

UNIVERSITY OF TORONTO  
THE GOVERNING COUNCIL  
**REPORT NUMBER 422 OF  
THE EXECUTIVE COMMITTEE**

**Tuesday, May 12, 2009**

To the Governing Council,  
University of Toronto.

Your Committee reports that it held a meeting on Tuesday, May 12, 2009 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Mr. John F. (Jack) Petch (In the Chair)  
Dr. Alice Dong, Vice-Chair  
Professor David Naylor, President  
Professor Varouj Aivazian  
Ms Diana A.R. Alli  
Ms Judith Goldring  
Mr. Grant Gonzales  
Mr. Gerald Halbert  
Mr. Joseph Mapa  
Mr. Timothy Reid  
Professor Arthur S. Ripstein

**Non-Voting Member:**

Mr. Louis R. Charpentier

**Secretariat:**

Mr. Henry Mulhall  
Ms Mae-Yu Tan

**Regrets:**

Ms Susan Eng  
Mr. David Ford  
Professor Louise Lemieux-Charles

**In Attendance:**

Dr. Anthony Gray, Special Advisor to the President  
Professor Cheryl Misak, Vice-President and Provost, and Member of the Governing Council \*  
Mr. Richard Nunn, Chair, Business Board and Member of the Governing Council  
Ms Catherine Riggall, Vice-President, Business Affairs \*

**1. Report of the Previous Meeting**

Report Number 421 (April 6, 2009) of the Executive Committee 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. Minutes of the Governing Council Meeting of April 16, 2009**

The Chair indicated that the Minutes of the Governing Council meeting were in preparation and would be available in advance of the next meeting of the Council on May 20, 2009.

\* Absent for consideration of Agenda Item #13.

**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**

The Committee moved *in camera*. The President briefed the Committee on a variety of human resources and government relations matters.

The Committee returned to closed session.

**6. Items for Endorsement and Forwarding to the Governing Council**

**(a) Capital Project: Project Planning Report for the Expansion of the John H. Daniels Faculty of Architecture, Landscape and Design**

*(Arising from Report Number 162 of the Academic Board [April 30, 2009]- Item 5)*

Professor Aivazian introduced the three capital projects which would be considered by the Executive Committee. He stated that all three projects had been presented to the Academic Board for approval at the April 30, 2009 meeting. The projects were three of six proposals which the University had carefully selected for submission for the first round of government infrastructure funding. The other projects included two large projects at the University of Toronto at Scarborough and the University of Toronto at Mississauga, as well as one smaller project on the St. George campus; those three remaining proposals would be presented for governance approval in the near future.

Professor Aivazian said that the proposed projects could be quickly initiated and completed in order to meet the government's program requirements - projects must be materially complete by March, 2011. All three projects had been recommended for approval by the Academic Board with the understanding that their execution was contingent on the provision of government funding.

Professor Aivazian then explained that, in 1997, Governing Council had approved a Users Committee report of the then School of Architecture and Landscape Architecture, which had contained a proposal for a \$10-million, multi-phased renewal and renovation of the existing building at 230 College Street. Some of the needed improvements had occurred, but much work still remained to be done. A reconstituted Project Planning Committee had been considering the increased space requirements of the Faculty's new Academic Plan since 2008, and the current proposed capital project, which would provide additional space needed for research offices and design studio space, was estimated to cost \$20-million.

Professor Aivazian noted that if the project was not selected for federal funding, the Project Planning Report would remain approved in principle until other funding or private benefaction could be obtained. At the Academic Board meeting, a member of the Faculty of Architecture, Landscape and Design, Professor Barry Sampson, had stated that the Faculty was very excited about the proposed project and the opportunities for learning that it would offer to its students and faculty.

Mr. Nunn reported that the Business Board had approved the execution of Phase I of the proposed project, subject both to Governing Council approval in principle and subject to the confirmation of funding.

**6. Items for Endorsement and Forwarding to the Governing Council (cont'd)****(a) Capital Project: Project Planning Report for the Expansion of the John H. Daniels Faculty of Architecture, Landscape and Design (cont'd)**

On motion duly moved, seconded, and carried,

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

1. THAT the Project Planning Report for the John H. Daniels Faculty of Architecture, Landscape and Design be approved in principle to accommodate the activities and functions described for the expansion of the Faculty's programs at its present location, 230 College Street.
2. That the project scope for Phase 1, comprising an addition of approximately 1250 net assignable square metres or 2023 gross square metres be approved at a total project cost of \$20,000,000, subject to funding.
3. THAT the project scope for subsequent phases of renovations be brought forward to implement through the Accommodation and Facilities Directorate for components valued at less than \$2 million, and those exceeding \$2 million in accordance with the *Policy on Capital Planning and Capital Projects*.

Documentation is attached to Report Number 162 of the Academic Board as [Appendix "A"](#).

**(b) Capital Project: Utilities Infrastructure Renewal for the St. George Campus**  
*(Arising from Report Number 162 of the Academic Board [April 30, 2009]- Item 6)*

Professor Aivazian reported that the proposed Utilities Infrastructure Renewal for the St. George Campus Capital Project consisted of a number of projects which had been combined into one and submitted through the federal Knowledge Infrastructure Program. Under that program, physical infrastructure, including utilities infrastructure, would be eligible for funding. The projects ranged from electrical upgrades to an improved chiller plant and a strengthened cogeneration facility which would ensure that any damage to buildings and research was minimized in the event of a power failure. Each of the projects outlined in the proposal would be needed in the future to support the growing demand for utilities services on the St. George campus.

Mr. Nunn reported that the Business Board had also approved the execution of the proposed project, again subject to Governing Council approval in principle. He noted that the matter of deferred maintenance and renewal had been an ongoing concern in the Business Board, and receipt of government infrastructure funding for this work would be most welcome.

The President commented that the University had intentionally submitted ambitious proposals for critical projects in the hopes that the Government would respond favourably to them. Funding decisions about the University's proposals were expected to be released in the near future.

**6. Items for Endorsement and Forwarding to the Governing Council (cont'd)****(b) Capital Project: Utilities Infrastructure Renewal for the St. George Campus (cont'd)**

On motion duly moved, seconded, and carried,

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

THAT the Utilities Infrastructure Renewal program of projects be approved, at a total cost not to exceed \$15.9 million, and assuming receipt of funding from the government economic stimulus program:

- Government of Canada \$8.0M
- Government of Ontario \$7.9M

Documentation is attached to Report Number 162 of the Academic Board as [Appendix “B”](#).

**(c) Capital Project: Interdisciplinary Design Studios within the Department of Civil Engineering and the Lassonde Institute Project Change of Scope**  
*(Arising from Report Number 162 of the Academic Board [April 30, 2009]- Item 7)*

Professor Aivazian stated that the Interdisciplinary Design Studios within the Department of Civil Engineering and the Lassonde Institute Project Change of Scope Capital Project had originally been approved by governance in 2008. At that time, the estimated total cost of the project had been \$12,150,000 and had included high priority roof renovations. Since then, the project had been reviewed, and it had been determined that external deferred maintenance items should be added, along with a proposal for photovoltaic panels to increase the energy efficiency in the Mining Building. The additional items, together with the escalation in time of tender had increased the total project cost to \$20-million.

Mr. Nunn reported that the Business Board had also considered the proposed project and had approved its execution, subject to Governing Council approval in principle.

On motion duly moved, seconded, and carried,

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

1. THAT the Project Planning Report for the Civil Engineering Interdisciplinary Design Studios be approved in principle.
2. THAT the project scope, comprising renovations to approximately 630 net assignable square meters and 1,130 gross square meters be increased to a total project cost of \$20,000,000, subject to funding, to include high priority repairs, maintenance and restoration and items addressing sustainability.

Documentation is attached to Report Number 162 of the Academic Board as [Appendix “C”](#).

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

**(d) Tuition Fees: Faculty of Arts and Science, St. George Campus – Assessment of Full-time Tuition Fees by Program**

*(Arising from Report Number 174 of the Business Board [April 27, 2009]- Item 3)*

Mr. Nunn reported that the Business Board had recommended approval of the proposal that the tuition fee for full-time students in the Faculty of Arts and Science on the St. George Campus be a single program fee rather than a per-course fee. He noted that an excerpt from Report Number 174 of the Business Board had been placed on the table for members. The proposal had been thoroughly debated at the Board's meeting, and some excellent presentations from the major student groups and the University of Toronto Faculty Association had been given. Mr. Nunn stated that the practice of charging a program fee was a common one, both in many programs at the University of Toronto and elsewhere in Ontario. If approved, the program fee would be introduced gradually. Current full-time students would pay fees on the same basis as the present for the next four years, while the fee for new students would be carefully watched, with the arrangement adjusted if required.

The majority of the Board had been convinced that the proposal was appropriate. Members had been informed that additional financial aid would be available for students who needed it in order to take a full course load and that the program fee was used elsewhere, with no negative effect on academic engagement or extra-curricular involvement. Both program quality and faculty workload would benefit from the additional faculty hiring enabled by the financial benefits of the proposal.

It was duly moved and seconded

THAT YOUR COMMITTEE ENDORSE AND FORWARD to the Governing Council for consideration the recommendation

Subject to the understanding that there will be regular review and scrutiny of the model, with regular reporting to the Arts and Science Council and with adjustments as required,

THAT the proposal to charge tuition fees for full-time Arts and Science students on the St. George Campus on the basis of a program fee instead of a per-course fee, a copy of which is attached to Report Number 174 of the Business Board as [Appendix "A"](#), be approved.

Among the matters that arose in discussion were the following.

**a) Over-Enrollment in Courses**

A member commented that some relevant points had been raised by students who had expressed their opposition to the proposed program fee at the April 27<sup>th</sup> Business Board meeting. Professor Misak acknowledged that, at the beginning of a term, students sometimes enrolled in more courses than they intended to take. They often sampled courses with the intention of withdrawing before a financial or academic penalty was imposed. By over-enrolling, students attempted to assess which courses they wanted to take and in which courses they were most likely to perform well. Unfortunately, over-enrollment in courses by some students sometimes resulted in increased waiting lists, affecting other students who hoped to register in their preferred courses before the deadline to add courses. Professor Misak stated that, with the implementation of a program fee, there would be a limited number of courses in which students could "over-enroll", which could help to alleviate the waiting list problem.

**b) Limited Program Fee Implementation Period**

A member expressed his support for the implementation of a program fee, but suggested that it only be put in place for a period of two years (2009-10 and 2010-11). In his view, it would be essential to evaluate the impact of the program fee at the end of that period, before determining any further steps. The member noted that both the University of Toronto at Mississauga (UTM) and the University of

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

**(d) Tuition Fees: Faculty of Arts and Science, St. George Campus – Assessment of Full-time Tuition Fees by Program (cont'd)**

Toronto at Scarborough (UTSC) had abstained from submitting similar proposals, preferring to study the implications for their programs over time. Professor Misak disagreed with the member's suggestion for a two-stage approval process. She stated that a number of other universities had successfully implemented program fees and that seeking re-approval from Governing Council in two years would again result in damaging and unnecessary discussion of a proposal which was not out of the ordinary.

**c) Program Costs and Fees**

A member observed that there were both fixed and variable costs associated with program delivery at the University. The current practice within the Faculty of Arts and Science of charging fees based on the number of courses taken was actually somewhat inequitable. Students taking a full course load were essentially subsidizing those taking fewer courses. Another member argued that, under the proposed program fee system, students taking 3.0 courses would be subsidizing those taking more than 5.0 courses. The member suggested that students taking 5.5 or 6.0 courses could perhaps be charged for their heavier load and the threshold for the program fee could then be raised to 3.5 courses from 3.0. Professor Misak stated that it was the University's desire to simplify fees charged to its students, rather than to create more complex systems, but that it was also required to operate within the Ministry of Training, Colleges and Universities' guidelines with respect to tuition assessment. She also noted that the University's definition of a full-time student within the Faculty of Arts and Science as one who is registered in 3.0 or more credits was similar to those used by government agencies such as the Ontario Student Assistance Program which provided funding to students.

**d) Oversight**

A member referred to the provision that there be "regular review and scrutiny of the model, with regular reporting to the Arts and Science Council and with adjustments as required." The member proposed an amendment to the motion that would provide for regular reporting to the Governing Council on the implementation of the program fee within the Faculty of Arts and Science. Both Professor Misak and President Naylor expressed a willingness for updates to be provided by the administration. However, such reporting was not required from other divisions which charged program fees, and the Faculty of Arts and Science should not be distinguished from them in that regard. The administration fully intended to monitor how well the program was operating, including whether sufficient student aid was being provided and evidence for any adverse impacts on life outside the classroom. The administration would reconsider the thresholds for inclusion (4 versus 3.5 versus 3 full course equivalents) as well the program's continuance, as necessary. Other members also stated their support of the provision of a differentiated report of program fees across divisions; it was important to ensure that student life outside of the classroom was not negatively affected.

It was duly moved and seconded  
THAT the motion be amended to read:

Subject to the understanding that there will be regular review and scrutiny of the model, with regular reporting to the Arts and Science Council and to the Vice-President and Provost, with updates to the Governing Council during the implementation phase, and adjustments as required,

THAT the proposal to charge tuition fees for full-time Arts and Science students on the St. George Campus on the basis of a program fee instead of a per-course fee be approved.

The vote to amend the motion was taken.  
The motion carried.

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

**(d) Tuition Fees: Faculty of Arts and Science, St. George Campus – Assessment of Full-time Tuition Fees by Program (cont'd)**

The vote on the main motion was taken.  
The motion carried.

**7. Reviews of Academic Units and Programs 2007-08: Annual Report**

Professor Aivazian stated that the review process was a crucial component of accountability for the University. In accordance with the *Accountability Framework for Reviews*, the Agenda Committee had considered the relevant Reports of the Committee on Academic Policy and Programs, as well as the Review Summaries and had determined that there were no matters arising from the reviews that required consideration by the Academic Board.

In response to a request from a member, Professor Misak elaborated on the University's plans for improving the review process. She noted that a major priority of the incoming Vice-Provost, Academic Programs, would be to assess the process, evaluating the manner in which reviews were conducted, studying the outcomes, and examining any concerns which had been repeatedly identified over time. Steps would also be taken to align the University's review process with revised external requirements as they were communicated.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the *Reviews of Academic Units and Programs 2007-08: Annual Report* be placed on the agenda of the Governing Council meeting of May 20, 2009.

**8. Reports for Information**

Members received the following reports for information.

- (a) Report Number 173 of the Business Board (March 23, 2009)
- (b) Report Number 151 of the University Affairs Board (March 17, 2009)
- (c) Report Number 152 of the University Affairs Board (April 22, 2009)
- (d) Report Number 162 of the Academic Board (April 30, 2009)

**9. Date of the Next Meeting**

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Monday, June 15, 2009 at 5:30 p.m.

**10. Other Business**

The Chair reported that six speaking requests had been received from groups who wished to address the Governing Council at its meeting on May 20, 2009. After discussion, it was agreed that speaking privileges would be granted to the Students Administrative Council (SAC), the Graduate Students Union (GSU), and the Association of Part-time Undergraduate Students (APUS). The other groups that had submitted requests would be invited to provide their comments in writing.

On motion duly moved, seconded, and carried,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and 33 of *By-Law Number 2*, consideration of items 11-13 take place *in camera*, with the Board Chairs, Vice-Presidents, and Special Advisor to the President admitted to facilitate the work of the Committee.

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*In Camera Session*

**11. Code of Behaviour on Academic Matters: Recommendation for Expulsion**

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the recommendation for expulsion contained in the Memorandum from the Secretary of the Governing Council dated May 12, 2009, be placed on the agenda for the May 20, 2009 meeting of the Governing Council; and

THAT pursuant to Sections 38 and 40 of *By-Law Number 2*, this recommendation be considered by the Governing Council *in camera*.

**12. Board and Committee Assignments, 2009-2010**

On motion duly moved, seconded, and carried,

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

THAT the proposal from the Chair for Board and Committee assignments for 2009-10, dated May 12, 2009 be approved.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

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



**13. Senior Appointment**

On motion duly moved, seconded, and carried,

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 May 12, 2009.

On motion duly moved, seconded, and carried,

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*.

The Committee returned to closed session.

The meeting adjourned at 6:30 p.m.

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Secretary  
May 13, 2009

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Chair