

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
**REPORT NUMBER 391 OF
THE EXECUTIVE COMMITTEE**

Friday, October 14, 2005

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Friday, October 14, 2005 at 12:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Ms Rose M. Patten (In the Chair)
Professor C. David Naylor,
 President
Ms Holly Andrews-Taylor
Mr. P.C. Choo
The Honourable William G. Davis
Ms Susan Eng
Mr. Ran Goel
Professor Michael R. Marrus
Mr. Timothy Reid
Professor Arthur S. Ripstein
Professor Barbara Sherwood Lollar
Mr. Robert S. Weiss

Non-Voting Member:

Mr. Louis R. Charpentier

Secretariat:

Mr. Henry Mulhall, Secretary
Mr. Andrew Drummond, Secretary

Regrets:

Dr. Shari Graham Fell
Mr. John F. (Jack) Petch, Vice-Chair

In Attendance:

Dr. Robert Bennett, Chair, University Affairs Board and member of the Governing Council
Professor Raymond Cummins, Chair, Academic Board and member of the Governing Council
Professor Vivek Goel, Vice-President and Provost and member of the Governing Council
Ms Jacqueline Orange, Chair, Business Board and member of the Governing Council
Ms Catherine Riggall, Vice-President, Business Affairs
Dr. Chris Cunningham, Special Advisor to the President

Chair's Remarks

The Chair welcomed all members and guests to the first regular meeting of the Executive Committee for the 2005-2006 academic year. In particular, she welcomed the new President, Professor David Naylor. New members P.C. Choo, Holly Andrews-Taylor and Ran Goel were asked to introduce themselves to the Committee.

Chair's Remarks (cont'd)

The Chair recalled the remarks she had made one year previously at the first meeting of the Executive Committee for the 2004-2005 academic year. These had outlined her ideas for the improvement of the functioning of the Executive Committee. In particular, she had hoped to add value and effectiveness to the work of the Committee through more comprehensive reports by the President, and the use of the Committee as a 'sounding board' by the President and Vice-Presidents. Both of these enhancements to practice had required strict confidentiality on the part of members, and there had been no breaches of this confidentiality during the last year. The Senior Salary Committee had also functioned more effectively, receiving early warnings from the administration about emerging critical issues. The Chair expressed her expectation that these enhancements and standards of strict confidentiality would be maintained for the coming year.

The Committee then moved *in camera*.

On motion duly moved and seconded,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and 33 of *By-Law Number 2*, consideration of items 1 and 2 take place *in camera*, with the Board Chairs, Vice-Presidents and Special Advisor to the President admitted to facilitate the work of the Committee.

1. Senior Appointments

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendations for two senior appointments.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

That, pursuant to Section 38 of *By-Law Number 2*, the recommendations be considered by the Governing Council *in camera*.

2. External Appointments**(a) Banting Research Foundation Board**

Dr. Bennett absented himself for this item.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Executive Committee reappoint Mr. John Burnes as a Trustee of the Banting Research Foundation for a three-year term, from October 14, 2005 until the Foundation's annual meeting in 2008.

2. External Appointments (cont'd)

THAT the Executive Committee appoint Dr. Robert Bennett and Dr. John Floras as Trustees of the Banting Research Foundation for three-year terms, from October 14, 2005 until the Foundation's annual meeting in 2008.

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

The Chair reported for information her appointment of the Interim Dean of the Faculty of Medicine, Dr. Catharine Whiteside, to the Board of Directors of the Sunnybrook and Women's College Health Sciences Centre for a one-year term, from July 1, 2005 to June 30, 2006 or until a new Dean is appointed. According to the *Sunnybrook and Women's College Health Sciences Centre Act*, one member of the Board was to be the Chair of the Governing Council, or a person appointed by the Chair.

The Committee returned to closed session.

3. Report of the Previous Meeting

Report 390 of the Executive Committee meeting held on June 29, 2005 was approved.

4. Business Arising from the Report of the Previous Meeting

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

5. Minutes of the Governing Council Meeting

Members received for information the minutes of the Governing Council meeting held on June 29, 2005.

6. Business Arising from the Governing Council Meeting

The Chair reminded members that two notices of motion had been given at the meeting of the Governing Council held on June 29, 2005. The texts of the motions were as follows:

Motion 1:

Be It Resolved

THAT there be an immediate moratorium on all future military-defense and military contractor research/institutional partnerships until fair, ethical and democratic guidelines are put in place taking into consideration amongst others Human Rights, International Law, Conventions, Covenants and Declarations.

Motion 2:

Be It Resolved

THAT donations to and investments by the University of Toronto be made publicly available.

The Chair invited the Secretary to comment on the Committee's responsibility. The Secretary summarized the two motions for the Committee. He reminded the Committee that its role was to determine whether to place these motions on the agenda of the next Governing Council meeting. He expressed the view that the issues raised by the motions were governed

6. Business Arising from the Governing Council Meeting (cont'd)

by existing University policies that had been previously approved by the Governing Council. Governance had delegated the day-to-day management of these issues to the administration, and in return was kept informed by regular reporting. The first motion had been discussed extensively at Academic Board, Executive Committee and Governing Council meetings the previous spring¹, at which time the Provost had commented on how existing policies addressed the specific concerns that were being raised². The matters raised in the second motion were governed by several policies³, approved agreements and regular reports to bodies of governance. The Secretary therefore suggested that the motions not be placed on the agenda.

The Provost added that the Vice-President, Research and Associate Provost had provided much of this information in his report on research funded from external sources, discussed extensively at the June 29, 2005 meeting of the Governing Council. In addition, it was timely that the Vice-President, Research and Associate Provost would be striking a committee to carry out a comprehensive review of research policies at the University.

A member welcomed such a review, and expressed an interest in knowing the terms of reference for the proposed committee, as its work would touch on the issue of academic freedom. The Provost responded that draft terms of reference would be developed with the Principals and Deans. A member requested that the Executive Committee be able to review the terms of reference before they were finalized. Faculty governors had discussed the issue of research policies, and concerns had been raised about political tests being applied to research. The Provost responded that the terms of reference could be discussed at the Executive Committee, and that the Chair of the Academic Board would also be consulted regarding their formulation. He assured the Committee that the terms of reference would clearly indicate the importance of the University's *Statement of Institutional Purpose*, and its policies regarding academic freedom, including the *Memorandum of Agreement between the Governing Council and the Faculty Association*.

A member, in the context of the second Notice of Motion, asked if information about portfolios managed by the University of Toronto Asset Management Corporation was

¹ See: Report Number 133 of the Academic Board (February 21, 2005) (<http://www.utoronto.ca/govcncl/bac/details/ab/2004-05/abr20050221.pdf>), Report Number 135 of the Academic Board (May 5, 2005) (<http://www.utoronto.ca/govcncl/bac/details/ab/2004-05/abr20050505.pdf>), Report Number 388 of the Executive Committee (May 18, 2005) (<http://www.utoronto.ca/govcncl/bac/details/ex/2004-05/exr20050518.pdf>), Report Number 389 of the Executive Committee (June 22, 2005) (<http://www.utoronto.ca/govcncl/bac/details/ex/2004-05/exr20050622.pdf>), Report Number 390 of the Executive Committee (June 29, 2005) (<http://www.utoronto.ca/govcncl/bac/details/ex/2004-05/exr20050629.pdf>), Minutes of the Governing Council Meeting (February 10, 2005) (<http://www.utoronto.ca/govcncl/bac/details/gc/2004-05/gcr20050210.pdf>), Minutes of the Governing Council Meeting (April 28, 2005) (<http://www.utoronto.ca/govcncl/bac/details/gc/2004-05/gcr20050428.pdf>), and Minutes of the Governing Council Meeting (June 29, 2005).

² These include: *The Statement on Protection of Freedom of Speech*, the *Policy on Ethical Conduct in Research*, and the *Memorandum of Agreement between The Governing Council of the University of Toronto and The University of Toronto Faculty Association*.

³ These include: *Guidelines on Fund Raising Strategy and Programs at the University of Toronto*, *The Provost's Guidelines on Donations, Social and Political Issues With Respect to University Investment*, the *University Funds Investment Policy*, the *Pension Fund Master Trust Investment Policy (Statement of Investment Policies and Goals)*, and the *Long-Term Capital Appreciation Pool Policy*.

6. Business Arising from the Governing Council Meeting (cont'd)

publicly available. The Vice-President, Business Affairs responded that information concerning whether a specific investment was held at a specific time was provided in response to enquiries, but that a general list of investments held in portfolios was not provided, and in any case, would change constantly.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the proposed motions not be placed on the agenda of the Governing Council.

7. Report of the President**(a) Introductory Remarks**

The President reported that his first few weeks in office had been enjoyable, and that he considered it a great privilege to be President of the University. The University had much to be proud of, especially its students, faculty and staff, and he had been struck by the degree of optimism that prevailed. There was much to be done, however, to ensure the continuation of responsive and strategic leadership of the highest quality, and his report would focus on three general areas in that regard: advocacy and communications strategy, recruitment and team building, and strategic imperatives.

(b) Advocacy and Communications Strategy

The President noted that the Ontario Government's Reaching Higher Plan, with its funding commitment of \$6.2 billion, had produced a positive mood in universities. With more funding available per student, the quality of education would be improved. In particular, new faculty could be hired, and the overall student experience enhanced. Current discussions with the Government were concerned with how the available funding would be distributed among Ontario's universities. At the University of Toronto, planning was underway with Deans and Chairs regarding the expansion of graduate programs that would bring about a desired ratio of undergraduate to graduate studies that had been previously agreed upon but never achieved. As this proposal moved forward, there would be regular reporting to governance. Funding decisions should be driven by the goals of producing quality enhancements and clear results, rather than by a desire to provide redress for past unfunded expansion. In addition, the University was working closely with the new provincial Ministry of Research and Innovation.

The University anticipated that there would be \$1.5 billion of federal funding for post-secondary education available as a result of the previous spring's Budget accord with the New Democratic Party. The Association of Universities and Colleges of Canada (AUCC) was making proposals to the federal government regarding how this should be distributed, and the University of Toronto was working with other research-oriented universities in lobbying for their priorities. The report of the Commercialization Task Force chaired by Dr. Joseph Rotman could produce recommendations that would affect the next economic update or budget.

Currently the National Research Council (NRC) had no major facility in the Greater Toronto Area, the largest center for research in the country. A proposal was being put forward for an NRC centre that would involve the University of Toronto, focused on translating fundamental bioscience into more practical outputs. There had been encouraging responses from federal officials.

7. Report of the President (cont'd)

In order to address broader communications and branding issues at the University, a Strategic Advocacy and Communications Group had been established and was meeting regularly. Considerable work had already been done in updating the University's wordmarks and crests in order to bring about a greater degree of consistency in the way the University presents itself visually. There was also a need to clarify the University's brand as well as the sub-brands associated with particular divisions. An external consultant, Mr. Rob Steiner had been very valuable in assisting in focusing the key messages for the Administration to date. Clarifying these messages was crucial to effective institutional communications, recruiting and fundraising.

(c) Recruitment and Team Building

The President reported that, with two vacant vice-presidential portfolios, it was timely to carry out an assessment of responsibilities and a possible restructuring of portfolios within the University's central administration in the months ahead. An initial assessment had identified gaps primarily at the Assistant Vice-President and Executive Director level in such areas as international relations, municipal relations, communications and public affairs, and institutional and community outreach. High quality appointments in these areas would allow the President and Vice-Presidents to focus on broader strategic issues. However, the costs of new appointments would have to be monitored closely to ensure that administrative overhead costs were not out of keeping with general budgetary growth, as the teaching and research functions of the University had to remain our first priority.

(d) Strategic Imperatives

Good 'traction' was being achieved in advancing the University's leading priority, the enhancement of the student experience. Further progress would require more than just increased funding, but would also require a 'culture change'. There needed to be more effective identification of problems affecting students' experiences inside and outside the classroom, and improved responsiveness to overcome them. The President cited such basic deficiencies as poor acoustics and inappropriately scaled seats in lecture theatres, which, if corrected, would make a real difference to the student experience. The Varsity project on the St George campus would be a very positive development. A leading priority was to address the faculty-student ratio so as to bring about greater faculty-student interaction.

The President underscored the importance of enhancing the University's municipal relations strategy, as the City of Toronto was central to the University's identity. The University of Toronto at Mississauga's relationship with the City of Mississauga provided an excellent model to emulate.

The University's international strategy would also be redeveloped. There were over 6,000 international students at the University, and it was a continuing problem that they were not able to be employed off campus. Recruiting strategies needed to be clarified in terms of which countries to target. There needed to be an assessment of the types of support the University provided to international students, especially those from less developed countries. Recruitment of students from developing countries, coupled with enhanced student support, could constitute an excellent form of foreign aid.

(e) In Camera Briefing

The Committee moved *in camera* pursuant to Section 28 (e) and (f) of the Governing Council By-Law Number 2.

7. Report of the President (cont'd)

The President briefed members on a property matter.

The Committee returned to closed session.

8. Items for Endorsement and Forwarding to Governing Council

- (a) **The University of Toronto *Ontarians with Disabilities Act* Accessibility Plan, 2005-2006**
(*Arising from Report Number 137 of the Academic Board (October 6, 2005)*)

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

THAT The University of Toronto *Ontarians with Disabilities Act* Accessibility Plan, 2005-06, a copy of which is attached to Report Number 137 of the Academic Board as Appendix A, be approved in principle.

- (b) **Capital Project: University of Toronto at Scarborough Electrical and Mechanical Infrastructure Upgrades Phase 4: New Chiller, Project Planning Report**
(*Arising from Report Number 137 of the Academic Board (October 6, 2005)*)

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED to the Governing Council for consideration the recommendation

1. THAT the Project Planning Report for the Electrical and Mechanical Infrastructure Upgrades at the University of Toronto at Scarborough, Phase 4 Mechanical: New Chiller, a copy of which is attached to Report Number 137 of the Academic Board as Appendix B, be approved in principle.
2. THAT the project scope for the new chillers as described in the project committee report be approved at an estimated total project cost of \$2,919,000 to be funded from the following sources:
 - i) Deferred Maintenance Funds allocation to UTSC in 2005-06 in the amount of \$1,204,809.
 - ii) Facilities Renewal Program allocation 2006-07 in the amount of \$200,000.
 - iii) Deferred Maintenance Funds allocation to UTSC in 2006-07 in the amount of \$1,514,191.

9. Reports for Information

Members received several reports for information.

- (a) Report on Approvals under Summer Executive Authority
- (b) Calendar of Business 2005-2006

9. Reports for Information (cont'd)

- (c) Report Number 142 of the Business Board (June 23, 2005)
- (d) Report Number 143 of a special meeting of the Business Board (September 14, 2005)
- (e) Report Number 130 of the University Affairs Board (September 27, 2005)
- (f) Report Number 137 of the Academic Board (October 6, 2005)

A member asked if Governing Council would approve tuition fee schedules during the upcoming year, and was assured that this would occur at the March 23, 2006 meeting. The Provost added that his office was working with the Office of the Governing Council to establish a regular cycle of reviews of policies which would include policies dealing with student fees and student assistance.

A member asked if policies regarding inappropriate relations between staff, faculty and students were up to date and were communicated effectively. The Provost responded that these issues were governed by existing policies including: *Policies and Procedures: Sexual Harassment, Policy on Conflict of Interest Academic Staff, Policy on Conflict of Interest Librarians*, as well as the *Memorandum of Agreement between the Governing Council of the University of Toronto and the University of Toronto Faculty Association*.

A member asked if the University was preparing for the potentially expensive implementation of the Freedom of Information and Protection of Privacy Act (FIPPA). The Vice-President, Business Affairs responded that a committee had been established to address this issue, and was working to determine the implications of FIPPA for the University. The University would take an incremental approach in responding to the Act. It would likely need a central Freedom of Information Officer, as well as individuals in the divisions with responsibilities for FIPPA. Procedures and systems were being put in place in order to be able to respond to requests for information within the required 28-day deadline. A member asked if legal advice was being sought regarding ways to classify information under FIPPA. The Provost responded that the University's legal counsel, as well as that of the Council of Ontario Universities, had worked on this issue, and that there were clear exemptions of some documents such as tenure files and those related to personnel matters.

10. Date of the Next Meeting

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Thursday, December 1, 2005 at 5:00 p.m.

11. Other Business

The Chair updated the Committee regarding an ongoing litigation matter involving the University that is currently before the courts.

The meeting adjourned at 1:50 p.m.

Secretary

Chair

October 15, 2005