

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 484 OF
THE EXECUTIVE COMMITTEE

Wednesday, October 19, 2016

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Wednesday, October 19, 2016, at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Ms Shirley Hoy, Chair Ms Jane Pepino, Vice-Chair Professor Meric S. Gertler, President Mr. David N. Bowden Mr. Aidan Fishman Ms. Susan Froom Mr. Brian D. Lawson Mr. John Paul Morgan Professor Elizabeth Smyth Professor Salvatore Spadafora	Regrets: Mr. P.C. Choo Mr. Gary D. Goldberg Ms Claire Kennedy Professor Paul Kingston Professor Janice Gross Stein Ms. Janet L. Ecker Non-Voting Member: Ms. Sheree Drummond, Secretary of the Governing Council Secretariat: Ms Cindy Ferencz-Hammond Mr. Anwar Kazimi
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In Attendance:

Professor Cheryl Regehr, Vice-President and Provost and Member of the Governing Council
Professor Scott Mabury, Vice-President, University Operations
Professor Kelly Hannah-Moffat, Vice-President, Human Resources & Equity
Mr. Andrew Szende, Chair, University Affairs Board and Member of the Governing Council
Professor Andrea Sass-Kortsak, Chair, Academic Board and Member of the Governing Council
Professor Hugh Gunz, Chair, UTM Campus Council and Member of the Governing Council

Ms Nadina Jamison, Executive Director, Stakeholder Relations & Strategic Initiatives, Office of the President

Ms Bryn MacPherson, Assistant Vice-President and Chief of Protocol, Office of the President

Mr. Steve Moate, Senior Council, Office of the President

Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances (for items 12 and 13a)

Ms Tracey Gameiro, Associate Director, Appeals, Discipline and Faculty Grievances (for item 13a)

Ms Nora Gillespie, Senior Legal Counsel, Office of the Vice-President and Provost and Office of the Vice-President, Human Resources & Equity

Pursuant to section 28 (e) and 38 of By-Law Number 2, consideration of items 12-13 took place in camera.

The meeting was held in Closed Session.

1. Chair's Remarks and Orientation

The Chair welcomed members, Board and Council Chairs and Vice-Presidents to the first regular meeting of the Executive Committee for 2016-17. The Chair reminded members that the Committee meets in closed session, meaning that the meeting was not open to the public. Governors who were not members of the Executive may attend for the closed session, but they may not participate in the debate unless invited to do so by the Chair. Finally, she conducted a brief orientation for members, which involved an overview of the Executive Committee's terms of reference.

2. Report of the President

The Chair invited the President to make his report to the Executive Committee. President Gertler remarked on the great value he placed on the Executive Committee, and thanked members in advance for their advice and support over the coming year.

The President began his report by discussing university rankings. He noted that the University of Toronto's lowest ranking had been 32nd (QS World University Rankings) and its highest was 4th (National Taiwan University), and from 9th to 1st amongst public universities. The University had remained first in Canada in almost every ranking. The President remarked that there continued to be consistency in the rankings from year to year, particularly where assessments were by discipline. He also noted that collectively, these rankings represented remarkable achievements for the University, particularly when one considers the per-student funding the University receives and compares it to the funding received by other highly-ranked institutions. The President noted that a decline in a ranking should not be interpreted as a result of a corresponding decline in quality, but rather such changes were typically due to the rise of other institutions or a result of methodological shifts in the rankings.

The President proceeded to provide a report on his recent trip to Japan and Singapore, where he had presented on two panels related to higher education, research, science, and technology and had hosted alumni receptions. He noted that at both the University of Tokyo and at the National University of Singapore, he had observed the positive, tangible results of sustained and significant investment by the relevant governments.

The President turned to Provincial matters, noting that the government had reaffirmed its commitment to balance the budget next year in the recent Speech from the Throne. The President expressed his hope that this would provide the government with some leeway to continue reinvesting in key policy areas such as higher education. He noted that the Speech had also highlighted what the Provincial government had described as “the needs of a competitive economy” and the importance of a “highly-skilled workforce in job creation and economic growth”, but that there had been no specific funding related commitments. The President also reported on his recent discussions with the new Minister for Advanced Education and Skills Development (MAESD), the Hon. Deb Matthews, which had focused on a highly skilled workforce, experiential learning opportunities and the need to develop a whole range of models to meet those needs. The discussion had also touched on cooperative placements, including internships, service learning, and Professional Experience Year (PEY) options.

Turning to Federal government matters, the President reminded members about the Federal government’s Post-Secondary Institutions Strategic Investment Fund (SIF). He noted that in July 2016 the Federal and Provincial governments had allocated \$98 million of the \$190 million to the University to modernize and upgrade nearly half of its research labs over the next two years. The President reported that he had toured that labs with Federal ministers Navdeep Bains and Kirsty Duncan and Provincial ministers Deb Matthews and Reza Moridi, and said that the related work was well underway on all three campuses.

On the matter of immigration advocacy, the President reported that the University had been working with the Office of the Minister of Immigration, the Hon John McCallum, to argue for and help guide reform of the Federal government’s existing policies to ensure that the University would be able to recruit top talent (faculty, students, and staff) from around the world.

The President continued his report with an update on the University’s ongoing response to the matters raised in the petition the University received to divest from fossil fuels assets. He noted that his Response to the *Report of the Advisory Committee on Divestment from Fossil Fuels* had called for the creation of a university-wide committee on the environment, climate change, and sustainability and that a call for nominations for this committee would be issued in the coming days. The President reported that in the meantime, the University of Toronto Asset Management Corporation (UTAM) had been continuing work on the recommendations and that in April, the University had become a signatory to the Carbon Disclosure Project and related initiatives. He said that in June the Pension Committee had approved a statement of investment policies and procedures that highlighted the importance of environmental, social and governance (ESG) factors. In September 2016, UTAM had also engaged with Institutional Shareholder Services (ISS) to provide proxy voting services to reduce the risk associated with ESG factors and this

month the University had also joined the Canadian Responsible Investment Association and in turn committed to adopting the UN Principles for Responsible Investment. The President concluded by noting that he would provide further updates on the nature and timing of reports to governance on these matters in the near future.

The Committee moved *In Camera*. The President briefed members on the new Chief of Government relations portfolio, the Boundless Campaign, and on emerging issues.

The Committee returned to Closed Session.

3. Items for Endorsement and Forwarding to the Governing Council

a. Report of the University Ombudsperson for the Period July 1, 2015 to June 30, 2016 and Administrative Response

The Chair noted that the *Report of the University Ombudsperson* and the Administrative Response were presented annually to the Governing Council for information.

The Provost explained that the first set of recommendations in the *Report* related to the accommodation of mental health disabilities, and highlighted the important work currently being undertaken at the University. For example, she noted that over the last year, two working groups had been convened on topics relevant to mental health and disability: the first to consider the Ontario Human Rights Commission's (OHRC) recommendations on medical documentation for students with disabilities, and the second to examine procedures for student accommodations in cohort based and lock-step academic programs, primarily in the professional Faculties.

The Provost reported that the second set of recommendations in the *Report* proposed improvements to communication between the Administration and the Office of the Ombudsperson. The Provost responded that she welcomed the opportunity for continued informal meetings and engagement with the Office of the Ombudsperson.

Professor Regehr noted that the *Report* that requested information concerning the process for "no trespass" orders at the University. She explained that the safety of the University community and its members was a top priority and that in situations in which personal and/or community safety were at risk, various processes were invoked to review safety concerns and take various actions, including the issuance of trespass notices.

In closing, the Provost thanked Professor Emeritus Hodnett for her Report and for her work.

A member asked about the outreach efforts of the Office of the Ombudsperson to the Mississauga and Scarborough campuses, noting that the *Report* identified those as an area for improvement. The Secretary of the Governing Council noted that this matter was raised in the *Report* and that she anticipated that the Ombudsperson would address this as part of her remarks to the Governing Council.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the Report of the University Ombudsperson for the period July 1, 2015 to June 30, 2016 and Administrative Response be endorsed and placed on the agenda of the Governing Council meeting of October 27, 2016.

b. Renewal of Affiliation Agreements between the University of Toronto and the Toronto Academic Health Science Network (TAHSN)

The Chair invited Professor Andrea Sass-Kortsak, Chair of the Academic Board, to introduce the item and provide a report of the discussion that had occurred at the meeting of the Academic Board on October 6, 2016. Professor Sass-Kortsak reminded members that the existing agreement template between the University of Toronto and the fully affiliated Toronto Academic Health Science Network (TAHSN) hospitals was previously approved by the Governing Council on December 15, 2011. Professor Sass-Kortsak reported that, in response to a question, Professor Young, Vice-Provost, Relations with Health Care Institutions; and Dean, Faculty of Medicine had assured the Board that all U of T students working in hospitals would be insured. She noted that there were approximately forty students taking non-mandatory courses who were not covered by the Workplace Safety and Insurance Board insurance. Insurance coverage for those students would be provided either by the hospital or by the University.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the following recommendation be endorsed and forwarded to the Governing Council:

- (a) THAT the revised template for full affiliation agreements between the University of Toronto and the full member hospitals of the Toronto Academic Health Science Network be approved, effective immediately:
- (b) THAT the President, or designate, be authorized to sign such agreements on behalf of the Governing Council, provided that the agreements conform to the approved template.; and

(c) THAT the agreements signed under the provisions of the resolution be filed with the Secretary of Governing Council.

c. Revision of the 2016-17 Domestic Tuition Fee for the Master of Financial Risk Management program – Rotman School of Management; and transfer of fee from self-funded tuition fee schedule to publicly-funded tuition fee schedule.

The Chair invited a member of the Business Board, Mr. David Bowden, to introduce this item.

Mr. Bowden reported that at the Business Board meeting of September 22, the Executive Director, Planning and Budget, Ms Sally Garner had advised the Board that the Ministry of Advanced Education and Skills Development had approved the Master of Financial Risk Management program as a publicly-supported program. He added that when the tuition amount for this program had been approved as a self-funded program in the spring, the government approval for the program had not been received. At that time, the University had used an estimate of what it would cost to deliver the program. Subsequent government approval for the Master of Financial Risk Management as a publicly-supported program had resulted in a reduction of the program's tuition fees.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the following recommendation be endorsed and forwarded to the Governing Council:

THAT the 2016-17 domestic tuition fee for the Master of Financial Risk Management be approved at \$41,180.

4. Items for Information

a. Amendment to the Policy with Respect to Workplace Harassment

Professor Regehr reported that recent changes to the *Occupational Health and Safety Act* in Ontario's Bill 132 had required universities to revise existing policies concerning workplace harassment. Effective September 8, 2016, the legislated changes to the *Act* included the expansion of the definition of workplace harassment to include workplace sexual harassment. The Provost said that the University's Policy had been updated. In addition, the Human Resources *Guideline on Civil Conduct and the Guideline for Employees on Concerns and*

Complaints Regarding Prohibited Discrimination and Discriminatory Harassment had also been updated to reflect the changes in the *Act*.

b. Update on the University's Sexual Violence Action Plan

The Provost reported that Bill 132, Ontario's new sexual violence and harassment legislation, which was passed in March 2016, had set out timeframes for universities to establish sexual violence policies by January 1, 2017. The new legislation and accompanying draft regulations from the MAESD required all Ontario universities to provide training to faculty, staff, students and other members of the community on sexual violence prevention, and the policies and processes that would be required to be in place to prevent and respond to it.

The Provost reported that recommendations from an expert panel were used to draft the proposed Policy on Sexual Violence. The draft *Policy* had been published on a consultation website on September 7, inviting feedback from all University students, staff and faculty. Consultation meetings had continued with student and faculty associations, labour groups and the University community. Student associations had also organized student-led consultation sessions on each campus. She informed members that the feedback that had been received was currently in the process of being incorporated into the draft. The *Policy* would be brought forward for approval to Governing Council on December 15, 2016.

In response to a member's question about jurisdiction in the proposed *Policy* over the Federated Colleges, the Provost explained that the *Policy* would apply to all University students, faculty and staff, regardless of where they were located at the time of an occurrence. Professor Regehr further added that the University was working on developing agreements with all of its Federated Universities to address cases where occurrences under the new *Policy* concerned non-University faculty or staff, as respondents.

Another member commented on the importance of education and prevention of sexual violence on campus and the creation of a safe environment for disclosure. The Provost agreed and noted that in addition to the development of a *Policy*, a separate expert panel had been formed to explicitly deal with prevention and education on the issue of sexual violence and that this group would be continuing to do its work. She added that the *Policy* would be reviewed every three years.

CONSENT AGENDA

On motion duly moved, seconded, and carried

YOUR COMMITTEE APPROVED

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

5. Report of the Previous Meeting of the Executive Committee

Report number 483, from the meeting of June 23, 2016 was approved.

6. Business Arising from the Report of the Previous meeting

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

7. Minutes of the Governing Council Meeting – September 8, 2016

Members received the Report of the September 8, 2016 Governing Council Meeting for information.

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

There was no business arising from the minutes.

9. Reports for information

Members received the following reports for information:

- a. Report Number 205 of the Academic Board (October 6, 2016)
- b. Report Number 228 of the Business Board (September 22, 2016)
- c. Report Number 196 of the University Affairs Board (October 5, 2016)
- d. Report Number 19 of the University of Toronto Mississauga Campus Council (October 6, 2016)
- e. Report Number 20 of the University of Toronto Scarborough Campus Council (October 5, 2016)
- f. Report Number 26 of the Pension Committee (September 16, 2016)
- g. Report Number 76 of the Elections Committee (September 29, 2016)

END OF CONSENT AGENDA

10. Date of next meeting:

The Chair advised members that the next meeting was scheduled for Monday, December 5, 2016 from 12:00 to 2:00 p.m.

11. Other Business

a. Governing Council Meeting

The Chair advised members that no speaking requests had been received.

The Committee Moved *In Camera*.

12. Overview of the Academic Discipline Process

Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances and Ms Nora Gillespie, Senior Legal Counsel, Office of the Vice-President and Provost and Office of the Vice-President, Human Resources & Equity provided an overview of the Academic Discipline process with a focus on the role of the Executive Committee.

13. Items for Approval

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

On a motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the President's recommendation for expulsion, as outlined in the memorandum and supporting documentation from the Secretary of the Governing Council, dated October 11, 2016 be confirmed.

b. External Appointments:

i. University of Toronto Press Board

On a motion duly moved, seconded and carried

YOUR COMMITTEE RESOLVED

THAT the following individuals be appointed/re-appointed as members and directors of the University of Toronto Press Board of Directors, effective immediately, for terms to continue until the 2017 Annual General Meeting, or until their successors are appointed:

Mr. Larry Alford

Ms Susan Croft – new member

Ms Kelly Dixon
Mr. Stephen Knight
Ms Elizabeth Lea
Professor Scott Mabury
Ms Anne MacDonald
Mr. Ken McCarter (Chairman)
Professor Louis Pauly
Ms Catherine Pearce
Professor Rob Vipond
Ms. Kathy Weston
Mr. John Yates

THAT Mr. Ken McCarter be appointed as Chairman of the University of Toronto Press Board of Directors, effective immediately, for a term to continue until the 2017 Annual General Meeting, or until his successor is appointed.

ii. McLaughlin Centre Oversight Committee

On a motion duly moved, seconded and carried

YOUR COMMITTEE RESOLVED

THAT Dr. James Aw be reappointed to the McLaughlin Centre Oversight Committee for a three-year term, effective immediately until October 31, 2019 or until his successor is appointed;

THAT Dr. Keith Stewart be appointed to the McLaughlin Centre Oversight Committee for a three-year term, effective immediately until October 31, 2019 or until his successor is appointed.

c. Senior Appointment Matters

i. Associate Vice-President and Vice-Provost, Digital Strategies

On a motion duly moved, seconded and carried

YOUR COMMITTEE RESOLVED

THAT a new position of Associate Vice-President and Vice Provost, Digital Strategies, be created in the Office of the Vice-President, University Operations with joint reporting responsibilities to the Vice-President and Provost.

ii. Associate Vice-President, International Partnerships

On a motion duly moved, seconded and carried

YOUR COMMITTEE RESOLVED

THAT the title and scope of the existing position of Associate Vice-President, Global Research Partnerships be changed to Associate Vice-President, International Partnerships, reporting dually to the Vice-President, Research & Innovation and Vice-President, International effective immediately.

iii. Associate Vice-President & Vice-Provost, International Student Experience

On a motion duly moved, seconded and carried

YOUR COMMITTEE RESOLVED

THAT the name of the portfolio of Vice-Provost, Institutional Initiatives be changed to Associate Vice-President & Vice-Provost, International Student Experience, with dual reporting to the Vice-President and Provost and the Vice-President, International.

THAT Professor Joseph Wong be appointed to the position of Associate Vice-President and Vice-Provost, International Student Experience for the period of January 1, 2017 to December 31, 2021.

14. Committee Members with the President

15. Committee Members Alone

The Committee returned to closed session

The meeting adjourned at 7:10 p.m.

Secretary
October 20, 2016

Chair