources, effective September 2, 2003, subject to the terms and conditions of the appointment being approved by the Senior Salary Committee.

THE GOVERNING COUNCIL MOVED INTO OPEN SESSION.

**4. Chair's Remarks**

The Chair welcomed members and guests to the meeting and reported on the senior appointment approved during the *in camera* session of the meeting. He reminded members that the open session portion of the meeting was being broadcast on the web.<sup>1</sup>

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<sup>1</sup> The open session portion of Governing Council meetings is broadcast over the World Wide Web. It is accessible at <http://www.utoronto.ca/govcncl/>.

## 5. Minutes of the Previous Meetings

The Chair noted that the Minutes of the previous meeting held on May 29, 2003 had been distributed by email the previous day.

On motion duly moved and seconded,

It was Resolved

THAT the minutes of the May 29, 2003 meeting be approved.

## 6. Business Arising From the Minutes of the Previous Meetings

The Chair recalled that a notice of motion had been given at the May 29, 2003 meeting of the Council. A record of the disposition of this notice was contained in the Report Number 363 of the Executive Committee, pages 9 and 10.

## 7. Report of the President

The President indicated that his report would be brief, given the length of the agenda and the time constraints for the meeting.

The President noted that his report on the provincial government's proposal to eliminate mandatory retirement and the Canada Graduate Scholarships Program was included in Report Number 353 of the Executive Committee. He reminded members that the provincial legislature had risen without bringing forward the bill on the elimination of mandatory retirement.

The President informed members of the recently-announced second phase of the Ontario Student Opportunity Trust Fund (OSOTF). Of the total \$400 million, \$114 million would be available to the University of Toronto to match donations received, assuming that the University succeeded in raising \$114 million in donations. This would result in an endowment of \$228 million. The pledge period would be January 1, 2004 to December 31, 2005, although donations towards student support received between March 27 and December 31, 2003 would also be matched. Pledges could be paid until Spring 2011. If the OSOTF funds were not fully used by universities as distributed, the remaining funds would be made available to those universities that had been successful in raising funds for student financial assistance. The President thanked Dr. Dellandrea and Dr. Levy for their efforts in promoting this program.

A member asked whether this was a firm commitment. The President replied that the program was already in place.

## 8. Capital Project: University of Toronto at Mississauga (UTM), Wellness Centre – Project Planning Report

*Arising from Report Number 120 of the Academic Board - June 4, 2003 and Report Number 115 of the University Affairs Board – June 3, 2003*

Professor Cummins reported that this project had been debated at length in the Planning and Budget Committee. At the Board, questions had been asked about the inflationary factor attached to the student levy and whether the broader sense of the “wellness” would mean the provision of student services in the Centre other than athletics and recreation. Dr. Nestor informed members that when the University Affairs Board (UAB) had considered this motion, members had been informed that the funding for the project was dependent on a future proposal from UTM for the increased student levy, which would come forward for approval by the UAB. The Board learned that the project had very significant support among students at UTM,

**8. Capital Project: University of Toronto at Mississauga (UTM), Wellness Centre – Project Planning Report (cont'd)**

who were eager that it get underway and be in place for the large increase in enrolment expected during the next several years.

Mr. Shalaby added that the Business Board had also considered the UTM Wellness Centre project at its meeting on June 19th, and had authorized the Vice-President, Business Affairs to proceed with design work at a cost of up to \$500,000, subject to Governing Council approval of the Project. The Board expected to see the project again in the fall, for approval to proceed with construction, after more design work had been completed, and after approval had been secured at UTM for the increase in the student levy to support the project and the operation of the Centre.

A member expressed concern at the amount of funding that students were providing for this project

On motion duly moved and seconded,

It was Resolved

1. THAT the Project Planning Report to establish the Wellness Centre at the University of Toronto at Mississauga, a copy of which is attached to Report Number 120 of the Academic Board as Appendix “A”, be approved in principle.
2. THAT the project scope for the Wellness Centre at UTM comprising a total of 4,810 nasm, of which 490 nasm are renovations to existing space, for a net increase of 6,700 gsm be approved.
3. THAT the funding arrangements for the Wellness Centre at UTM be approved at an estimated total project cost of \$23,500,000 to \$24,500,000 with funding as follows:
  - (i) A capped contribution of \$7,000,000 from the University of Toronto for the 50 cent match on each dollar raised through the student levy support,
  - (ii) A one-time-only contribution of \$1,000,000 from the University of Toronto at Mississauga,
  - (iii) A \$500,000 contribution to be secured from fund-raising at the University of Toronto at Mississauga [UTM], and
  - (iv) A mortgage to be amortized over a period of approximately 25 years in the range of \$15,000,000 to \$16,000,000, with payments forthcoming from the planned student levy income. Student levy income would continue until such time as the mortgage is fully paid.

**9. Capital Project: University of Toronto at Scarborough (UTSC), Student Centre – Project Planning Report, Change of Scope  
University Infrastructure Investment Fund (UIIF): Allocation**  
*Arising from Report Number 120 of the Academic Board - June 4, 2003 and Report Number 115 of the University Affairs Board – June 3, 2003*

Professor Cummins informed members that there had been few questions about this project at the Academic Board. It had been noted that student levies played an important role in financing student activity space. Dr. Nestor commented that this proposed change of scope had been strongly supported by the University Affairs Board. Mr. Shalaby added that the Business Board had considered this project, at its meeting of May 5th, and had given approval to the execution of the project, subject to Governing Council approval. The Scarborough Campus Students' Union and the University of Toronto at Scarborough had provided their guarantees to make up any funding shortfall, and the Associate Principal – Administration at UTSC had assured the Board that the business plan for the Centre was a conservative one.

On motion duly moved and seconded,

It was Resolved

1. THAT the addendum to Project Planning Report to establish the Student Centre at the University of Toronto at Scarborough, a copy of which is attached to Report Number 120 of the Academic Board as Appendix "B", be approved in principle.
2. THAT the project scope for the Student Centre at UTSC be approved at a total project cost of \$13,923,000 with funding as follows:
  - i. A capped contribution of \$3,748,695 from the University of Toronto for the 50 cent match on each dollar raised through the student levy support,
  - ii. A one-time-only contribution of \$975,000 from the University Infrastructure Investment Fund [UIIF],
  - iii. A \$1,000,000 contribution to be secured from fund-raising at the University of Toronto at Scarborough [UTSC],
  - iv. Cash contribution in the amount of \$1,250,000 from the Student Levy support already collected, and
  - v. A mortgage to be amortized over a period of approximately 25 years in the amount of \$6,950,000 with payments forthcoming from the planned student levy income. Student levy income will continue until such time as the mortgage is fully paid.

**10. Capital Project: Faculty of Arts and Science - Sidney Smith, Student Space – Project Planning Report**  
*Arising from Report Number 120 of the Academic Board - June 4, 2003*

Professor Cummins explained that debate at the Board on this project had focused on the elevator that was not a part of the project at this time. It had been noted that Sidney Smith was accessible and that the elevator in question would have been an additional one. Funding for it was, however, not available at this time. A motion to refer back to the Planning and Budget Committee had failed. Other comments had centered on the use of the space. Mr. Shalaby informed members that the Business Board had reviewed this project on June 19 and had given approval to proceed with construction and financing, subject to Governing Council approval.

**10. Capital Project: Faculty of Arts and Science - Sidney Smith, Student Space – Project Planning Report (cont'd)**

A member commented that, in his view, the elevators at Sidney Smith Hall were not always accessible to students.

On motion duly moved and seconded,

It was Resolved

1. THAT the revised Project Planning Report to address the enclosure of the overhang areas on the east and west side of Sidney Smith Hall Patio, a copy of which is attached to Report Number 120 of the Academic Board as Appendix "C", be approved in principle.
2. THAT the project scope to create 1200 gross square meters of student support / study space and washrooms within Sidney Smith Hall be approved at an estimated total project cost of \$3,100,000 - \$3,300,000 with full funding from the approved enrolment growth funds.
3. THAT the elevator installation identified within the broader scope of this Sidney Smith Hall Patio Enclosure project be undertaken at some future date when the funds, estimated at \$885,000, are available.

**11. Capital Project: University College Residence – Project Planning Report, Change in Scope****University Infrastructure Investment Fund (UIIF): Allocation**

*Arising from Report Number 121 of the Academic Board - June 23, 2003*

Professor Cummins reported that there had been no debate on this item at the Academic Board. However, members of the Planning and Budget Committee had asked a number of questions about the use of the excess fee revenue, the likelihood for successful fund-raising, shading effects of the building and the heritage agreement. The members had been assured by the answers they had received.

Mr. Shalaby informed members that the Business Board, on June 19th, had approved executing and financing this revised project, subject to Governing Council approval. The Principal of University College had reported to the Board success in fund-raising for this project, which would enable the concurrent improvement of other residence facilities at University College.

A member remarked that, although he realized that, given the history of the project, the design being proposed was the best that could be done in the circumstances, it was his opinion that the design did not look good. He expressed his hope that the appearance of the residence would be mitigated by landscaping.

A member asked whether all rooms in the residence would be accessible to persons with a disability. Invited to respond, Professor Perron said that the number of rooms available to accommodate students with disabilities had been increased, and that all rooms in the residence would be accessible. In response to the member's question about the removal of nine trees for the construction of the residence, Professor Perron replied that it was necessary to remove some trees to accommodate the number of beds required, but that a tree replanting plan would be undertaken.

A member noted that the University had an excellent capital planning process. In his view, the level of detail that had been raised by the previous speaker was not

**11. Capital Project: University College Residence – Project Planning Report, Change in Scope (cont'd)  
University Infrastructure Investment Fund (UIIF): Allocation (cont'd)**

appropriate at the Council, and was disrespectful to the faculty, staff and students who had approved this project at earlier governance meetings.

The member asked if the University was in a position to guarantee barrier-free housing to students. The Provost replied that such a guarantee was a policy matter that needed to be carefully considered. She suggested that the Task Force on Student Housing, which was currently meeting, would be a suitable place for the consideration of such a policy.

A member indicated his support for the project, and acknowledged the presence at the meeting of the President of the University College Literary and Athletics Society.

A member asked whether the projected increases in residence fees would violate rent control legislation. Another member replied that it was his understanding that student residences were not subject to current rent control legislation.<sup>2</sup>

A member indicated that he wished to put forward a motion concerning the removal of trees for this project. The Chair reminded the member that the only motion that would be in order would be to refer the proposal back to the Academic Board.

It was duly moved and seconded,

THAT the ruling of the Chair, to allow only a motion to refer back, be appealed.

The vote was taken.  
The appeal was defeated.

On motion duly moved and seconded,

It was Resolved

1. THAT the Revised Project Planning Report for the new University College Residence, a copy of which is attached to Report Number 121 of the Academic Board as Appendix "A", be approved in principle.
2. THAT the project scope totaling some 9329 gross square meters will allow for the construction of a residence building on the approved Site 22.
3. THAT conditions to all municipal approvals be negotiated in order to gain minor variance permissions to build on Site 22.
4. THAT the funding arrangements, including furnishings and finance costs, for the University College residence expansion be approved at an estimated cost of \$24,039,382 to \$25,539,382 with the funding as follows:
  - i. \$8,000,000 externally secured contribution received for the UC residence expansion.

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<sup>2</sup> Secretary's Note: It was subsequently confirmed by the Vice-President, Business Affairs, that residences were exempt from rent control legislation.



**11. Capital Project: University College Residence – Project Planning Report, Change in Scope (cont'd)  
University Infrastructure Investment Fund (UIIF): Allocation (cont'd)**

- ii. An additional \$2,000,000 to be secured from additional external fund-raising by University College.
- iii. \$1,485,000 contribution from the UC residence ancillary.
- iv. \$800,000 contribution provided by the UC food service ancillary
- v. \$50,000 allocation from the University Infrastructure Investment Fund in support of space for the Drama Program.
- vi. A mortgage to be amortized over a period of 25 years in the range of \$11,705,000 to \$13,205,000, with payments forthcoming from residence revenues and the UC ancillary.

**12. School of Graduate Studies: Graduate Department of Anatomy and Cell Biology: Disestablishment  
School of Graduate Studies: MSc and PhD Programs in Anatomy and Cell Biology: Discontinuation**

*Arising from Report Number 121 of the Academic Board - June 23, 2003*

Professor Cummins informed members that at the Board, in response to a question about the necessity of closing the department and the programs, Dean Naylor had said that the teaching staff had already moved to other departments and the subject of cell biology was being taught throughout the Faculty. The faculty in anatomy had joined those in surgery. The closing could be considered an administrative housekeeping item.

A member stated that he wished to flag a trend towards reductionism. Another member noted that no opposition had been expressed to this proposal at other levels of governance. A member reported that since the faculty in Anatomy and Cell Biology had transferred three years ago to the Department of Surgery, the program had been strengthened and that there had been an increase in collaboration with clinical faculty.

On motion duly moved and seconded,

It was Resolved

- 1. THAT the graduate Department of Anatomy and Cell Biology be disestablished effective July 1, 2003 and,
- 2. THAT the Master of Science and Doctor of Philosophy programs in Anatomy and Cell Biology be discontinued effective July 1, 2003.

**13. Alcohol Policy, Proposed Revision**

*Arising from Report Number 115 of the University Affairs Board - June 3, 2003*

Dr. Nestor explained that the University Affairs Board (UAB) had recognized the need to review this policy, primarily in view of the increased number of students under the legal drinking age and the varied approaches to the use of alcohol among what had become a very diverse student body. A key addition was the creation of a University Alcohol Advisory Committee. He noted that two minor wording changes had been made after the Board's approval – one to correct a typographical error and the other to remove the reference to "minor" and replace it with "any person under the legal drinking age". Also, subsequent to the UAB approval there had been further discussion within the administration about universal compliance with the policy as it related to serving staff.

**13. Alcohol Policy, Proposed Revision (cont'd)**

Dr. Nestor proposed a friendly amendment to section 1.c. The wording "Only individuals who have successfully completed the University's Server Training Program as certified by Ancillary Services shall undertake all service of alcohol....". would be replaced with, "Only individuals who have successfully completed the University's Server Training Program as certified by Ancillary Services *or an acceptable certified training program approved by the Alcohol and Gaming Commission of Ontario* shall undertake all service of alcohol . . .".

A member asked whether the policy would cover all University property, including Joker's Hill and Gull Lake. It was agreed that the minutes would reflect the intent that the policy apply to all University property. The member suggested that the Alcohol Advisory Committee established by the policy consider the application of the policy to non-University property on which University activities took place, such as fraternity and sorority houses.

A member asked whether the policy had been reviewed by legal counsel, as liability issues were involved. Dr. Nestor replied that the changes to the policy were the result of a legal review.

On motion duly moved and seconded,

It was Resolved

THAT the *University of Toronto Alcohol Policy*, dated June 4, 2003 under cover of Ms. Riggall's memorandum of April 9, 2003 (attached to Report Number 115 of the University Affairs Board as Appendix "A") and as amended on June 26, 2003, be approved to replace the *Campus Alcohol Policy*.

**14. Proposed Policy on Child Care Programs**

*Arising from Report Number 115 of the University Affairs Board - June 3, 2003*

Dr. Nestor informed members that the initiative for this policy review and revision had come about as a result of a shift in the way the University viewed daycare since the previous policy had been approved in 1987. Some daycare services had been amalgamated and there was a need to be more comprehensive in the area associated with family housing. Additionally, the University now preferred to manage its own daycare facilities. A University Child Care Advisory Committee would have responsibility for implementation of the policy. There had been strong support for the new policy at the University Affairs Board.

A member commented that it was difficult to consider the new policy without knowing how the old policy had worked. Dr. Nestor replied that the previous policy had been focused on the relationship between the University and third party daycare providers. The proposed policy was an enabling policy. Implementation of this proposed policy would be the responsibility of the University Child Care Advisory Committee which was created by the proposed policy. Invited to comment, Professor Farrar noted that the old policy did not reflect the current reality of child care at the University.

A member indicated that the proposed University Child Care Advisory Committee did not include a parent representative. Dr. Nestor replied that the role of the Committee was to advise administration on policy matters, rather than to oversee the facilities.

A member stated that he did not understand how the proposed policy would improve upon the existing policy, which included clear language about the terms of operation of child care facilities. Dr. Nestor replied that the existing policy included a high level of

**14. Proposed Policy on Child Care Programs (cont'd)**

detail but did not provide for a committee to implement the policy. The member asked whether costs would increase or decrease under the proposed policy, and whether the number of available spaces would change. Dr. Nestor replied that the proposed policy was intended to reflect an increased commitment to child care at the University. Invited to comment, Professor Farrar added that the proposed policy had been the result of several years of consultation.. The number of child care spaces available would be doubled, and the University was in the process of ensuring more spaces for infant care and for part-time child care. The proposed policy would give the University greater control over child care facilities and issues such as placement of children of students and faculty

A member asked whether third party agreements would be made only with groups that met the standards outlined in the policy. Invited to reply, Professor Farrar confirmed that that would be the case.

A member stated that, while he supported the concept of the proposed policy, he was disappointed with the high level of generality of the policy. It was his opinion that the proposed policy would have financial implications to the University. Dr. Nestor replied that funding for child care facilities would be part of the University budget. The proposed policy was intended to be permissive rather than prescriptive.

A member asked whether the proposed policy would be reviewed periodically. The administration undertook to report back to the Governing Council in a year on the implementation of the proposed policy.

A member asked whether an operational plan for child care at the University would be made available to governance. Professor Farrar noted that operating plans for child care would go to the University Affairs Board for approval.

It was duly moved and seconded

THAT the *University of Toronto Policy on Child Care Programs*, attached to Professor Farrar's memorandum of May 16, 2003, (attached to Report Number 115 of the University Affairs Board as Appendix "B") be referred back to the University Affairs Board.

The motion was defeated.

On motion duly moved and seconded,

It was Resolved

THAT the University of Toronto Policy on Child Care Programs, attached to Professor Farrar's memorandum of May 16, 2003, (attached to Report Number 115 of the University Affairs Board as Appendix "B") be approved to replace the Policy on Day Care dated May 1, 1987.

**15. Asbestos Control Policy**

*Arising from Report Number 127 of the Business Board - June 19, 2003*

Mr. Shalaby explained that the proposed policy was intended to make clear the University's commitment to deal with the asbestos problem. It represented the outcome of fifteen months' work by a joint task force led by Professor Angela Hildyard. She had reported to the Business Board that all parties, including all union representatives, endorsed the proposed policy.

**15. Asbestos Control Policy (cont'd)**

Mr. Shalaby noted that this matter was important to the University and to members of the Governing Council personally, since members could be held personally liable for any failure to exercise due diligence in ensuring that all reasonable care is taken to ensure compliance with the Occupational Health and Safety Act. Professor Hildyard had assured the Business Board that she was aware of no failure to comply with the Act, in this proposal or in any other situation.

A member spoke in favour of the Asbestos Control Policy and asked what provisions were being made for health and safety training for students and for ensuring that external contractors were in compliance with the policy. Invited to comment, Professor Hildyard replied that a position had been created to ensure compliance with the Asbestos Control Policy. She invited the member to meet with her to discuss further the issue of health and safety training for students.

A member asked how employees would be notified about the training which the policy required that they receive. Invited to reply, Professor Hildyard stated that the divisional Health and Safety Committees would be used to communicate with University employees concerning the training.

It was duly moved and seconded,

THAT Mr. Rob Penfold, Chair of CUPE 3902, be heard by the Governing Council.

The motion carried with the required two-thirds majority

Mr. Penfold noted that Sections 3.7, 3.8 and 3.9 of the Policy defined the responsibilities of Departments Heads, Employees and Students with respect to the Policy. He requested that Teaching Assistants be added to the list of employees in Category D, as described in Appendix D of the Asbestos Control Program. Professor Hildyard invited Mr. Penfold to meet with her to discuss training for Teaching Assistants.

A member asked for clarification of what was being approved. Mr. Shalaby confirmed that the two-page Asbestos Control Policy was being approved. The Asbestos Control Program document had been provided for information.

On motion duly moved and seconded,

It was Resolved

THAT the Asbestos Control Policy, attached to Report Number 127 of the Business Board as Appendix "E", be approved.

**16. Policy on Approval and Execution of Contracts and Documents: Proposed Revisions**  
*Arising from Report Number 364 of the Executive Committee - June 26, 2003*

Ms Patten informed members that the proposed provisions were designed to achieve two goals: to update the position titles of signing officers and to allow Presidential approval of non-substantive revisions to the Policy. Such changes would be reported to the Executive Committee of the Governing Council.

**16. Policy on Approval and Execution of Contracts and Documents: Proposed Revisions (cont'd)**

A member asked what the implications of the proposed revisions would be. Invited to reply, Mr. Charpentier indicated that the titles of Chief Financial Officer and Deputy Provost had been added to the policy, and that the title of Director, Project Management, Design and Construction had been replaced by the revised position title of Director, Capital Projects. Similar non-substantive changes could be made in the future upon approval by the President and the Secretary.

On motion duly moved and seconded,

It was Resolved

THAT the revised Policy on Approval and Execution of Contracts and Documents, attached to Report Number 364 of the Executive Report as Appendix "A", be approved.

**17. Financial Statements**

*Arising from Report Number 127 of the Business Board - June 19, 2003*

Mr. Shalaby informed members that the Audit Committee had reviewed the financial statements over two meetings, with the external auditors present on both occasions. The auditors' report was unqualified, and the Committee had also met privately with the external auditors with no University staff present. The Audit Committee had been satisfied with the conduct of the audit and the independence of the auditors. The Committee had concluded that the statements provided a full and fair disclosure of the University's finances. The financial statements confirmed the news already provided by the administration about the results for the year.

A member asked what the difference was between the figures in the audited financial statements, and the approved operating budget for 2003-04 had been. Professor Neuman replied that the pension deficit was the only major difference between the two.

On motion duly moved and seconded,

It was Resolved

THAT the University of Toronto audited financial statements for the fiscal year ended April 30th, 2003 be approved.

**18. Appointment of External Auditors**

*Arising from Report Number 127 of the Business Board - June 19, 2003*

Mr. Shalaby explained that the Audit Committee had reviewed the work of the external auditors and had recommended their re-appointment. The Audit Committee, as part of its annual cycle of business, had reviewed Ernst & Young's consulting assignments for the University to ensure that their extent and nature did not endanger the objectivity of the audit. That Committee also reviewed audit fees, both here and at other Ontario universities, to ensure both that University was not overpaying and that it was paying enough to obtain good audit services.

**18. Appointment of External Auditors (cont'd)**

On motion duly moved and seconded,

It was Resolved

1. THAT Ernst & Young LLP be re-appointed as external auditors of the University of Toronto for the fiscal year ending April 30, 2004;
2. THAT Ernst & Young LLP be re-appointed as external auditors of the University of Toronto pension plans for the fiscal year ending June 30, 2004;
3. THAT the members of the University of Toronto Innovations Foundation be requested to appoint Ernst & Young as external auditors of the Foundation for the fiscal year ending April 30, 2004 at a remuneration to be fixed by the directors of the Foundation.

**19. Capital Borrowing for Current Capital Plan and Other Requirements**

*Arising from Report Number 127 of the Business Board - June 19, 2003*

Mr. Shalaby informed members that this was the second time that the University was considering consolidating its borrowing. The consolidation would enable the administration to seek the best possible interest rates and other terms for the projects on the capital plan. This item had been discussed extensively at the Business Board.

A member asked who would be the University's financial advisor. Mr. Chee replied that if the University once again decided to issue a debenture, it would receive advice from an investment banker.

A member asked what was included in the category "Other Central Funds". Invited to respond, Ms Brown stated that the funds included \$44 million for matching funds, \$5 million for the MARS project, as well as other small amounts.

A member stated that Report 127 of the Business Board contained a comprehensive and transparent record of the discussion at the meeting concerning risk. He noted that the resolution did not limit borrowing strictly to that required for capital projects. Ms Brown replied that while this borrowing would not be used to finance University operations, it would not be limited to capital projects. The member expressed his unease with borrowing for reasons other than financing capital projects.

A member expressed his concern about the third section of the resolution, which called for the development of an investment strategy for the borrowed funds, and reminded members of the \$400 million investment loss sustained by the University in the past few years. He suggested that section 3 be removed from the resolution. The Chair replied that only a motion to refer the resolution back would be in order at this time.

It was duly moved and seconded,

THAT the ruling of the Chair, to allow only a motion to refer back, be appealed.

The vote was taken.

The appeal was defeated.

A member noted that, on page 4 of the Financial Report, the total amount borrowed was shown as \$216.7 million, while the resolution indicated that \$160 million had been

**19. Capital Borrowing for Current Capital Plan and Other Requirements (cont'd)**

approved for borrowing. Ms Brown explained that \$56.7 million had been borrowed previously, prior to the approval of the \$160 million, for a total of \$216.7 million.

It was duly moved and seconded,

THAT the motion be referred back with a view to removing section 3.

The vote was taken on the motion to refer back.  
The motion was defeated.

On motion duly moved and seconded,

It was Resolved

1. THAT the senior officer of the University responsible for financial matters, as so designated by the President, be authorized to borrow up to \$200 million, in addition to the \$160 million approved by the Business Board on January 15, 2001, and to determine, in consultation with the University's financial advisor, the most appropriate financing structure for this borrowing, including without limitation, by way of private debt placement, a public debenture issue, syndicated bank financing, or securitization;
2. THAT the borrowed funds be added to the Long-Term Borrowing Pool;
3. THAT an investment strategy be developed, in consultation with the University of Toronto Asset Management Corporation to invest the borrowed funds until the funds are required for each project;
4. THAT the senior officer of the University responsible for financial matters be authorized to allocate borrowing as internal financing for spending that has been approved by the Business Board; and
5. THAT the senior officer of the University responsible for financial matters report periodically to the Business Board on the status of the Long-Term Borrowing Pool.

**20. Summer Executive Authority**

*Arising from Report Number 363 of the Executive Committee - June 16, 2003*

Ms Patten reminded members that each June, the Governing Council was asked to delegate to the President the authority to take any actions necessary on behalf of the Governing Council during the summer months. The individual authorizations were countersigned by the Chair and were reported for information to the appropriate committee. Apart from appointments and curriculum changes, items which were not regarded as urgent were held for consideration in the usual manner in the fall.

On motion duly moved and seconded,

It was Resolved

1. THAT until the next regular meeting of the Governing Council or its appropriate committee or board, authority be granted to the President for:

**20. Summer Executive Authority (cont'd)**

- i. appointments to categories 2, 3, and 4 of the Policy on Appointments and Remuneration approved by the Governing Council of the University of Toronto, dated May 13, 1999;
  - ii. approval of such additional curriculum changes as may arise for the summer and September 2003; and
  - iii. decisions on other matters the urgency of which does not permit their deferral until the next regular meeting of the Governing Council or its appropriate standing committee or board.
2. THAT all actions taken under this authority be approved by the Chair of the Governing Council prior to implementation and reported to the appropriate committee or board for information.

**21. Reports for Information**

The Governing Council received for information the following reports:  
Report Number 120 of the Academic Board (June 4, 2003)  
Report Number 121 of the Academic Board (June 23, 2003)  
Report Number 127 of the Business Board (June 19, 2003)  
Report Number 115 of the University Affairs Board (June 3, 2003)  
Report Number 363 of the Executive Committee (June 16, 2003)

**(a) Report Number 115 of the University Affairs Board (June 3, 2003)**  
**(i) Item 9: Canadian Federation of Students' (CFS) Referendum**

A member drew attention to Item 9, Canadian Federation of Students' (CFS) Referendum, concerning the administration's decision not to bring forward a recommendation to approve the increases to the SAC, APUS and SCSU fees to support the cost of membership in the CFS. The member expressed his view that it was inappropriate to ignore the results of the referendum in which a record number of students had voted. The member suggested that the issue be sent back to the University Affairs Board and that the fees be collected and held in escrow until the matter was resolved. He urged the administration to look at this issue as soon as possible.

**(ii) Item 6: Operating Plans 2003-04, 89 Chestnut Ancillary**

A member inquired whether the property at 89 Chestnut could be used for conferences in the fall, once its use as a residence had begun. Invited to reply, Professor Farrar stated that the ancillary was looking for business.

**(b) Report Number 363 of the Executive Committee (June 16, 2003)**

A member requested that a response to the notice of motion given at the Governing Council meeting of May 29, 2003 be provided by the administration in the fall of 2003. A member clarified that the notice of motion had been referred to the administration so that a statement reconfirming the University's commitment to addressing the issue of accessibility could be developed.

A member questioned the estimated cost of \$1 million to build a ramp for access to the Admissions and Awards Building, and asked how a student who could not gain access to the building could get the attention of staff inside the Admissions and Awards Building to initiate a discussion in an accessible location. Invited to respond, Professor Venter indicated



**21. Reports for Information (cont'd)**

**(b) Report Number 363 of the Executive Committee (June 16, 2003) (cont'd)**

that a number of options were being explored, including moving the Office of Admissions and Awards to a more accessible location.

**22. Date of the Next Meeting**

The Chair reminded members that the date of the next meeting was Thursday, September 18, 2003 at 4:30 p.m. The annual orientation retreat was scheduled for Wednesday September 3, beginning at 8:30 a.m.

**23. Question Period**

No questions were raised at this time.

**24. Other Business**

A member distributed a document highlighting various issues and actions taken with respect to student issues over the course of the year. Among the positive achievements noted were the creation of a part-time option in the Transitional Year Program; the Green Paper Town Hall consultations, and responsiveness to student concerns. The decision not to recommend increases in student fees for CFS membership and the change in the definition of part-time students within divisions were identified as negative developments.

A member offered congratulations to Ms Inez Elliston on receiving the Harry Jerome award and on her service as a member of the Board of the Canadian Race Relations Foundation. The member also congratulated Mr. Selwyn Pieters, a former member of the Academic Board, on his graduation from Osgoode Hall Law School.

The member gave the following notice of motion:

THAT the University of Toronto discontinue the use of the LSAT as an admission requirement to the Faculty of Law.

The Chairman noted that a motion was required to extend the length of the meeting.

It was duly moved and seconded,

THAT the time of adjournment be extended to 6:40 p.m.

The motion was carried.

A member reflected on the past year, and expressed his appreciation for the work of the administration and the consultation with students, particularly with respect to the OSAP review. The member expressed his concerns about the increases in law school tuition fees, and the effects of tuition fee increases on accessibility and student debt.

A member thanked Professor Goel for working toward a satisfactory solution with respect to Dr. Chun. The member expressed his concerns with such actions as prohibiting videotaping of Council meetings, erosion of rules, and the change in definition of part-time students which, in his view, undermined democracy.

**25. Chair's Closing Remarks**

The Chair thanked all members for their contributions to the Council's work. He expressed his gratitude to Professor Derek McCammond for his service as voting assessor to the Academic Board and the Planning and Budget Committee over his term as Vice-Provost, Planning and Budget. Dr. Simpson also acknowledged the service of members who had served as Board and Committee Chairs and who were completing their terms as Chair: John Nestor of the University Affairs Board; Amir Shalaby of the Business Board, Robert Weiss of the Audit Committee, and the Chancellor, Chair of the Committee for Honorary Degrees.

The Chair concluded by recognizing those members who were completing their service.

**MARK BRAUN**

Mr. Braun had just graduated from the Rotman School, adding an M.B.A to his engineering degree. He had served for the past year as an active member of the Business Board. The terms of reference of the Academic Appeals Committee required that every hearing panel include at least three members of the Governing Council and at least one student. That meant that student members were frequently called upon to do very valuable, but very time-consuming, service on the University's court of last academic appeal. Mr. Braun had served as a valued member of the Academic Appeals Committee during the year. The Chair wished him every success in the future.

**SHERWIN DESSER**

Professor Desser had served on Council since 2001 representing the teaching staff from the Departments of Astronomy and Astrophysics, Botany, Chemistry, Computer Science, Geology, Mathematics, Physics, Statistics and Zoology in the Faculty of Arts and Science on the St. George Campus. He had served on the Academic Board for the past two years. In 2001-02, he had served on the Committee for Academic Policy and Programs, and this past year he had served on the Business Board. In addition, he had volunteered for a number of Academic Appeals. Professor Desser was retiring from the University on June 30, and he would be greatly missed.

**LUIGI GIROLAMETTO**

Professor Girolametto had been elected in a by-election in 2001 and had served for two years on Council representing the teaching staff in the Faculty of Medicine. In 2001-02, he had served on the Committee on Academic Policy and Programs and on the Academic Appeals Committee. This past year he had served on the Academic Board. In addition, he had volunteered for a number of academic appeals over the past year. The Chair commented that Professor Girolametto's contributions to governance had been greatly appreciated.

**DURRÉ HANIF**

Ms Hanif had served as a full-time undergraduate member of the Governing Council, and as a member of the Academic Appeals Committee and the Committee for Honorary Degrees. In addition, she had accepted the appointment of Vice-Chair of the University Affairs Board, a role that she had performed this year with diligence and commitment. Her involvement in the University community had brought a valuable and unique perspective to the agenda planning table of UAB and to the Committee for Honorary Degrees. The Chair thanked Ms Hanif for having agreed to serve in this way and for having done it so well. He wished her continued success in her studies and said that he hoped to see her at the Council table again some time in the future.

**ELLEN HODNETT**

Professor Hodnett had served for one year on Council representing the faculty in the health sciences divisions other than the Faculty of Medicine. As a member of the Academic Board and the Committee on Academic Policy and Programs, she had used her expertise in academic matters to make helpful and well reasoned interventions. She had

**25. Chair's Closing Remarks (cont'd)**

also found time to serve on the advisory committee for the appointment of a new Vice-President, Research. Her contributions would be missed.

**BRIAN LANGILLE**

Professor Langille had been a member of the Governing Council since 1994 and was stepping down after the maximum nine years. He had served on the Executive Committee, the Business Board and the Committee for Honorary Degrees. He had been a member of the Advisory Committee on the Appointment of the Vice-President and Provost. He had for many years chaired the Tribunal Selection Committee, the body that recruited the volunteer chairs of the academic discipline tribunal. Professor Langille and his committee had done such an outstanding job, they had had to recruit more and more excellent lawyers, as several of the incumbents had been appointed to the bench.

**DAVID MELVILLE**

Mr. Melville had been elected to Governing Council in a by-election in October 2001, and re-elected in 2002 to serve as a representative of part-time undergraduate students. He had been a member of the Academic Board since October 2001. In addition, over the past year, he had served on the Executive Committee, Committee on Academic Policy and Programs, and the Academic Appeals Committee. During his terms on the Governing Council, Mr. Melville had made every effort to focus the attention of governance on issues of equity and diversity. The Chair offered Mr. Melville best wishes for his future endeavours.

**SEAN MULLIN**

Mr. Mullin had been a full-time undergraduate student member of Governing Council for the past year, during which he had also served as a member of the Executive Committee, the University Affairs Board and the Academic Appeals Committee. In January, Mr. Mullin had been appointed to the Provost's Task Force on Student Housing, an appointment that was ongoing. In his short involvement with governance, Mr. Mullin had made a substantial impression on his colleagues. He was well informed and always prepared for meetings; his approach to this fiduciary responsibility was reasoned and principled. The Chair thanked Mr. Mullin for his service this year, and looked forward to his continued involvement next year as a co-opted member of the University Affairs Board.

**COLM MURPHY**

Mr. Murphy had served as a full-time undergraduate student member of the Governing Council this past year, and he had also contributed as a member of the University Affairs Board, the Planning and Budget Committee and the Academic Appeals Committee. His diverse background and varied life experiences brought a perspective that evoked interesting questions and debate on issues. He was a conscientious, informed participant at all levels of governance and the Chair expressed his regret that Mr. Murphy was unable to continue in some capacity next year. The Chair thanked Mr. Murphy for serving the University in this way, and offered his best wishes as Mr. Murphy continued his studies in medicine.

**ELAN OHAYON**

Mr. Ohayon was completing his third term on the Governing Council, representing graduate students in the life sciences. This past year, he had served on the Academic Board and the Elections Committee. He had continued to bring the issues of accessibility, equity and diversity to the attention of governance whenever possible. He had also brought a unique perspective on procedural rules to the Academic Board, Elections Committee and to this Council itself. The Chair thanked Mr. Ohayon for his service, and wished him good luck with his doctoral studies.

**25. Chair's Closing Remarks (cont'd)**

JOSH PATERSON

Although Mr. Paterson had begun his term on Governing Council part way through the year, he soon had become an effective member of Council, the Academic Board, the Planning and Budget Committee and the Academic Appeals Committee. He had spoken passionately on a number of topics including the Law accessibility study and tuition fees. Mr. Paterson would be returning next year as a co-opted member of the Academic Board and the Agenda Committee.

CAROL STEPHENSON

Ms Stephenson had served on the Governing Council and the Business Board for the past two and a half years, and she had also served on the Advisory Committee for the appointment of the Vice-President, Research. On behalf of the Council, the Chair wished Ms Stephenson the best as she moved on to the University of Western Ontario to take up her new position as Dean of the Richard Ivey School of Business.

JOHN TORY

Mr. Tory had been a member of the Governing Council since 1995. He had served on the Business Board throughout his time on Council, and he had recently served on the advisory committee on the appointment of the Vice-President, Research. Mr. Tory had assisted the University in many ways behind the scenes. For example, he had been a valuable member of the advisory group that had developed the funding plan for the Supplemental Retirement Arrangement.

CAROLYN TUOHY

Professor Tuohy had served on Governing Council as a presidential appointee this past year. Although she had to carry the extraordinary responsibility of two Vice-Presidential portfolios, she had continued to serve as Senior Assessor to the Committee on Academic Policy and Programs, as voting assessor to the Academic Board and the Agenda Committee and non-voting assessor to other Boards and Committees. Although her counsel and expertise on the Council would be missed, the University would continue to benefit from her leadership on the Boards and Committees.

THE HONORABLE HENRY JACKMAN

Chancellor Jackman had been on the Governing Council for the past six years during which he had chaired the Committee for Honorary Degrees with great distinction. His breadth of knowledge and wisdom had served the Committee and the Governing Council well. His care for and commitment to the University were evident. The Chair thanked the Chancellor for his contributions to the Governing Council and most notably for the grace and dignity with which he had fulfilled his role as Chancellor. The Chair offered his best wishes to the Chancellor in his retirement from University duties.

The meeting adjourned at 6:45 p.m.

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Secretary

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Chair

August 29, 2003