

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 407 OF
THE EXECUTIVE COMMITTEE

Thursday, June 14, 2007

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Thursday, June 14, 2007 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Ms Rose M. Patten (In the Chair)
Mr. John F. (Jack) Petch, Vice-Chair
Professor David Naylor, President
Mr. P.C. Choo
The Honourable William G. Davis
Miss Coralie D'Souza
Ms Susan Eng
Dr. Shari Graham Fell
Professor Ellen Hodnett
Mr. Timothy Reid
Professor Arthur S. Ripstein
Ms Estefania Toledo
Mr. Robert S. Weiss

Non-Voting Member:

Mr. Louis R. Charpentier

Secretariat:

Mr. Henry Mulhall, Secretary

Regrets:

Professor Barbara Sherwood Lollar

In Attendance:

Dr. Claude Davis, Chair, University Affairs Board and Member of the Governing Council
Professor Vivek Goel, Vice-President and Provost and Member of the Governing Council
Dr. Anthony Gray, Special Advisor to the President
Professor Michael R. Marrus, Chair, Academic Board and Member of the Governing Council
Ms Jacqueline Orange, Member of the Governing Council and Chair, Business Board
Ms Catherine Riggall, Vice-President, Business Affairs

1. Reports of the Previous Meetings

Report Number 405 (May 17, 2007) and Report Number 406 (May 30, 2007) of the Executive Committee were approved.

2. Business Arising from the Reports of the Previous Meetings

There was no business arising from the reports of the previous meetings.

3. Minutes of the Governing Council Meeting of May 30, 2007

Members received for information the minutes of the Governing Council meeting held on May 30, 2007.

4. Business Arising from the Minutes of the Governing Council Meeting

There was no business arising from the minutes of the Governing Council meeting.

5. Report of the President

(a) Convocation

The President reported that the annual series of June Convocation ceremonies were proceeding very efficiently, and more importantly, were providing an uplifting experience for participants. He noted with gratitude that the Chancellor had presided at every ceremony to date, and was enjoying the opportunity for personal interaction with the graduating students.

(b) Faculty of Social Work Gift

The President was pleased to announce a gift of \$15 million to the Faculty of Social Work from Ms Lynn Factor and Mr. Sheldon Inwentash. In recognition of the gift, the largest received by a social work faculty in North America, the Faculty would be renamed the Factor-Inwentash Faculty of Social Work. The gift's impact on the Faculty's teaching and research activities would be transformative, allowing the establishment of fifty graduate scholarships and five endowed chairs.

(c) *Towards 2030*

The initial *Towards 2030* strategic planning document had been released to the University community on June 12, 2007. The President thanked members for the feedback they had provided on an earlier draft. He would provide a presentation of the document's highlights at the June 25, 2007 meeting of the Governing Council. It would be circulated as broadly as possible over the course of the summer with the intention of fostering discussion and soliciting feedback. He looked forward to working closely with Governors during the Fall when the major issues and options would be framed by means of task forces, symposia and conferences. The goal was to produce a synthesis document by early 2008.

(d) Academic Boycott of Israeli Universities

A member referred to the recent decision of the British University and College Union to begin formal consideration of an academic boycott of Israeli universities. In his view, academic boycotts were contrary to the principles of academic freedom and freedom of expression, fundamental values upheld by the University. He recommended that the University officially restate its opposition to academic boycotts, a position it had most recently articulated in 2005. The President stated that the University did not support academic boycotts of any kind, and that they were antithetical to its most fundamental values. In his view, they were also counter-

5. Report of the President (cont'd)**(d) Academic Boycott of Israeli Universities (cont'd)**

productive in that they politicized and diminished academic discourse. He solicited the advice of the Executive Committee regarding the most appropriate course of action to be followed in this particular situation, and following a full discussion, took under advisement a number of possibilities.

6. Items for Confirmation by the Executive Committee**(a) Constitution: Faculty of Architecture, Landscape, and Design**
(Arising from Report Number 151 of the Academic Board [June 4, 2007]- Item 5)

Professor Marrus reported that the changes to the Constitution were intended to accommodate the new responsibilities and authority transferred to the Faculty Council from the School of Graduate Studies, and to update the Constitution to reflect current programs within the faculty and governance best practice. There had been no discussion of the item by the Board, and the approval had been unanimous. A member of the Committee asked why, given that responsibilities and authority were being transferred to the Faculty Council, the minimum number of meetings per academic year was being reduced from three to two. The Provost responded that the Council was a plenary body, and that most of its business was carried out by committees of the Council which met more frequently.

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED THE DECISION OF THE ACADEMIC BOARD

THAT the revised Constitution of the Faculty of Architecture, Landscape, and Design, which was approved by the Faculty Council on March 28, 2007, be approved.

Documentation is attached to Report Number 151 of the Academic Board as Appendix "A".

7. Items for Endorsement and Forwarding to the Governing Council**(a) Inventions Policy**
(Arising from Report Number 151 of the Academic Board [June 4, 2007]- Item 6)

Professor Marrus reported that this was the final revised policy arising from the review of research policies led by the Vice-President, Research and Associate Provost that would come forward for governance approval during the current academic year. Under the revised policy, the maximum management fee charged by the new Innovations Group would be 20% of net revenue, a substantial reduction from the 50% charged by the former Innovations Foundation under the previous policy. If the inventor assigned ownership and responsibility to the University, the inventor would now receive 60% of net revenue, a substantial improvement for inventors. There had been no discussion of the revised Policy by the Board.

A member asked how the model that was being proposed compared to best practices at other Canadian universities. The President responded that it compared very favorably, and was similar to that in place at the University of British Columbia, arguably one of the most successful Canadian universities in the area of innovation, knowledge translation and commercialization of inventions. The revenue sharing model, in particular, was intended to provide incentives to promote creativity and knowledge translation for the greatest public benefit.

7. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(a) *Inventions Policy* (cont'd)**

On motion duly moved and seconded,

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

THAT the revised *Inventions Policy* be approved, replacing the Policy approved by the Governing Council on May 3, 1990 and amended on June 3, 2002.

Documentation is attached to Report Number 151 of the Academic Board as Appendix “B”.

(b) Capital Project: Project Planning Report - Relocation of Capital Projects and Facilities and Services

(Arising from Report Number 151 of the Academic Board [June 4, 2007]- Item 7)

Professor Marrus reported that the proposed move of the Departments of Capital Projects and Facilities and Services to McCaul Street would make space available at 215 Huron Street for the Departments of Mathematics and Statistics. The only question raised at the Board had concerned the combined traffic of employees in the two relocated departments and those using the examination centre, and whether this would cause any congestion problems, especially in the use of the elevators. The Assistant Vice-President, Campus and Facilities Planning had assured the Board that the project plans conformed to building code requirements and that no problems were anticipated.

The Chair noted that this Capital Project, and the one to follow on the agenda, would also be considered by the Business Board at its meeting on June 21, 2007. The Board would consider approval for execution of the projects, subject to final approval by the Governing Council at its June 25, 2007 meeting.

On motion duly moved and seconded,

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

1. THAT the third floor of 255/257 McCaul Street be assigned to the Capital Projects Department and to portions of the Facilities & Services Department.
2. THAT the renovation of the third floor of 255/257 McCaul Street, 2200 gross square metres, and an archive storage room on the first floor, 167 gross square meters, with a Total Project Cost of \$6.0 million be approved and funded through borrowing.

Documentation is attached to Report Number 151 of the Academic Board as Appendix “C”.

(c) Capital Project: Interim Project Planning Report – Varsity Centre 2007

(Arising from Report Number 151 of the Academic Board [June 4, 2007]- Item 8)

Professor Marrus reported that approval in principle was being sought for the planning and construction of the Varsity Entrance Building and the renovations to Varsity Arena, on site 21 at 299 Bloor Street West, and for the Centre for High Performance Sport on Site 12, 100 Devonshire Place. The south end of Site 12 was being assigned to the Varsity 2007 project until December 31, 2007, at which time the financial viability of the project would be assessed.

7. Items for Endorsement and Forwarding to the Governing Council (cont'd)**(c) Capital Project: Interim Project Planning Report – Varsity Centre 2007 (cont'd)**

Approval was also being sought for the construction of the South Entrance Building, Beacon and Box Office at a total project cost of approximately \$10 million, with the funding obtained from donations. Speakers from the Graduate Students' Union (GSU) and Association of Part-time Undergraduate Students (APUS) had addressed the Board, and had indicated their opposition to student levies for capital projects. A member of the Board had observed that the name 'Centre for High Performance Sport' could imply that the Centre would only be available to elite athletes. The Dean of the Faculty of Physical Education and Health had replied that the name of the Centre reflected the pursuit of excellence by the University in all fields of endeavour. The proposal had received overwhelming support from the Board.

A member asked if an estimated amount had been determined for any student levy associated with the project. The Provost clarified that no capital support was being sought for the Varsity project by means of a student levy or increase in student ancillary fees. Rather, capital funding to date had been provided from University and external resources, and going forward would be derived from fund-raising. Any student levy associated with the project would be for the purpose of providing operating funding for the facility, and would be negotiated with the recognized student organizations through the Council on Student Services (COSS) process. It would likely amount to an increase in student ancillary fees of approximately \$50.00-\$60.00 per student per year. If a levy did not prove to be feasible, other options such as user fees would be considered. Operating funding would have to be in place before the project could be considered for final approval by the Governing Council.

On motion duly moved and seconded,

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

1. THAT the planning and construction of the Varsity Entrance Building and the renovations to Varsity Arena, on Site 21, 299 Bloor Street West, and of the Centre for High Performance Sport on Site 12, 100 Devonshire Place, as contained within the Interim Project Planning Report, be approved in principle.
2. THAT the south end of Site 12, 100 Devonshire Place, be assigned to Varsity 2007 until December 31, 2007 at which time the financial viability of the project can be assessed.
3. THAT the components of the project for Varsity Centre, approximately 7753 net assignable square metres be approved in principle at a total project cost of approximately \$69.8 million (premised on a tender date of October 2008) to be funded by fundraising initiatives.
4. THAT the first components of Varsity 2007, the South Entrance Building, and the Beacon and Box Office be approved in principle to proceed to construct approximately 600 net assignable square metres as detailed in the Interim Project Planning Report and having a total project cost of approximately \$10 million on Site 21 as funding for these components is obtained from donations. No financing is required.

Documentation is attached to Report Number 151 of the Academic Board as Appendix "D".

7. Items for Endorsement and Forwarding to the Governing Council (cont'd)

(d) Capital Project: Interim Project Planning Report – Student Commons
(*Arising from Report Number 151 of the Academic Board [June 4, 2007]- Item 9*)

Professor Marrus reported that a portion of site 12 at 100 Devonshire Place was being proposed for a Student Commons facility, with activities co-located with the Varsity Centre for High Performance Sport. A speaker from APUS had indicated the Association's displeasure at the impact the assignment of Site 12 for the Student Commons and Varsity Centre would have on the APUS Office at the former Margaret Fletcher Day Care located on Site 12. The only question raised at the Board had been whether there was a maximum height for the structures being planned for the site. Ms Sisam had replied that 7.5 stories was the maximum height allowed under current zoning regulations.

A member expressed her strong support for both the Varsity Centre and Student Commons projects which, taken together, would do much to enhance the student experience. She urged that action be taken early in the planning process to respond to any concerns expressed by student groups. A member added that it would be important to receive student input regarding these two capital projects that was as broadly representative of the student population as possible.

A member asked for clarification of the statement in the cover memorandum regarding funding sources which stated that occupancy costs for the facility would be outside of the University's operating budget. The Provost responded that it was being proposed that the capital costs for this project would be provided through a combination of a student levy and a matching contribution from the University of fifty cents against each dollar raised through the levy. This would be consistent with the funding model used to build the student centres on the University of Toronto at Mississauga (UTM) and University of Toronto at Scarborough (UTSC) campuses. The levy for the capital costs was estimated to amount to \$40.00 per student per year, while that for the operating costs for the facility would be approximately \$50.00 per student per year. The President added that the University would actively fund-raise in support of the capital costs for the project, but that if a student levy contribution did not prove to be feasible, the project would not be built as an institutional liability.

On motion duly moved and seconded,

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

1. THAT the Interim Project Planning Report for the Student Commons on the St. George Campus be approved in principle, and that a portion of site 12 be assigned for this project, co-locating activities with Varsity Centre for High Performance Sport.
2. THAT approval of the final report be contingent on identification of the total capital project cost, operating costs, funding and governance of the proposed facility.

Documentation is attached to Report Number 151 of the Academic Board as Appendix "E".

8. Summer Executive Authority

The Vice-Chair reminded members that each June, the Governing Council was asked to delegate to the President authority to take any necessary actions on its behalf during the summer months. The Chair would countersign individual authorizations, and, in September,

8. Summer Executive Authority (cont'd)

these actions would be reported for information to the appropriate board or committee. Items not regarded as urgent would be held for consideration in the usual manner. The Vice-Chair noted that the Summer Executive Authority motion had been updated to reflect the revisions to the *Policy on Appointments and Remuneration* approved by the Governing Council on May 30, 2007.

On motion duly moved and seconded,

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

1. THAT until the next regular meeting of the Governing Council or its appropriate committee or board, authority be granted to the President for:
 - (i) appointments to categories 2¹ 3² and 5³ of the *Policy on Appointments and Remuneration* approved by the Governing Council of the University of Toronto, dated May 30, 2007;⁴
 - (ii) approval of such additional curriculum changes as may arise for the summer and September 2007; 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.

9. Reports for Information

Members received the following reports for information.

- (a) Report Number 150 of the Academic Board (May 2, 2007)
- (b) Report Number 157 of the Business Board (May 7, 2007)
- (c) Report Number 142 of the University Affairs Board (May 1, 2007)
- (d) Report Number 14 on Namings

10. Date of the Next Meeting

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Monday, June 25, 2007 at 3:00 p.m.

¹ Category 2 includes the positions of Vice-President, Secretary of the Governing Council, and University Ombudsperson, which are subject to the approval of the Governing Council.

² Category 3 includes the positions of Deputy Provost, Associate and Vice-Provosts, Chief Financial Officer, Senior Legal Counsel and Deputy Secretary of the Governing Council, which are subject to the approval of the Executive Committee, and are reported for information to the Governing Council.

³ Category 5 includes the head of Internal Audit (approved by the Business Board) and the Warden of Hart House (approved by the University Affairs Board).

⁴ Approval of Academic Administrative Appointments until the next regular meeting of the Agenda Committee of the Academic Board shall be approved by electronic ballot and shall require the response of at least five members of the Agenda Committee.

11. Other Business

The Secretary asked for the advice and direction of the Committee concerning a matter raised by a member of the Governing Council. The University Affairs Board had received for information the *Report of the Review and Advisory Committee for Hart House and the Warden of Hart House* at its meeting on May 29, 2007. The *Report* had been discussed by the Board, including its recommendation (#12) that the Chief Administrative Officer of the University permanently withdraw permission for firearms to be kept or used at Hart House or at any of its facilities, and the administration's response to implement that recommendation as soon as possible. External speakers opposed to this decision had addressed the Board, including a member of the Governing Council. The Secretary had subsequently received a letter from the same Governor requesting that the Governing Council find that, were the administration to withdraw that permission, it would be acting beyond its authority. The Governor had also requested that the Governing Council instruct the administration to continue indefinitely to grant the permission in question. Finally, the Governor had requested permission to address the Governing Council on this topic at its meeting on June 25, 2007.

The Office of the Governing Council and the Office of the Vice-President and Provost had communicated to the Governor that the administration was acting within its delegated authority to implement policy, and that the Hart House review had been carried out following an open and consultative process. It had been noted that exemptions to policy, including that for Hart House from the *Statement on the Bearing of Firearms*, were not binding in perpetuity. Rather, from a governance perspective, it was reasonable to expect that they be reassessed from time to time for their continued appropriateness. Finally, it had been noted that the Chief Administrative Officer (the Vice-President, Business Affairs) would consider the submissions that she had received on this issue, and would likely defer withdrawal of the exemption for Hart House until the end of September, 2007. This would allow the Hart House Rifle and Revolver Clubs to make alternative arrangements for their activities.

After discussion, it was agreed that, from the perspective of governance, this matter was appropriately within the purview of the administration, and that members of the administration were discharging their responsibilities in a manner consistent with the University's open and consultative decision-making processes. Further, matters currently being addressed by the administration would not normally constitute items for discussion at Governing Council meetings.

There was no other business.

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 12 to 15 take place *in camera*, with the Board Chairs and Vice-Presidents admitted to facilitate the work of the Committee, with the exception of items 14 (c) and 14 (d) when the Vice-Presidents absented themselves.

In Camera Session

12. Committee for Honorary Degrees: Membership

On motion duly moved and seconded,

IT WAS RESOLVED

THAT the recommendation from the Academic Board concerning the membership of the Committee for Honorary Degrees for 2007-2008 be endorsed and forwarded to the Governing Council for approval; and

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

13. External Appointments

(a) Hart House Board of Stewards and Finance Committee

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Ms Elizabeth Vosburgh be re-appointed to the Hart House Board of Stewards for a one-year term, from July 1, 2007 until June 30, 2008, or until her successor is appointed.

THAT Mr. Paul Lindblad be re-appointed to the Hart House Finance Committee for a one-year term, from July 1, 2007 until June 30, 2008, or until his successor is appointed.

(b) Sunnybrook Health Sciences Centre (SHSC)

The Chair reported for information her re-appointment of Professor Catharine Whiteside, Dean of the Faculty of Medicine and Vice-Provost, Relations for Health Care Institutions to the Board of Directors of the Sunnybrook Health Sciences Centre for a three-year term, effective July 1, 2007 to continue until the 2010 Annual General Meeting of the SHSC Corporation. According to the *Sunnybrook and Women's College Health Sciences Centre Act, 1998* one member of the Board was to be the Chair of the Governing Council, or a person appointed by the Chair. According to Section 5.3 (e) of *Administrative By-law Number 1*, approved by the SHSC Board on June 12, 2006, a three-year term had been introduced for a director appointed by the Chair of the Governing Council.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Mr. David Agnew be appointed to the Board of Directors of the Sunnybrook Health Sciences Centre, for a term effective July 1, 2007 to continue until the 2010 Annual General Meeting of the Corporation, or until his successor is appointed; and

THAT Mr. Robert Dale be re-appointed to the Board of Directors of the Sunnybrook Health Sciences Centre, for a term effective July 1, 2007 to continue until the 2009 Annual General Meeting of the Corporation, or until his successor is appointed; and

13. External Appointments (cont'd)

(b) Sunnybrook Health Sciences Centre (SHSC) (cont'd)

THAT Mr. Carey Diamond be re-appointed to the Board of Directors of the Sunnybrook Health Sciences Centre, for a term effective July 1, 2007 to continue until the 2010 Annual General Meeting of the Corporation, or until his successor is appointed; and

THAT Mr. David A. Leslie be re-appointed to the Board of Directors of the Sunnybrook Health Sciences Centre, for a term effective July 1, 2007 to continue until the 2010 Annual General Meeting of the Corporation, or until his successor is appointed.

(c) University Health Network (UHN)

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Professor Catharine Whiteside, Dean of the Faculty of Medicine, and Professor Wayne Hindmarsh, Dean of the Faculty of Pharmacy, be re-appointed to the Board of Trustees of the University Health Network for one-year terms, from July 1, 2007 to June 30, 2008, or until their successors are appointed.

(d) West Park Healthcare Centre

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Professor Luc De Nil be proposed to the Nominating Committee of the Board of Governors of the West Park Healthcare Centre for re-appointment to the Board for a one-year term, with his appointment to continue until the 2008 Annual General Meeting, or until a successor is appointed.

14. Senior Appointments

(a) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation for a senior appointment contained in the memorandum from the President dated June 4, 2007.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

14. Senior Appointments (cont'd)

(b) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation for a senior appointment contained in the memorandum from the President dated June 14, 2007.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

(c) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation for a senior appointment contained in the memorandum from the President dated June 12, 2007.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

(d) Update on Senior Appointments

The Committee was briefed by the President on upcoming Senior Appointments.

Vary the Agenda

It was agreed to vary the agenda to add the following *in camera* item.

15. Elections Committee: Membership, 2007-08

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED

the originally proposed membership of the Elections Committee for 2007-08 as considered by the Governing Council at its meeting on May 30, 2007.

The Committee returned to closed session.

The meeting adjourned at 6:45 p.m.

Secretary
July 26, 2007

Chair