

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 451 OF
THE EXECUTIVE COMMITTEE

Monday, December 3, 2012

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Monday, December 3, 2012 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Mr. Richard Nunn, Chair* Ms Judy Goldring, Vice-Chair (In the Chair) Professor David Naylor, President Mr. Andrew Girgis Professor William Gough Professor Edward Iacobucci Regrets: Mr. Brent S. Belzberg Mr. P. C. Choo Mr. Nykolaj Kuryluk	Mr. Gary P. Mooney** Ms N. Jane Pepino Professor Elizabeth M. Smyth Ms Maureen J. Somerville** Mr. Chirag Variawa*** Non-Voting Member: Mr. Louis R. Charpentier, Secretary of the Governing Council Secretariat: Ms Mae-Yu Tan
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In Attendance:

Professor Ellen Hodnett, Chair, Academic Board and Member of the Governing Council
Professor Scott Mabury, Vice-President, University Operations*****
Ms Nora Gillespie, Legal Counsel to the Offices of the Vice-President and Provost and Vice-President, Human Resources and Equity****
Mr. Chris Lang, Director, Appeals, Discipline and Faculty Grievances****
Ms Sheree Drummond, Deputy Secretary-Designate of the Governing Council
Dr. Tony Gray, Director, Strategic Initiatives and Research, Office of the President*****
Mr. Anwar Kazimi, Assistant Secretary of the Governing Council*****

* Participated by teleconference

** Absent for Item 15.

*** Absent for Item 14b.

**** In attendance for Item 14.

***** Absent for Item 17.

The meeting began in closed session.

1. Report of the President

a) Boundless Campaign

Referring to the University's fundraising campaign, *Boundless*, that had been launched one year ago, the President said that, to date, \$1.18-billion of the historic \$2-billion goal had been raised. The very generous support that alumni and friends of the University had provided was most encouraging. Especially noteworthy was the fact that such a significant amount had already been achieved without the very large gifts that typically accompanied such campaigns, and it was most heartening to see that the campaign was proceeding so well.

b) Morneau Report on Pooled Asset Management

The President informed members that the Provincial Government had recently released a report from its Pension Investment Advisor, Mr. William Morneau, outlining recommendations for implementing pooled asset management for Ontario's public-sector pension funds.¹ In his report, Mr. Morneau recommended mandatory aggregation of pension assets and voluntary participation by institutions of other investment funds. Participating institutions would retain fiduciary responsibility and control over asset allocation decisions. Savings of up to \$82-million annually were projected and would be achieved through economies of scale and broadened access to alternative asset classes. The proposed timeline for implementation of the new pooled asset management was January 1, 2014.

c) Government Relations

The President reported on a recent trip to Ottawa during which he had a number of productive meetings with various Ministers and their staff.

d) Awards and Honours

The President commented that a number of awards and honors bestowed on members of the University community attested to the University's continued outstanding performance. Highlights included the following.

- Members of the University had won five of the Natural Sciences and Engineering Research Council of Canada (NSERC) Gerhard Herzberg Canada Gold Medal for Science and Engineering over the past seven years. Performance in other major NSERC awards had been equally strong.
- The total value and proportionate success rate of University of Toronto projects that had been funded by the Canada Foundation for Innovation was the highest in the country. Such an outcome was the result of tireless efforts by Professor Paul Young, Vice-President, Research and Innovation, his team, and faculty throughout the University who reviewed proposals of their colleagues.

¹ http://blakesfiles.com/pub/English/pension_employee_benefits/nov_2012/report.pdf

- Two undergraduate and one Faculty of Medicine student from the University had been named Rhodes Scholars for 2013.

The University's international rankings this past year had also been encouraging, and the University would continue to work to publicize its accomplishments more broadly.

2. Revisions to the Terms of Reference for the University of Toronto Mississauga and University of Toronto Scarborough Campus Councils and their Standing Committees

Professor Gough provided an update on the work that had been done with respect to the implementation of the University of Toronto Mississauga (UTM) and University of Toronto Scarborough (UTSC) Campus Councils (CCs) and their Standing Committees since the previous Executive Committee meeting. He and Mr. Charpentier had met with members of the Tri-Campus Coalition on Governance on a few occasions, and they had held three consultation sessions, one on each campus, in early November. The intended purpose of the consultation sessions had been to gather input on two matters: a) the distribution of elected seats within the administrative staff, student and teaching staff estates of the Governing Council and the Academic Board and b) election procedures for the UTM and UTSC CCs and their Standing Committees. Valuable input had been received both at the sessions and through written submissions regarding the distribution of seats, and the Elections Committee had decided to adopt some of the recommendations that had been proposed by the Coalition.

Professor Gough noted that representatives from the student governments who attended the sessions had voiced dissatisfaction with the process. They stated that, in their view, more time should have been provided for them to consider the various options outlined in the consultation document, which had been distributed widely by email on October 25th with a deadline for feedback by November 14th, so that they in turn would have had time to consult their constituents. During the consultation sessions, Professor Gough had explained that any changes to the distribution of elected seats on the Governing Council would not be implemented until the 2014 election period, so there was still time for feedback to be provided. In contrast, with the approval in principle of the UTM and UTSC CCs and their Standing Committees by the Governing Council on June 25, 2012, it had been known that input on their implementation for July 1, 2013 would be needed. The *Election Guidelines 2013* had to be approved prior to the start of the 2013 election period in January.

Professor Gough advised members that the quorum for meetings of the UTM and UTSC CCs and their Standing Committees had been considered further at the request of the Governing Council. To that end, the quorum provisions of the Governing Council itself, the Executive Committee, and the requirements for the Boards and Committees established by the Governing Council including the Divisional Councils had been reviewed. The recommendation remained that the quorum for meetings for those bodies be one-third of the voting members (normally nine). Professor Gough had reviewed the constitutions of other universities in Ontario comparable to the University of Toronto and based on his findings had rejected the proposal that a particular estate should be represented in the terms of quorum.

2. Revisions to the Terms of Reference for the University of Toronto Mississauga and University of Toronto Scarborough Campus Councils and their Standing Committees (cont'd)

In the spirit of maintaining wide consultation, Vice-Presidents Saini and Vaccarino had agreed to build on the established traditions of the Erindale College Council and the UTSC Council by holding “Principal’s Town Hall” sessions on their respective campuses. The sessions, which would be open to all members of the campuses, would be more inclusive than the existing Councils which, while broadly representative, comprised a specific subset of the campus. During discussions with the Coalition, Professor Gough and Mr. Charpentier had clarified the consultation process. Assessors to governance bodies were responsible for consulting with the appropriate stakeholders when developing a proposal. Governors were then responsible for ensuring that such consultation had occurred when considering a proposal for approval.

Members of the Coalition had advocated initially for the inclusion of *ex officio* voting members on the CCs, and in recent discussions they had asked for *ex officio* non-voting seats. Professor Gough and Mr. Charpentier had explained that *ex officio* positions on the Governing Council and its Boards and Committees were reserved for officers of the Governing Council and for officers of the University and no changes in that regard were being proposed to the UTM and UTSC CCs and Committee membership. The *Procedures for Non-Members to Address the Governing Council, its Boards and Committees* provided for preferential consideration of representatives of recognized campus groups when decisions regarding requests to address a committee on an agenda item were made. Steps would be taken in the future to consider the inclusion of the University of Toronto Mississauga Students’ Union (UTMSU) and the Scarborough Campus Students’ Union (SCSU) as recognized campus groups in relation to the UTM and UTSC CCs.

Professor Gough then spoke to each of the proposed membership revisions contained in the motion being considered by the Executive Committee.

On motion duly made, seconded and carried,

YOUR COMMITTEE APPROVED

THAT the following proposed revisions to the Terms of Reference for the University of Toronto Mississauga and University of Toronto Scarborough Campus Councils and their Standing Committees, which were approved in principle by the Governing Council on June 25, 2012, be recommended to the Governing Council for approval, to be effective July 1, 2013;

THAT the quorum for meetings of the Campus Councils of the University of Toronto Mississauga and the University of Toronto Scarborough be one-third of the voting members (normally nine);

THAT one elected, non-Governing Council administrative staff member and one appointed, non-Governing Council community member be added to the Campus

Councils of the University of Toronto Mississauga and the University of Toronto Scarborough and that, normally, one of the two administrative staff positions be reserved for a librarian;

THAT the Campus Councils of the University of Toronto Mississauga and the University of Toronto Scarborough appoint one additional member of the teaching staff and one additional student member from among their members to their respective Agenda Committees when those Committees are serving as the nominating committees of the Campus Councils;

THAT there be one elected teaching staff member from each of the University of Toronto Mississauga academic departments, increasing the total elected, non-Campus Council teaching staff membership of the Campus Council's Academic Affairs Committee from 12 to 16 members;

THAT there be one additional elected, non-Campus Council student member on the Academic Affairs Committee of the University of Toronto Scarborough Campus Council; and

THAT one elected, non-Campus Council librarian member and one appointed, non-Campus Council community member be added to each of the Campus Affairs Committees of the University of Toronto Mississauga and the University of Toronto Scarborough Campus Councils.

3. Item for Endorsement and Forwarding to the Governing Council

a) *Election Guidelines 2013*

Professor Gough summarized the key revisions to the *Election Guidelines*. The most significant amendment was the addition of Section 11, in which election processes for the CCs, Academic Affairs Committees (AACs), and Campus Affairs Committees (CACs) were provided in detail, and the constituencies and number of seats for which elections may be held were outlined. A statement on the outcome if a candidate won a Governing Council and a CC, AAC, or CAC election had been included, in the event that an individual chose to run for a seat on multiple governance bodies.

The proposed election schedule for 2013 had been compressed from 11 to 8 weeks to allow sufficient time for subsequent appointment processes to occur to ensure that vacancies on the CCs and their Standing Committee were filled by June 30th, prior to the start of members' terms on July 1st. Elections for the Governing Council, Academic Board, CCs, AACs, and CACs would be held concurrently in February, with the declaration of elected winners of seats on the CCs, the AACs and the CACs occurring at a later date than the declaration of elected winners of seats on the Governing Council and the Academic Board, following the approval of governor assignments by the Governing Council on April 9, 2013. The later date would ensure that any

3. Item for Endorsement and Forwarding to the Governing Council (cont'd)

a) *Election Guidelines 2013* (cont'd)

decisions regarding Governing Council appointments to CCs would not have been influenced by the election results, which would have been embargoed.

Information concerning the impact of possible Governing Council appointments on the number of seats available to be filled by elected candidates had also been inserted in Section 11 of the *Guidelines*, as it was possible that an elected, non-governor candidate might not serve on the UTM or UTSC CC if a seat from the candidate's constituency was filled first by a governor appointed by the Governing Council to the CC. Similarly, an elected, non-Campus Council candidate might not serve on the UTM/ UTSC CAC if a seat from the candidate's constituency was filled first by a member appointed to the CAC. Given the increasing complexity of the elections process, the Elections Committee planned to carefully evaluate it as part of the one-year review of the CCs that would be conducted by the Governing Council. By that time, the Elections Committee would have been able to consider any issues of concern that had arisen during the 2013 and 2014 election cycles.

Mr. Charpentier informed the Committee that, if the proposed revisions to the Terms of Reference of the UTM and UTSC CCs and their Standing Committees and the *Election Guidelines 2013* were approved, he would then appoint Deputy Returning Officers at both the UTM and UTSC campus to assist with the election process.

The President thanked Professor Gough for the extraordinary amount of work that he had done on the implementation of the CCs and their Standing Committees and on the development of the *Election Guidelines 2013*. Professor Gough in turn thanked Mr. Charpentier, Mr. Kazimi, and Ms Tan for their work.

On motion duly moved, seconded, and carried,

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

THAT the *Election Guidelines 2013* be approved, effective immediately.

b) Debt Strategy

The Vice-Chair explained that the Business Board had approved the Debt Strategy at its November 5, 2012 meeting. Due to an oversight on the part of the Secretary to that Committee, the motion had been preceded by 'be it recommended to the Governing Council'. Following discussion with the Chair of the Business Board, the Chair had suggested that 1) with members' agreement, the Committee accept the approval of the item by the Business Board, and 2) given the strategic importance of the item, it should be presented as a report for information to the Governing Council.

3.Item for Endorsement and Forwarding to the Governing Council (cont'd)

b) Debt Strategy (cont'd)

Professor Mabury provided a brief overview of the Debt Strategy. He said that the existing Borrowing Strategy, which had been approved by the Business Board on June 17, 2004, had been quite effective, and the bulk of that strategy had been incorporated into the new one. He then outlined the concepts of debt affordability and debt capacity, which had been selected as the key financial parameters for determining the debt policy limit. It was recommended that the debt policy limit be calculated annually using a 5% debt burden ratio and a 0.8 viability ratio be considered in setting the debt policy limit. It was projected that at April 30, 2017, the debt service, including both internal and external debt, would be 3.8%. Referring to the funding of the Goldring Centre for High Performance Sport as an example, Professor Mabury explained that the University was increasingly using multiple sources of funding for capital projects, in addition to designing and building to budget. The Chair stated that a subcommittee of the Business Board had worked with Ms Sheila Brown, the Chief Financial Officer, and her team in developing the debt strategy. Lengthy discussions and involvement of governors had occurred, and the Business Board members had been satisfied that appropriate oversight had taken place.

A member asked for clarification with respect to internal and external debt. Professor Mabury said that the internal debt policy limit was currently set at \$350-million, with \$200-million for capital and other requirements and \$150-million for pension purposes. The external debt policy limit was set at 40% of net assets averaged over five years, and it was not anticipated that there would be need to exceed that amount. The cash flow was well within limits.

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the Debt Strategy should be placed on the consent agenda of the December 13, 2012 Governing Council meeting.

CONSENT AGENDA

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the consent agenda be adopted and that the items be approved.

4. Revision to the Constitution of the College of Electors

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED that the Governing Council consider the recommendation

THAT the proposed revised Constitution of the College of Electors be approved, replacing the Constitution amended on June 23, 2011, effective immediately.

5. Item for Confirmation by the Executive Committee

Faculty of Arts and Science: Proposal to Change the Name of the Department of Statistics to the “Department of Statistical Sciences

(Arising from Report Number 182 of the Academic Board [November 22, 2012])

On motion duly moved, seconded, and carried,

YOUR COMMITTEE CONFIRMED

THAT the name of the Department of Statistics in the Faculty of Arts and Science be changed to the “Department of Statistical Sciences” effective immediately upon approval.

Documentation is attached to Report Number 182 of the Academic Board as Appendix “A”.

6. Governing Council and Executive Committee Meeting Dates

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the Governing Council meeting scheduled to begin at 4:30 p.m. on Thursday, February 28, 2013 be re-scheduled to begin at 3:30 p.m. and

The following 2013-2014 meeting dates for the Governing Council, as well as its own dates.

Cycle	Executive Committee Usual time: 5:00 – 7:00 p.m. except as noted
Reserve Date	Thursday, August 29, 2013
Cycle 1	Wednesday, October 23, 2013
Cycle 2	Monday, December 2, 2013
Cycle 3	Friday, February 14, 2014, 12:00 noon
Cycle 4	Thursday, March 27, 2014
Cycle 5	Monday, May 12, 2014
Cycle 6	Monday, June 16, 2014 (6A) Wednesday, June 25, 2014, 3:00 p.m. (6B)

Cycle	Governing Council Usual time: 4:30 – 6:30 p.m. except as noted
Pre-Orientation Meeting	Thursday, September 12, 2013, 8:30 a.m.
Cycle 1	Wednesday, October 30, 2013
Cycle 2	Thursday, December 12, 2013
Cycle 3	Thursday, February 27, 2014
Cycle 4	Tuesday, April 8, 2014
Cycle 5	Thursday, May 22, 2014
Cycle 6	Wednesday, June 25, 2014, 4:00 p.m.

7. Report of the Previous Meeting of the Executive Committee

Report Number 450 (October 19, 2012) of the Executive Committee was approved.

8. Business Arising from the Report of the Previous Meeting

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

9. Minutes of the Governing Council Meeting

Members received for information the Minutes of the Governing Council meeting held on October 30, 2012.

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

There was no business arising from the Governing Council meeting.

11. Reports for Information

Members received the following reports for information.

- a) Reviews of Academic Programs and Units
 - i) Follow-up Report from Previous Review
 - ii) Reviews April – October 2012
- b) Report Number 182 of the Academic Board (November 22, 2012)
- c) Report Number 200 of the Business Board (November 5, 2012)
- d) Report Number 172 of the University Affairs Board (November 20, 2012)
- e) Report Number 68 of the Elections Committee (November 15, 2012)

END OF CONSENT AGENDA

12. Date of Next Meeting – Friday, February 15, 2013 from 12:00 noon to 2:00 p.m.

13. Other Business

- a) Governing Council Meeting

The Chair informed the Committee that six requests to speak at the December 13th Governing Council meeting on the topic of the UTM and UTSC CCs had been received from Ms Judith Poë, teaching staff member on the Tri-Campus Coalition on Governance, Dr. Harriet Sonne de Torrens, UTM Visual Resource Librarian and Chair, Librarians Committee, University of Toronto Faculty Association (UTFA), and representatives of the Association of Part-Time Undergraduate Students (APUS), SCSU, University of Toronto Students' Union (UTSU), and UTMSU. The Committee granted the six requests and decided that representatives should be asked to coordinate a joint presentation and limit repetition of matters previously raised with governors.

The Committee moved *in camera*.

14. Code of Behaviour on Academic Matters: Recommendations for Expulsion

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the President's recommendations for expulsions, as outlined in the memoranda and supporting documentation from the Secretary of the Governing Council, dated November 26, 2012, be confirmed.

15. Review of the Office of the University Ombudsperson, 2012

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the Governing Council consider the recommendations regarding the 2012 review of the Office of the University Ombudsperson contained in the memorandum from the Chair, dated November 28, 2012.

16. Report Number 56 of the Committee for Honorary Degrees

On motion duly moved, seconded, and carried,

YOUR COMMITTEE APPROVED

THAT the Governing Council consider the recommendations

THAT the recommendations contained in Report Number 56 of the Committee for Honorary Degrees be approved;

THAT the Chancellor and the President be empowered to determine the degree to be conferred on each candidate and the date of the conferral; and

THAT, pursuant to sections 38 and 40 of *By-Law Number 2*, the Governing Council consider the recommendations *in camera*.

17. Senior Appointment

On motion duly moved, seconded and carried,

YOUR COMMITTEE APPROVED

THAT the Governing Council consider the recommendation for a senior appointment contained in the memorandum from the President dated December 3, 2012; and

THAT, pursuant to sections 38 and 40 of *By-Law Number 2*, the Governing Council consider the recommendation *in camera*.

18. Committee Members with the President

Members of the Executive Committee, with the Board Chairs, met privately with the President.

19. Committee Members alone

Members of the Executive Committee, with the Board Chairs, met privately.

The Committee returned to closed session.

The meeting adjourned at 6:40 p.m.

Secretary
December 4, 2012

Chair