

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL

Thursday, May 31, 2001

MINUTES OF THE GOVERNING COUNCIL meeting held on Thursday, May 31, 2001 at 4:30 p.m. in the Village Centre at the University of Toronto at Scarborough.

Present:

Ms Wendy M. Cecil-Cockwell (In the Chair)	Professor Heather Munroe-Blum
Ms Mary Anne V. Chambers, Vice-Chair	Dr. John P. Nestor
Dr. Robert J. Birgeneau, President	Mr. Elan Ohayon
Mr. Muhammad Basil Ahmad	Ms Rose M. Patten
Dr. Robert Bennett	Mrs. Susan M. Scace
Mr. Brian C. Burchell	Professor Kenneth Sevcik
Professor Philip Byer	Mr. Amir Shalaby
Professor Jack Carr	Ms Carol Stephenson
Ms Jennifer Carson	Ms Wendy Talfourd-Jones
Professor Brian Corman	Mr. Robert S. Weiss
Professor W. Raymond Cummins	Professor Donna Wells
Mr. Brian Davis	
Ms Susan Eng	Mr. Louis R. Charpentier,
Mr. Ljupco Gjorginski	Secretary of the Governing Council
Mr. Paul V. Godfrey	
Professor Vivek Goel	<u>Secretariat:</u>
Professor Brian Langille	Mr. Neil Dobbs
Ms Karen Lewis	Ms Cristina Oke
Professor Ian R. McDonald	

Absent:

Professor Mary Beattie	Mr. Fayez A. Quereshy
The Honourable William G. Davis	The Honourable David R. Peterson
Dr. Shari Graham Fell	The Honourable Robert K. Rae
The Honourable Henry N. R. Jackman	Professor Emmet I. Robbins
Ms Naana Afua Jumah	Dr. Joseph L. Rotman
Mr. Josh Koziebrocki	Professor Adel S. Sedra
Mr. Gerald A. Lokash	Professor Chandrakant P. Shah
Ms Jacqueline C. Orange	Mr. John H. Tory

In Attendance:

Dr. Inez Elliston, Member-elect of the Governing Council
Professor David Jenkins, Member-elect of the Governing Council
Mr. Andrew Morgan, Member-elect of the Governing Council
Ms Patricia Ricci, Member-elect of the Governing Council
Ms Heather Schramm, Member-elect of the Governing Council
Ms Geeta Yadav, Member-elect of the Governing Council
Dr. Jon Dellandrea, Vice-President and Chief Development Officer
Professor Michael G. Finlayson, Vice-President, Administration and Human Resources
Dr. Sheldon Levy, Vice-President, Government and Institutional Relations

In Attendance: (cont'd)

Professor Derek McCammond, Vice-Provost, Planning and Budget
Professor Ronald Venter, Vice-Provost, Space and Facilities Planning
Dr. Beata Fitzpatrick, Assistant Vice-President and Director, Office of the President
Ms Susan Girard, Assistant Secretary of the Governing Council
Professor Rhonda Love, President, University of Toronto Faculty Association
Ms Mary McGee, Assistant Provost
Ms Maureen Somerville, Chair, College of Electors
Ms Beverley Stefureak, Assistant Secretary of the Governing Council
Professor Paul Thompson, Principal and Dean, University of Toronto at Scarborough

1. Chairman's Remarks

The Chairman welcomed members and guests to the University of Toronto at Scarborough and thanked Principal Paul Thompson and his colleagues for hosting the meeting. She also acknowledged the work of Mr. Jack Martin, Manager of Facilities Rental and Conference Services, and Ms Lyne Dellandrea, who had organized the reception at the Miller Lash House.

The Chairman congratulated the President on being appointed a fellow of the Royal Society of London. She announced the reappointment to the Governing Council of Ms Rose Patten, Dr. Joseph Rotman and Mrs. Susan Scace. She also announced, with regret, the resignation from the Council of Dr. Anne Golden, effective immediately.

The Chairman welcomed the newly-elected governors who were in attendance: Dr. Inez Elliston, Professor David Jenkins, Mr. Andrew Morgan, Ms Patricia Ricci, Ms Heather Schramm, and Ms Geeta Yadav.

The Chairman reported that the hearing of the Leave to Appeal the Judicial Review Decision concerning the Governing Council elections was scheduled for June 22.

The Chairman noted that, pursuant to Section 38 of *By-law Number 2*, the Executive Committee had determined that consideration of a senior appointment (item 6 below) would take place *in camera*.

2. Principal's Remarks

At the invitation of the Chairman, Principal Paul Thompson introduced the senior members of his staff who were in attendance. He then welcomed members of the Governing Council to the Scarborough Campus. Principal Thompson described the benefits that the campus would realize through the planned enrollment expansion:

- Construction on the campus could be finished, as no academic buildings had been built since the 1972 suspension of capital funding for university expansion;
- Critical mass could be achieved in various subject areas, something which had not been possible before;
- The unique programs of the campus could be strengthened, particularly in the areas of co-op education, environmental science, public management and business administration.

Principal Thompson highlighted the research accomplishments of the members of the Scarborough campus, including success in the Canada Foundation for Innovation (CFI) competitions, and in the Canada Research Chair program.

He concluded his remarks with the presentation of gifts to the Chairman and to the President.

3. Minutes of the Previous Meeting held on April 26, 2001

The minutes of the previous meeting held on April 26, 2001 were approved.

4. Business Arising from the Previous Meeting

A member raised several issues. He noted that the matter of special students had been considered by the Elections Committee prior to submission to the University Affairs Board for consideration at its June meeting, and suggested that the matter should come directly to the Governing Council.

The member recalled that he had given a notice of motion to the Business Board regarding ethical criteria in investments, but indicated that he would be willing to discuss this matter at the Governing Council meeting. The Chair of the Business Board indicated that the matter had been raised at that Board, and the notice of motion would be considered as part of the agenda planning for the June meeting.

The member again raised the issue of conflict of interest, citing the recommendation of the Report of the Task Force on University Accountability issued in May 1993 dealing with conflict of interest. In connection with the discussion of tuition fees, that Task Force had recommended that "external members should declare a conflict of interest on all matters which directly affect their professional or business affairs." With respect to students, the Task Force had recommended that "they should be permitted both to participate in the discussion and to vote on such matters. They represent a large constituency whose views are important to take into account. Moreover, since they are members of the community for only a brief period, any personal benefit they might derive is minimal." The member also referred to the recommendation of the Task Force 'that each university review its conflict of interest rules in the light of this Report and its recommendations, and undertake to have them widely circulated.' The member asked whether the University had undertaken a review of its conflict of interest rules as recommended by the Task Force.

The Secretary undertook to report back to the Council on how the University had dealt with that recommendation.

5. The Report of the Committee on the Office of the Ombudsperson

The Chairman invited Ms Mary Anne Chambers, Vice-Chair of the Governing Council and Chair of the Committee, to present the report. Ms Chambers noted that the Committee had been appointed by the Governing Council in February and had completed its work on April 30. The Committee had held seven meetings and had heard from a number of University-wide representative groups, including the Students' Administrative Council (SAC), the Association of Part-time Undergraduate Students (APUS), and the Graduate Students' Union (G.S.U). The Committee's recommendations were unanimous, and resulted from a great deal of discussion and exchange of views. To ensure that its recommendations could, in practical terms, be implemented, the Committee had met with the Ombudsperson and had discussed its recommendations with her.

Ms Chambers thanked those members of Council who had served on the Committee - Ms Jennifer Carson, Mr. Brian Davis, Professor Ian McDonald, Ms Jacqueline Orange, and Mr. Fayez Queresby - for their dedication to this important task. She also thanked Ms Cristina Oke and Mr. Louis Charpentier for their support to the Committee.

5. The Report of the Committee on the Office of the Ombudsperson (cont'd)

A member asked whether it was necessary for the recommendation to specify that the Ombudsperson should serve one day at the Scarborough campus and one day at the Mississauga campus. The President replied that it was important for members of the University community on those campuses to know that the Ombudsperson would be available to them.

A member asked for clarification of the recommendation to increase the appointment to full-time. Ms Chambers replied that the Ombudsperson had indicated that her work-load required an increased appointment. In addition, representatives from other offices that had met with the Committee had noted an increase in the number of people who came seeking advice because no one was available in the Office of the Ombudsperson.

A member asked whether the Ombudsperson was aware of the recommendation for reappointment. Ms Chambers replied that the Ombudsperson had met with the Committee at the beginning of its deliberations and at the end of its deliberations, but she was not present for any discussions concerning the recommendation for reappointment.

A member of the Committee noted that the other Ombudspersons with whom the Committee had met had indicated their admiration for and endorsement of the reporting relationship of the University Ombudsperson directly to the Governing Council.

On motion duly moved and seconded,

It was RESOLVED

THAT the recommendations contained in the Report of the Committee on the Office of the Ombudsperson, and in the accompanying memorandum from the President, be approved.

The Chairman thanked members of the Committee for their work and excellent recommendations.

IN ACCORDANCE WITH A DETERMINATION BY THE EXECUTIVE COMMITTEE PURSUANT TO SECTIONS 38 AND 40 OF BY-LAW NUMBER 2, ITEM 6 WAS CONSIDERED BY THE GOVERNING COUNCIL *IN CAMERA*.

6. Senior Appointment

On motion duly moved and seconded,

It was RESOLVED

THAT Ms Mary Ward be reappointed as University Ombudsperson, effective July 1, 2001, for a five-year term continuing to June 30, 2006.

THE GOVERNING COUNCIL RETURNED TO OPEN SESSION.

The Chairman announced the reappointment of Ms Mary Ward as University Ombudsperson.

7. President's Report

The President reported on the following matters.

(a) Provincial Government Relations

i) Provincial Budget

The President highlighted two positive aspects of the recently-announced provincial budget: the three-year funding commitment which was unprecedented in recent memory, and the agreement to full funding for all new students. The President indicated two caveats to the budget: the silence concerning the ten per cent of enrolments in the University system above the corridor mid-point that were not funded, and the absence of an inflationary increase in operating grants for 2001-02. Those universities that had a large number of unfunded students were in a particularly challenging position. Fortunately, the number of such enrolments at the University of Toronto was only two per cent. With respect to the inflationary increase, however, one of the assumptions of the University's budget model was a two per cent per year inflationary increase in operating grants. If there were no inflationary increase, the 100% funding for new students would become equivalent to 60% funding.

The President invited Dr. Sheldon Levy to make additional comments on the budget. Dr. Levy noted that the full average funding would begin when students had arrived on campus. He noted, however, that there had been no statement on increased capital funding in the budget.

The President announced the formation of a Working Group on Expansion chaired by the Provost. Principal Thompson, a member of the Working Group, remarked that the group was working within a tight time line and that there was intense competition among the universities for students.

The President outlined two additional programs that had been included in the provincial budget: an additional \$90 million in matching research funds over the next five years, and the Premier's Platinum Award, two of which would be granted to outstanding researchers each year for the next six years, with a value of \$500,000 to \$1 million each.

The President congratulated Professor Roger Martin, Dean of the Rotman School of Management, on being appointed as Chair of the provincial Task Force on Productivity.

ii) Capital Expansion

The President reported that a capital expansion strategy was being developed by the University. He invited Professor Ronald Venter to comment on some of the capital projects that were currently underway. Professor Venter announced that six floors of the Primrose Hotel in Toronto had been reserved for use as residences in the 2001-02 academic year, while the construction of new residences was being completed. He noted that the Centre for Culture and Information Technology (CCIT) project on the Mississauga campus was under design, while the design of the Academic Research Centre (ARC) at the Scarborough campus would be modified in light of enrolment needs.

Professor Venter stated that the University would be moving towards fuller use of classrooms, including cash rentals to external groups, to establish a pool of capital funds that could be used for capital renovations.

7. President's Report (cont'd)ii) Capital Expansion (cont'd)

The President expressed his personal thanks to the students of Scarborough for voting in favour of a \$14 million levy to fund a new student centre. This was the single largest commitment by students in the history of the University of Toronto. The President confirmed that the University would, over the period of the levy, provide \$7 million in matching funds toward the new student centre, that is the \$14 million would be matched 50¢ on the dollar.

iii) Public Sector Accountability

The President informed members that the impact of the *Balanced Budget Act* that was proposed in the provincial budget was not yet understood and had not yet been fully analyzed by either the government or the universities. The issue was complicated because University budgets were derived from many sources of funding other than the provincial government.

(b) Federal Government Relations

The President reported that he continued to make the case to federal government officials for the provision of funding to cover the indirect costs of research.

He described the International Joint Ventures Competition of the Canada Foundation for Innovation (CFI), and noted that three proposals from the University were being submitted.

(c) Moving Our Agenda Forward

The President indicated that the University was actively engaged in making its successes public and in recognizing the support of government and/or donors. The President drew the attention of members to two items that had been placed on the table – the announcement of the Canada Research Chair holders that had appeared in the *Globe and Mail* in April, and the list of the winners of awards from the Ontario Research and Development Challenge Fund (ORDCF), the Ontario Innovation Trust (OIT), the Premier's Research Excellence Awards (PREA), and the Research Performance Fund that had appeared in May in the *National Post*. The President also described recent social events held to celebrate research awards: a dinner with Members of Parliament and Canada Research Chairs, a reception to recognize the Government Research Infrastructure Programs, and the Chancellor's dinner for students and donors.

(d) University Research and the Economy

The President reported that he continued to speak of the importance of university research for the economy. He named some of the groups which had invited him to speak, including the Consular Corps Association, the Canadian Club of Toronto, the National Club and the York Regional Technology Association.

(e) Undergraduate Education

The President referred members to the article entitled '*The great divide?*' that had appeared in the Alumni Association magazine. He was receiving much positive response to the notion of reducing 'the divide' between sciences and humanities in the undergraduate curriculum. He also indicated that the terms of reference and membership of the Council of Deans on Undergraduate Education which would consider this issue would be announced shortly.

7. President's Report (cont'd)**(f) Senior Administration**

The President announced that, in the next week, he would be meeting with the short-listed candidates for the position of Vice-President, Business Affairs.

(g) Question Period

A member asked whether additional budget reductions would be required for the 2001-02 budget year. The President replied that he was moderately optimistic that further cuts would be avoided.

A member noted that the Primrose Hotel had not provided students with a pleasant residence experience in the past. Professor Venter acknowledged that it was not ideal but noted that improvements would be made, including having dons on each floor.

8. Academic Priorities Fund: Allocation - University of Toronto Library

At the request of the Chairman, in light of time constraints, Professor Carr presented and proposed omnibus motions dealing with groups of allocations from the Academic Priorities Fund.

The first allocation was to support the Library's plan created in response to the *Raising Our Sights* planning process. It would fund such items as collaborative information technology initiatives and the creation of a Resource Centre for Academic Technology. The motion had passed without debate at the Academic Board.

On motion duly moved and seconded,

It was RESOLVED

THAT an APF allocation of \$1,580,000 in base funding and \$2,776,000 in one-time-only funding be approved in support of the *Raising Our Sights* plan of the University of Toronto Library.

9. Academic Priorities Fund: Allocation - Office of the Vice-President and Provost and Office of the Vice-Provost, Planning and Budget

Allocations had been presented for the two offices based on plans prepared in support of the *Raising Our Sights* planning process. It had been noted that both offices had increased in scope and responsibilities over the past eight years without an increase in funding or staff. No questions concerning this allocation had been raised at the Academic Board.

On motion duly moved and seconded,

It was RESOLVED

THAT the following allocations be approved from the Academic Priorities Fund

- (i) \$154,375 in base in support of the *Raising Our Sights* plan of the Office of the Vice-President and Provost;
- (ii) \$203,622 in base and \$210,000 one-time-only in support of the *Raising our Sights* plan of the Office of the Vice-Provost, Planning and Budget; and,

9. **Academic Priorities Fund: Allocation - Office of the Vice-President and Provost and Office of the Vice-Provost, Planning and Budget** (cont'd)

- (iii) \$430,000 in base to adjust the budgets for the following "Other Academic Costs" funds: Advertising of Academic Positions in University Affairs; Academic Reviews; Decanal Searches; and, Research Support for Principals and Deans.

10. **Academic Priorities Fund: Allocation - Faculty Recruitment**

The Academic Board considered a number of allocations to support faculty recruitment such as start-up packages for new faculty, support for "trailing" spouses and funding for services to assist faculty recruitment. It was noted at the Board that funding for the work of the Provost's Advisor on Pro-Active Recruitment was included in the last allocation.

A member asked whether any money was being targeted towards faculty housing. The President indicated his agreement that this was an issue that the senior administration should consider. Another member encouraged the senior administration to develop a comprehensive strategy regarding faculty housing.

On motion duly moved and seconded,

It was RESOLVED

THAT the following allocations in support of Faculty Recruitment be made from the Academic Priorities Fund:

- (i) \$1,238,809 one-time-only to cover the cost of funding for start-up packages already committed for 2000-01;
- (ii) \$2,000,000 in base to create a fund to be distributed annually by the Provost to support start-up packages for new faculty;
- (iii) \$1,000,000 in base to create a fund to be distributed annually by the Provost to provide support for academic appointments of "trailing" spouses;
- (iv) \$500,000 in base to provide ongoing funding for support services to assist in faculty recruitment.

11. **Academic Priorities Fund: Allocation - Council of Health Sciences and Social Work Deans - Interdivisional Initiatives**

The Academic Board recommended that the Deans' Council receive APF allocations for interprofessional education initiatives and the upgrading of the Health Sciences Writing Centre. The motion had passed without debate at the Board.

On motion duly moved and seconded,

It was RESOLVED

THAT an Academic Priorities Fund allocation of \$342,150 in one-time-only funding be approved in support of inter-divisional initiatives proposed by the Council of Health Sciences and Social Work Deans

12. Capital Project: University of Toronto at Mississauga, Centre for Applied Bioscience and Biotechnology - Users' Committee Report

At the request of the Chairman, Professor Carr presented and proposed an omnibus motion dealing with two capital projects. The first proposal called for the creation of the Centre for Applied Bioscience and Biotechnology in the South Building at UTM. The cost, approximately \$2 million, would be met by funding received from the Canada Foundation for Innovation and the Ontario Innovation Trust. The motion had passed without debate at the Academic Board.

On motion duly moved and seconded,

It was RESOLVED

- (i) THAT the Users' Committee Report for the Centre for Applied Bioscience and Biotechnology, a copy of which is attached as Appendix "F" to Report Number 106 of the Academic Board, be approved in principle to allow for the construction of 330 nasms in the South Building at UTM. This will provide a new core research facility in biosciences and biotechnology at UTM, specifically comprising a high field NMR, a micro-array research and development facility and an automated DNA sequencer.
- (ii) THAT the project scope as identified in the Users' Committee Report be approved at a cost of \$2,082,000 with funding from the Canada Foundation for Innovation and the Ontario Innovation Fund.

13. Capital Project: Faculty of Medicine, Laboratory Centre for Disease Control Compliance for Level 3 Containment Facility - Users' Committee Report

This project involved a containment facility located on the fourth floor of the Medical Sciences Building that did not meet existing guidelines. The purpose of the project was to renovate the space to meet current standards. It was noted in discussion that there was a higher level of compliance than Level 3, but that Level 3 allowed the facility to work with air-borne pathogens.

It was duly moved and seconded,

THAT the Users' Committee Report for a Level 3 Containment Facility as defined by the Laboratory Centre for Disease Control, a copy of which is attached as Appendix "G" to Report Number 106 of the Academic Board, be approved in principle, including the space program and allocation in priority ranking as outlined in the Report, at a total cost of \$1.6 million to be funded by the Faculty of Medicine, The Hospital for Sick Children and St. Michael's Hospital.

A member expressed concern about the lack of debate on this issue at earlier Committee and Board meetings. The member asked what kind of training would be available to those using the facility. Professor Munroe-Blum stated that operations, including training, would be carried out in accordance with the regulations of the Laboratory Centre for Disease Control.

A member raised a point of order and requested that the debate focus on the motion being presented, which concerned a capital project.

13. Capital Project: Faculty of Medicine, Laboratory Centre for Disease Control Compliance for Level 3 Containment Facility - Users' Committee Report (cont'd)

It was duly moved and seconded,

THAT the question be put.

The motion carried with the necessary two-thirds majority.

It was RESOLVED

THAT the Users' Committee Report for a Level 3 Containment Facility as defined by the Laboratory Centre for Disease Control, a copy of which is attached as Appendix "G" to Report Number 106 of the Academic Board, be approved in principle, including the space program and allocation in priority ranking as outlined in the Report, at a total cost of \$1.6 million to be funded by the Faculty of Medicine, The Hospital for Sick Children and St. Michael's Hospital.

14. Canada Research Chairs Fund: Faculty of Medicine – Allocation

Professor Carr indicated that the Academic Board had considered the allocation from the Canada Research Chairs Fund to support the 23 chairs awarded to the Faculty of Medicine in September 2000. Seven were campus-based and the remaining 16 were based in the hospitals. A thorough discussion of this allocation had taken place at the Planning and Budget Committee. There had been discussion at the Board concerning the affiliated institutions and the appointment of status-only faculty. The Provost had indicated that clinical appointments were status-only appointments and were scrutinized by the University. He had also indicated that the issue of policies for clinical appointments would be addressed in the next academic year.

A member noted that Professor David Jenkins, a member-elect of the Governing Council, was one of the Canada Research Chairs within the Faculty of Medicine.

On motion duly moved and seconded,

It was RESOLVED

- (i) THAT \$1.07 million (\$1.2 million minus \$127,000 indirect cost of 16% of salaries and benefits) be allocated from the Canada Research Chairs Fund to the Faculty of Medicine to cover the salaries and benefits and cluster support for the 7 campus-based chair-holders approved in the September 2000 CRC competition.
- (ii) THAT \$2.2 million (\$2.3 million minus \$83,000 indirect cost of 6% of salaries and benefits) be allocated to the Faculty of Medicine in support of the 16 chair-holders based in Hospital/Research Institutes.

15. Policy and Procedures on Academic Appointments: Amendment - Athletics Instructor

Professor Carr explained that this proposal had come directly to the Academic Board and had arisen out of negotiations with the University of Toronto Faculty Association. UTFA Council had approved the policies. A new section would be added to the Policy and Procedures on Academic Appointments. The motion had passed without debate at the Board.

On motion duly moved and seconded,

It was RESOLVED

THAT the proposal for the rank of Athletics Instructor and Senior Athletics Instructor be approved, effective July 1, 2001, and incorporated in the Policy and Procedures on Academic Appointments.

16. Reports for Information

The Governing Council received the items reported for information in the following Reports:

Report Number 106 of the Academic Board (May 3, 2001)
Report Number 112 of the Business Board (May 7, 2001)
Report Number 97 of the University Affairs Board (March 27, 2001)
Report Number 98 of the University Affairs Board (April 18, 2001)
Report Number 335 of the Executive Committee (May 22, 2001)

A member noted that the Executive Committee had denied the request for reimbursement made by Mr. Ramsaroop.

17. Date of the Next Meeting

The Chairman reminded members of the next meeting of the Council scheduled for Thursday, June 28, 2001. The annual Governing Council dinner would follow the meeting

18. Other Business

A member expressed concern at the impression of diminished independence that might be conveyed by the appointment of the University Ombudsperson by the President. The Secretary stated that section 2 (14) (b) of the *University of Toronto Act* limited the power of the Governing Council to make appointments. It stated that "no member of the teaching or administrative staffs, except the President, shall be appointed, promoted, suspended or removed unless recommended by the President or such other officer or employee of the University designated therefore by the President" In addition, consistent with the *Act*, the Policy on the University Ombudsperson required the recommendation of the President for the appointment.

A member highlighted the unique program in neuroscience offered at the Scarborough campus. He requested that, in order to make such programs accessible to more students, the administration consider the introduction of a bus service between the Scarborough and St. George campuses.

18. Other Business (cont'd)

The member raised the issue of special students, and noted that the documentation provided to the Elections Committee in May indicated that the number of special students at the University was much higher than had been originally estimated. He requested the reintroduction of the motion that Special Students be allowed to run and to vote in Governing Council elections.

The member also noted that the Report of the Working Group on Accessibility would be considered by the University Affairs Board at its June 5 meeting.

A member encouraged participation by members in the convocations. This request was echoed by the Chairman.

The meeting adjourned at 6:35 p.m.

Secretary

Chairman

June 7, 2001