

UNIVERSITY OF TORONTO  
THE GOVERNING COUNCIL  
**REPORT NUMBER 425 OF**  
**THE EXECUTIVE COMMITTEE**

**Wednesday, October 7, 2009**

To the Governing Council,  
University of Toronto.

Your Committee reports that it held a meeting on Wednesday, October 7, 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  
Mr. Ryan Campbell  
Mr. Ken Davy  
Mr. Gerald Halbert  
Mr. Ron Kluger  
Mr. Joseph Mapa  
Mr. Timothy Reid  
Professor Arthur S. Ripstein  
Miss Maureen J. Somerville  
Professor Janice Stein

**Non-Voting Member:**

Mr. Louis R. Charpentier

**Secretariat:**

Mr. Henry Mulhall, Secretary  
Ms Mae-Yu Tan

**Regrets:**

Mr. P.C. Choo  
Ms Judith Goldring

**In Attendance:**

Dr. Anthony Gray, Special Advisor to the President  
Ms Joeita Gupta, Member of the Governing Council  
Professor Louise Lemieux-Charles, Chair, Academic Board and Member of the Governing Council  
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 B. Elizabeth Vosburgh, Chair, University Affairs Board and Member of the Governing Council

## **1. Report of the Previous Meeting**

Report Number 424 (June 23, 2009) of the Executive Committee was approved.

## **2. Business Arising from the Report of the Previous Meeting**

It was agreed that a member should be given the opportunity to submit proposed revisions to Report Number 423 (June 15, 2009). Members had not had an adequate opportunity to review the Report, as it had been placed on the table and approved as the first item of business on the agenda at the June 23, 2009 meeting. This had occurred as a result of the unusually brief interval between the two meetings, and it was agreed that in such circumstances reports should be provided for information and then approved at the subsequent meeting.

## **3. Minutes of the Governing Council Meeting**

Members received for information the Minutes of the Governing Council meeting held on June 23, 2009.

## **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 President welcomed new and returning members, and thanked them for their service on the Committee. He and the senior administration appreciated the Executive Committee's important function as a round table, where thorough discussion could occur and advice could be sought, before matters proceeded to Governing Council for final consideration.

The President noted that the previous year had been marked by financial turmoil, and that the University's fiscal pressures would continue and possibly intensify in the year ahead. Funding support from both the Federal and Provincial governments would likely decline as one-time-only stimulus spending was completed. The University's financial situation, however, compared favorably with the severe fiscal challenges faced by many American public universities.

The University's academic excellence continued to be recognized by various global rankings. Most notably it had placed ninth among 621 universities worldwide for overall academic reputation in the *Times Higher Education* – QS World University Rankings released on October 8, 2009. This survey of nearly 10,000 academics worldwide had also ranked the University very highly in specific fields: 8<sup>th</sup> worldwide in engineering; 11<sup>th</sup> in life sciences; 15<sup>th</sup> in social sciences; 11<sup>th</sup> in arts and humanities; and 14<sup>th</sup> in natural sciences. In response to a question, the President commented that the various higher education ranking systems varied significantly in their approaches. Some, such as the *Maclean's* University Rankings and the *THS* – QS World University Rankings produced broad institutional rankings by aggregating various measures. Others were more domain focused. Among the latter, the University had recently scored 11<sup>th</sup> in the rankings compiled by the Higher Education Evaluation and Accreditation Council of Taiwan (HEEACT) which placed greater emphasis on publication outputs and citations in the sciences and the social sciences, rather than the humanities.

The President reported that a rather distorted debate about institutional differentiation had arisen over the summer following statements on the topic to *Maclean's* by the presidents of Canada's five largest universities (Alberta, British Columbia, McGill, Montreal, and Toronto). The heads of these research-intensive universities had called for greater clarity of

## **5. Report of the President (cont'd)**

roles, and appropriate government support, for institutions that varied greatly in size and placed different degrees of emphasis on teaching and research. While the initial responses had been disappointing, the ground was shifting and he felt the airing of the issues remained worthwhile. The President would be addressing the same issues in Ottawa at a Canada 2020 group meeting on October 14, 2009.

There had been media coverage recently of the decision to implement an annual borrowing privileges fee for faculty and students from other universities using the University of Toronto Library System. Like other universities, the University had received capital support from the Provincial Government to build and maintain library structures, but no special funding had been provided for the operating costs of the Robarts Library. The University had directed a much higher percentage of its operating budget than peer institutions towards developing and maintaining its library collections, and these materials would continue to be available at a minimal charge to non-University borrowers through the interlibrary loan system. The library's annual acquisitions budget was currently \$23 million, partially funded through student fees. It had been decided that it was inappropriate for the University's students to continue to subsidize borrowing by members of other universities. The Provost added that other universities had been able to spend less on their library systems by relying on the ability of their students and faculty to access the University of Toronto Library System free of charge. As a result of budget constraints, it had been necessary for the University to reduce its library acquisitions budget for the current year, prompting the need to find other sources of revenue to protect this precious resource. The new borrowing privileges fee was one such initiative. A member expressed her support for the new fee, and emphasized the need to maintain the University's outstanding library system. In her experience it had been a very important factor in recruiting new faculty members and graduate students.

Two senior appointments had been made by the Senior Appointments and Compensation Committee at its meeting on October 6, 2009. Dr. Tim McTiernan had been appointed Assistant Vice-President, Government, Institutional and Community Relations having stepped down from his position as Assistant Vice-President, Research. Professor Peter Lewis, currently Vice-Dean, Research and International Relations in the Faculty of Medicine had in turn been appointed Associate Vice-President, Research. Both individuals brought extensive academic and administrative expertise to their new roles. Dr. McTiernan had been Assistant Deputy Minister and Chief Operating Officer for the Ontario Ministry of Research and Innovation, President of Canadore College, Deputy Minister and Cabinet Secretary with the Yukon Government, and a part-time faculty member at the University of British Columbia. Professor Lewis, a full professor of biochemistry had been Vice-Dean of Medicine for seven years, and prior to that had served as Chair of the Department of Biochemistry for ten years.

The President concluded with an update on government relations. The extended period of minority government at the Federal level was an unusual situation, but the Association of Universities and Colleges of Canada (AUCC) was closely involved as the forthcoming federal budget was being developed. The Provincial Government would be facing fiscal challenges in the months ahead, but a clear consultation track on post-secondary education issues was in place as plans were being developed for the post-Reaching Higher period.

## **6. Report of the University Ombudsperson for the Period 1 July, 2008 to 30 June, 2009, and Administrative Response**

The Chair noted that the report of the Ombudsperson and the Administrative Response were presented annually to the Governing Council for information and for comment. The Executive Committee was being asked to endorse the Report and Response, and to place them on the agenda of the next meeting of the Governing Council.

**6. Report of the University Ombudsperson for the Period 1 July, 2008 to 30 June, 2009, and Administrative Response (cont'd)**

In response to a question, it was clarified by the Chair that questions regarding the substance of the Report would be most appropriately raised at the meeting of the Governing Council rather than the Executive Committee. A member asked what criteria members of the Committee should use in assessing the Report prior to endorsing it and placing it on the agenda of the Governing Council. The Secretary responded that specific criteria were not spelled out, but that members should consider, for instance, the completeness of both the Report and Response, and whether the Terms of Reference of the Office of the Ombudsperson were being adequately fulfilled. In response to a further question, it was clarified that any budget implications arising from the Administrative Response would be considered by governance when specific initiatives were put forward by the Administration to address the systemic issues raised in the Report.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the Report of the University Ombudsperson for the Period 1 July, 2008 to 30 June, 2009 and Administrative Response be placed on the agenda of the Governing Council meeting of December 10, 2009.

**7. Reports for Information**

Members received the following reports for information.

- (a) Report on Approvals Under Summer Executive Authority
- (b) Calendar of Business 2009-10
- (c) Report Number 175 of the Business Board (June 18, 2009)

The Chair noted that there had been a few more approvals under Summer Executive Authority than ordinarily, in part a result of staff changes in the Office of Appeals, Discipline, and Faculty Grievances, and the need to appoint acting secretaries of various bodies. The President added that most of the approvals had been routine in nature. The Chair also drew the attention of members to the consolidated Calendar of Business for the Governing Council and all its Boards and Committees. This document was posted on the Governing Council website and was regularly updated throughout the year. It was an important planning tool, and provided an overview of virtually all matters that would come before governance. The Secretary noted that the updated Calendar of Business was posted weekly on the Governing Council website.

**8. Date of the Next Meeting**

Members were reminded that the next regular meeting of the Executive Committee was scheduled for Monday, November 30, 2009 at 5:00 p.m.

**9. Other Business**

The Chair noted that the Executive Committee had received an email ballot on September 8, 2009, and subsequently had voted to approve the cancellation of the Governing Council meeting on October 22, 2009 for lack of sufficient business. The Calendar of Business had indicated at that time, and it continued to be the case, that there were an insufficient number of substantial items of business for the consideration of the Governing Council. As a courtesy, it had been decided to provide as much notice as possible of the cancellation of the meeting. The Chair referred members to the two pieces of correspondence that had been placed on the table, which raised concerns about the manner in which the Council meeting had been cancelled. In

**9. Other Business (cont'd)**

order to address these concerns, he proposed that the Executive Committee consider a formal resolution to confirm the original motion approved by means of the email ballot.

The Secretary clarified that Section 11 of *By-law Number 2* provided that the Executive Committee could cancel at most one of the regular meetings of the Governing Council in each academic year, for lack of sufficient business. A minimum of five Council meetings were required each academic year, and normally seven per year were scheduled, two years in advance. In recent years, one meeting per year had often been cancelled for lack of sufficient business. The decision to cancel a meeting was based on the volume of business on the Calendar coming forward to the Governing Council from the Boards and Committees, rather than being approved at the Board or Committee level.

A member stated that he had concerns about the cancellation of the meeting. An opportunity would be lost to assist new members, especially student members who often served for just one year, to overcome the steep learning curve associated with joining the Governing Council. A meeting would also allow members and invited guests an opportunity to discuss the current state of the University. The Chair noted that the Governing Council Orientation session on September 10, 2009 had been intended to address both these needs. It had included both a morning session for new members focused on the structure and function of the Council and its Boards and Committees, principles of good governance, and the respective roles of Governors and the Administration. The afternoon session had included presentations by the President and Vice-Presidents on issues, opportunities, and institutional priorities for the year ahead. A member asked how invited speakers would be selected and placed on the agenda were the meeting to be held. The Chair responded that it was the role of the Executive Committee to develop the Council's agendas, and that Governing Council meetings did not take the form of unstructured discussion sessions. The President added that formal governance meetings were not necessarily the best venues in which to hear the views of a variety of groups and individuals on current issues. He noted that town halls and off-line sessions could be very effective in that regard, and that if the Executive Committee felt strongly about it, such a session could be held on October 22, 2009 in place of the Governing Council meeting. The Chair added that offline sessions the previous year had been well received, and that further sessions could be organized if there was a need. In addition, the informal sessions that he held with each of the Governing Council constituencies on a regular basis were an effective forum for the discussion of current issues.

In response to questions, the Secretary clarified that the confirming resolution under consideration, rather than the email ballot of September 8, 2009, would formally cancel the Governing Council meeting. The Chair added that it would be made clearer in future that such email ballots were intended to seek the advice of the Committee, with formal approval of the motion occurring at the subsequent meeting.

On motion duly moved, seconded, and carried,

**YOUR COMMITTEE APPROVED**

THAT the following resolution, approved by means of an email ballot on September 8, 2009, be confirmed:

THAT the Governing Council meeting of October 22, 2009 be cancelled.

The Chair noted that one member had abstained.

There was no other business.

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 10 and 11 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*

**10. External Appointments**

**(a) Centre for Addiction and Mental Health**

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT Professor Don Wasylenki be reappointed as the University of Toronto representative to the Board of Trustees of the Centre for Addiction and Mental Health, for a term from October 7, 2009 until June 30, 2010, or until his successor is appointed; and

THAT Professor Catharine Whiteside be appointed as the University of Toronto representative to the Board of Trustees of the Centre for Addiction and Mental Health, for a three-year term from July 1, 2010 until June 30, 2013, or until her successor is appointed.

**(b) McLaughlin Centre Oversight Committee**

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT Chaviva Hosek be reappointed to the McLaughlin Centre Oversight Committee for a one-year term, effective immediately until October 31, 2010 or until her successor is appointed; and

THAT Alan Hudson be reappointed to the McLaughlin Centre Oversight Committee for a two-year term, effective immediately until October 31, 2011 or until his successor is appointed; and

THAT Virginia McLaughlin be appointed to the McLaughlin Centre Oversight Committee for a two-year term, effective immediately until October 31, 2011 or until her successor is appointed; and

THAT J. Christopher Wansbrough be reappointed to the McLaughlin Centre Oversight Committee for a one-year term, effective immediately until October 31, 2010 or until his successor is appointed.

**10. External Appointments (cont'd)**

**(c) University of Toronto Press**

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the following individuals be appointed members and directors of the University of Toronto Press, effective immediately, for terms to continue until the 2010 Annual General Meeting, or until their successors are appointed:

Mr. Frank Anderson  
Ms Mary Anne Elliott  
Mr. Brian Flood  
Mr. Hart Hillman  
Mr. Brent Houlden  
Ms. Carole Moore  
Professor Andy Orchard  
Mr. Roger Parkinson  
Professor Louis W. Pauly  
Ms. Catherine J. Riggall  
Mr. James Robinson  
Mr. Daniel Soper  
Mr. John Yates

THAT Mr. Roger Parkinson be appointed as Chairman of the Board of the University of Toronto Press, effective immediately, for a term to continue until the 2010 Annual General Meeting, or until his successor is appointed.

**11. Review of the Office of the University Ombudsperson, 2009**

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

- (1) THAT a Committee be established to review the Office of the University Ombudsperson, to submit its report to the Jan 11, 2010 meeting of the Executive Committee and, subject to the endorsement of the Executive Committee, to the January 21, 2010 meeting of the Governing Council;
- (2) THAT the Committee to Review the Office of the University Ombudsperson be charged:
  - (a) to review the status and progress of the Office of the Ombudsperson in the light of the recommendations of the Report of the Committee to Review the Office of the University Ombudsperson, 2006, approved by the Governing Council on December 14, 2006, in particular: re-structuring of responsibilities to enable the Ombudsperson to focus on complex cases and systemic matters, complemented by the case officer's focus on more general matters; the awareness of the Office by members of the University community across the three campuses; and access to and utilization of information by members of the University on how to pursue remedies to concerns before involvement of the Office;

**11. Review of the Office of the University Ombudsperson, 2009** (cont'd)

- (b) to review the effectiveness of the operations of the Office of the University Ombudsperson from July 1, 2007; and
  - (c) to make recommendations concerning the appointment of an Ombudsperson.
- (3) THAT the membership of the Committee to review the Office of the University Ombudsman be: <sup>1</sup>

Dr. Alice Dong (Lieutenant-Governor-in-Council appointee, Chair)  
Professor William Gough (Teaching staff governor)  
Mr. P.C. Choo (Administrative staff governor)  
Mr. Olivier Sorin (Student governor)  
Ms Elizabeth Vosburgh (Alumni governor)  
Professor Angela Hildyard (Administrative Advisor)  
Mr. Neil Dobbs (Secretary)

The Committee returned to closed session.

The meeting adjourned at 6:45 p.m.

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Secretary  
October 16, 2009

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Chair

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<sup>1</sup> Dr. Dong and Ms Vosburgh absented themselves during the discussion of and vote on part (3) of the motion to establish the membership of the Committee. Mr. Choo was not present.