

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 335 OF
THE EXECUTIVE COMMITTEE
Tuesday, May 22, 2001

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Tuesday, May 22, 2001 at 5:00 p.m. in the Board Room, Simcoe Hall, with the following members present:

Ms Wendy M. Cecil-Cockwell (In the Chair)	
Mrs. Mary Anne V. Chambers, Vice-Chair	
Dr. Robert J. Birgeneau, President	Non-Voting Member:
Ms Jennifer Carson	
Professor W. Raymond Cummins	Mr. Louis R. Charpentier
Mr. Brian Davis	
Professor Vivek Goel	
Professor Brian Langille	Secretariat:
Mr. Gerald A. Lokash	
Dr. John P. Nestor	Ms Cristina Oke
Mrs. Susan M. Scace	

Regrets:

Ms Naana Afua Jumah
Dr. Joseph L. Rotman
Mr. John Tory

In Attendance:

Mr. Brian Burchell, Chair, the University Affairs Board
Professor Jack Carr, Chair, the Academic Board
Mr. Amir Shalaby, Chair, the Business Board
Professor Adel S. Sedra, member, the Governing Council, and Vice-President and Provost
Mr. Fayez Quereshey, member, the Governing Council, and Vice-Chair, the University Affairs Board
Dr. Beata Fitzpatrick, Assistant Vice-President and Director, Office of the President

The Chairman congratulated Mrs. Susan Scace on her reappointment to the Governing Council for an additional three-year term. The Chairman also extended congratulations to the President on his election as a fellow of the Royal Society of London.

The Chairman informed the Committee that the Leave to Appeal Justice Matlow's decision had been approved, and that the Notice to Appeal had to be filed by May 24.

The Chairman noted that consideration of items 4 and 5 would take place *in camera*, pursuant to section 28 (e) and 33 of *By-law Number 2*, as well as a portion of the President's Report.

An item concerning reimbursement of legal fees was added under 'Other Business'.

1. Report of the Previous Meeting

Report Number 334 of the Executive Committee meeting held on April 16, 2001 was approved.

2. Business Arising from the Report of the Previous Meeting

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

3. Report of the Committee on the Office of the Ombudsperson

The Chairman invited Mrs. Mary Anne Chambers, Chair of the Committee, to present the Report. Mrs. Chambers recalled 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 representatives 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.). She thanked the members of the Committee – Ms Jennifer Carson, Mr. Brian Davis, Professor Ian McDonald, Ms Jacqueline Orange, and Mr. Fayez Quereshy - for their dedication to this important task; she also thanked Ms Cristina Oke and Mr. Louis Charpentier for their support of the Committee's work. She noted that the Committee's recommendations had been unanimous, and had resulted from a great deal of discussion and exchange of views. She indicated, too, that the current Ombudsperson, Ms Mary Ward, had been consulted during the review to ensure that all the recommendations in the report were achievable.

A member asked whether there would be some flexibility in the recommendation that an equivalent of one day per week be spent at the Mississauga and at the Scarborough campuses. Mrs. Chambers replied that the recommendation signaled the importance of the Ombudsperson becoming familiar with the Mississauga and Scarborough campuses, but that the implementation of the recommendation would rely on the good judgement of the Ombudsperson.

A member asked whether it was appropriate for the recommendation regarding the term of office to have no limitation concerning the number of years a person could serve in the position. Mrs. Chambers indicated that the recommendation was a compromise between a continuing and a limited-term appointment. The current terms of reference allowed for service of up to twenty-one years. The Committee's recommendation for a maximum of fifteen years was to establish a reasonable limit like that for academic administrators. The Provost explained that the suggestion made by the President would recognize, though, that unlike academic administrators, who may return to academic positions at the end of their term, the Ombudsperson could not. The President noted too, that a full review would be conducted prior to the end of each term and any recommendation for reappointment would only arise out of a comprehensive assessment of the Office and of the incumbent.

3. **Report of the Committee on the Office of the Ombudsperson** (cont'd)

A member questioned whether the Governing Council should make a management decision with respect to spending specific amounts of time on the various campuses. The Secretary of the Governing Council replied that, since the Ombudsperson reported to the Governing Council, it was legitimately within the Council's responsibility to make such a recommendation.

On motion duly moved and seconded,

YOUR COMMITTEE RECEIVED

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

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation

THAT the recommendations contained in the Report and in the accompanying memorandum from the President be approved.

The Chairman thanked the members of the Committee for their work.

THE COMMITTEE MOVED INTO *IN CAMERA* SESSION.

4. **Senior Appointment**

The Executive Committee considered a recommendation from the President for a senior appointment.

Following discussion,

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration

The President's May 15, 2001 recommendation for a senior appointment.

YOUR COMMITTEE APPROVED

THAT, pursuant to section 38 of *By-law Number 2*, the senior appointment be considered by the Governing Council *in camera*.

5. **External Appointments**

(a) **Sunnybrook and Women's College Health Sciences Centre Board/Orthopaedic and Arthritic Corporation**

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Mr. Salvatore Badali be re-appointed to the Board of Directors of Sunnybrook and Women's College Health Sciences Centre for a term of three years, beginning July 1, 2001 and ending June 30, 2004.

(b) **Sunnybrook and Women's College Health Sciences Centre Board**

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 effective July 1, 2001:

Dr. Martin Barkin – for a term of 2 years– to June 30, 2003
Mrs. Fran Brown – for a term of 1 year – to June 30, 2002
Mr. Daniel Damov – for a term of 1 year – to June 30, 2002
Ms Maureen Sabia – for a term of 2 years– to June 30, 2003
Mrs. Elizabeth Tory – for a term of 2 years– to June 30, 2003
Mrs. Martha Tory – for a term of 3 years– to June 30, 2004
Mr. Charles Winograd– for a term of 3 years– to June 30, 2004

(c) **Innovations Foundation**

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Dr. Jane Pagel, Dr. Jeremy Carver and Mr. Brendan Cunneen be appointed as Directors of the Foundation until the next annual meeting of the Board.

6. **President's Report**

The President briefed the Committee on a personnel matter.

THE COMMITTEE MOVED INTO CLOSED SESSION.

7. **Minutes of the Governing Council Meeting held on April 26, 2001**

The Committee received for information the minutes of the Governing Council meeting held on April 26, 2001.

8. Business Arising from the Governing Council Meeting

A member expressed concern that some members of the Governing Council had not been given the opportunity to speak on the subject of tuition fees for publicly funded programs because the Chairman had called an end to the debate. The member felt that external speakers appeared to have had greater input into the discussion than elected members. The Chairman acknowledged the member's concern and noted that some members may have wished to continue discussion. However, many similar points had been raised and, considering the extensive list of approval items still to be considered, she felt that it was appropriate to move forward. The Chairman indicated that it would facilitate the meeting if members would indicate at the start of the discussion that they wished to speak, rather than waiting to join the speakers' list. A member commended the practice of encouraging members with new points of view to speak after a particular opinion had been expressed by several speakers. Another member noted that members should be reminded to focus on the issue being discussed, rather than being allowed to raise tangential issues. Members also encouraged the Chairman to refer members to the summaries of discussion contained in the reports of the Boards and Committees, and encourage discussion on other issues. While some repetition of key points was helpful, the Board and Committee deliberations were well-documented and intended to facilitate Governing Council's considerations.

9. Academic Board: Item for Confirmation

(Arising from Report Number 106 of the Academic Board (May 3, 2001))

(a) **Toronto School of Theology: Memorandum of Agreement – Amendments**

Professor Carr explained that the changes proposed concerned the Doctor of Divinity degree, three new basic degrees, jurisdiction in student academic discipline and fees for the use of the Career Centre.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED

THAT the recommendations concerning the amendments to the Toronto School of Theology: Memorandum of Agreement as detailed in Appendix "A" of Report Number 106 be approved.

(b) **School of Graduate Studies: Collaborative M.Eng./M.A.Sc. Program in Welding Engineering – Closure**

(c) **School of Graduate Studies: M.A. Program in South Asian Studies - Cessation of New Admissions**

Professor Carr introduced these two items together. There were no resource implications with either proposal. With respect to student interest in these programs, in one case there had been no students enrolled for five years and in the other, interested students had been accommodated in another program.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED

THAT the Collaborative M.Eng/M.A.Sc. Program in Welding Engineering be discontinued, effective immediately.

THAT admission to the M.A. Program in South Asian Studies be suspended, effective September 2001.

10. Items for Endorsement and Forwarding to the Governing Council
(Arising from Report Number 106 of the Academic Board (May 3, 2001))

(a) Item 5: Academic Priorities Fund: Allocation - University of Toronto Library

Professor Carr noted that the proposed allocation from the APF 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.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation

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.

(b) Item 6: Academic Priorities Fund: Allocation - Office of the Vice-President and Provost and Office of the Vice-Provost, Planning and Budget

Professor Carr explained that allocations had been presented for the two offices based on plans prepared in support of the *Raising Our Sights* planning process. Both offices had increased in scope and responsibilities over the past eight years without an increase in funding or staff.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation

THAT the following allocations be approved from the Academic Priorities Fund

- \$154,375 in base in support of the *Raising Our Sights* plan of the Office of the Vice-President and Provost;
- \$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,
- \$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. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(c) Item 7: Academic Priorities Fund: Allocation - Faculty Recruitment**

Professor Carr reported that the Board had 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.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation

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

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

(d) Item 8: Academic Priorities Fund: Allocation - Council of Health Sciences and Social Work Deans - Interdivisional Initiatives

Professor Carr noted that these allocations were for interprofessional education initiatives and the upgrading of the Health Sciences Writing Centre.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

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.

10. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(e) Item 9: Capital Project: University of Toronto at Mississauga, Centre for Applied Bioscience and Biotechnology - Users' Committee Report**

Professor Carr indicated that this 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.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendations:

- (i) THAT the Users' Committee Report for the Centre for Applied Bioscience and Biotechnology 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.

(f) Item 10: Capital Project: Faculty of Medicine, Laboratory Centre for Disease Control Compliance for Level 3 Containment Facility - Users' Committee Report

Professor Carr noted that the containment facility already existed on fourth floor of the Medical Sciences Building. It did not, however, meet existing guidelines and 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.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

THAT the Users' Committee Report for a Level 3 Containment Facility as defined by the Laboratory Centre for Disease Control 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.

10. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(g) Item 11: Canada Research Chairs Fund: Faculty of Medicine - Allocation**

Professor Carr explained that the 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 would be campus-based and the remaining 16 would be 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.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendations:

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.

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.

(h) Item 14: Policy and Procedures on Academic Appointments: Amendment - Athletics Instructor

Professor Carr explained that this proposal had gone directly to the Academic Board and had arisen out of negotiations with the University of Toronto Faculty Association. UTFA Council has approved the policies. A new section would be added to the Policy and Procedures on Academic Appointments.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendations:

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.

11. Reports for Information

The Committee received the following Reports for information:

- 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)

12. Report of the President

The President reported briefly on the following matters.

(a) Provincial Budget

The President informed Committee members that the funding for the University provided in the provincial budget, with full-funding being received for all new students, reflected one of the most optimistic scenarios that had been developed by the administration in planning for the coming year. However, no funding for capital expansion has been announced. A Working Group on University Expansion chaired by the Provost will be meeting weekly over the next six weeks to consider strategies of proceeding with expansion, particularly on the Scarborough and Mississauga campuses.

(b) Communicating the Vision of the University

The President reported on the successful meeting with the Consular Corps Association recently held at Hart House. The event was very well attended with senior consular representatives from almost every country. The President informed the Committee that he had addressed the Canadian Club the previous week, and would be speaking to the York Region Technology Association on May 23.

(c) Liberal Arts Education

The President announced that the Council of Deans on Undergraduate Education, co-chaired by the President and the Provost, would begin its work in the near future. Terms of reference and membership would be distributed shortly.

(d) Architecture at the University of Toronto

The President referred to a recent column in a Toronto newspaper which negatively described the architecture on the campuses of the University of Toronto. The President compared the modest costs of recently approved projects on the campus with the projects by internationally-renowned architects in the Boston area, for example a residence at MIT built at a cost of \$120 million US compared with the \$30 million cost of Graduate House. Members of the Committee noted that academic buildings designed by acclaimed architects, e.g. Frank Gehry, would cost hundreds of millions of dollars and that they would not be interested in commissions of lesser costs. It was noted as well that donors were critical in providing the funds for constructing such buildings.

12. Report of the President (cont'd)**(e) Faculty of Law**

At the invitation of the President, the Provost informed the Committee that the Grievance Review Panel had issued an order to suspend the fact-finding process effective May 28, 2001, following which, the fact-finding committee could not approach faculty or students.

A member asked why sanctions had been imposed on students when the facts had not yet been determined. The Provost replied that the students who had received sanctions had accepted responsibility for their actions, pleaded guilty, and did not invoke mitigating circumstances for their behaviour.

It was noted that, although the Faculty of Law was being criticized for some of its procedures and for influencing students' behaviour, the students had only been at the Faculty for four months; they were adults, and, as such, were responsible for their own actions.

13. Other Business**a) Order of the Agenda of the Governing Council Meeting on May 31, 2001**

At the suggestion of the Chairman it was agreed that the one *in camera* item on the agenda would be considered at the end of the meeting, and that the Report of the President would come before the items for approval. The Chairman asked for suggestions of notional allocations of time for agenda items.

b) Reimbursement of Legal Fees

The Executive Committee considered the request of Mr. Christopher Ramsaroop for reimbursement of the legal fees he has incurred in the University's move to appeal the Judicial Review decision. It was the consensus of the Committee that it would be inappropriate to grant such a request.

The meeting adjourned at 7:10 p.m.

Secretary

Chairman

May 24, 2001