



## University of Toronto TORONTO ONTARIO M5S 1A1

OFFICE OF THE VICE-PRESIDENT AND PROVOST

May 29, 2002

Memorandum

To: Planning and Budget Committee

From: Adel Sedra, Vice-President and Provost

Item Identification

Allocations from the Academic Priorities Fund in support of the *Raising Our Sights* plan for the Faculty of Law.

Sponsor

Adel Sedra, Vice-President and Provost

Jurisdictional Information

The Planning and budget Committee is responsible for approving allocations from the Academic Priorities Fund.

Highlights and Resource Implications

The reallocation levy of 6%, over a four year period, assigned to all academic divisions and academic services as well as revenue from tuition fee increases in deregulated programs flow to the Academic Priorities Fund. For the 1998-2004 planning period, the Academic Priorities Fund had available to it a total of \$35.9m. Allocations approved to date in support of *Raising Our Sights* plans total \$33.9m, leaving \$2.0m to be allocated. An allocation of \$3,722,182 in base is being recommended in support of the Faculty of Law's *Raising Our Sights* plan. The entire APF allocation of \$3.7m exceeds funds available in the APF, because the Law plan extends through the next planning period. The offset to the 6% reallocative cuts that amounts to \$500,000 and \$1.3m of revenue from tuition fees increase through 2003-04 will be funded from the existing APF. The \$1.9m remaining will be drawn from the APF funded beyond 2003-04.

The Faculty of Law's *Raising Our Sights* plan aims to realize the Faculty's ambition to meet the highest standards of international excellence in every dimension of its program. The Faculty believes that the pursuit of this ideal will ensure that the Faculty is recognized as one of a handful of internationally excellent law schools.

To achieve this goal, student tuition levels will need to increase by \$2,000 per year, so that by the end of the five-year planning period, the Faculty's tuition will rise to \$22,000. The Faculty continues to be committed to ensuring that no student who is admitted into its program should be prevented from enrolling and fully participating in the Faculty owing to a lack of financial wherewithal. The Faculty emphasizes the critical importance of an enhanced financial aid program, with a significantly strengthened back-end debt relief component.

The Faculty's priorities are to actively engage with issues of accessibility and diversity, to ensure that international level performance by faculty will command nominally competitive international salaries, to introduce a number of enhancements to student services and programs, to make a significant investment in the student clinic, DLS, as well as to create a special fund to support the operations of other clinic-related activities at the Faculty. In addition, the Plan recommends the development of a Public Interest Law Initiative and a Student Exchange and Placement Office.

Returning the reallocative levy and sharing on tuition revenue, which includes funds for faculty retention, will flow to the Faculty as these funds are generated. The schedule for distribution is the following:

	Phase-in of APF Allocation						
	02-03	03-04	04-05	05-06	06-07	07-08	08-09
Sharing on tuition	0.9	1.3	1.8	2.2	2.6	3.0	3.2
Reversal of reallocation levy	0.4	0.5	0.5	0.5	0.5	0.5	0.5
Total	1.3	1.8	2.3	2.7	3.1	3.5	3.7

Note: 1) Amounts are cumulative.  
 2) Sharing on tuition includes \$1.4m for faculty retention.

Recommendation

That the Planning and Budget Committee recommends to the Academic Board approval of \$3,722,182 in base for the Faculty of Law from the Academic Priorities Fund. The recommendation is subject to Governing Council approval of the J.D. tuition fees rising to planned levels as described in the University's *Tuition Fee Schedule for publicly funded programs for 2002-03*.

**SUMMARY OF APF REQUESTS**

Item	Requested			Proposed for Approval			Comments
	Acad FTE	Admin FTE	Base	Acad FTE	Admin FTE	Base	
Student Financial Aid			1,700,000			1,700,000	Phased over five years For total student programs request
Faculty Retention Fund			1,700,000			1,437,182	
Diversity Programs:			100,000			1,785,000	
Clinical Legal Education			300,000				
Clinical Support Fund			25,000				
Public Interest Law Initiative			100,000				
Student Placement Office			125,000				
Student Support Services		5.5	300,000				
Library Services Enhancement		4.5	200,000				
Technology			300,000				
Secretarial/Administrative Staff			335,000			500,000	Reversal of APF reallocation levy
Budget Cuts (Reversal)			500,000				
<b>TOTAL REQUESTS</b>		<b>10.00</b>	<b>5,685,000</b>			<b>5,422,182</b>	

## Faculty of Law *Raising Our Sights* Academic Plan and APF Requests

### Executive Summary

The *Raising Our Sights* Academic Plan of the Faculty of Law sets out a plan to realize the Faculty's dream of standing as an outstanding Canadian law school that meets the highest standards of international excellence in every dimension of its program. The Faculty believes that vigorous and relentless pursuit of this ideal will ensure that the Faculty is recognized as one of a handful of internationally excellent law schools.

To achieve this goal, student tuition levels will need to increase by \$2,000 per year, so that by the end of the five-year planning period, the Faculty's tuition will rise to \$22,000. At the same time the Faculty will require a significant increase in annual giving from its alumni/ae, and will need to raise funds for a substantial building project to house its academic program. The Faculty is acutely aware that the increase in tuition is significant and the Faculty stresses its longstanding and fundamental commitment to student accessibility: namely that no student who is admitted into its program should be prevented from enrolling and fully participating in the Faculty owing to a lack of financial wherewithal. In acknowledging the need for this tuition increase, the Faculty emphasizes the critical importance of an enhanced financial aid program, with a significantly strengthened back-end debt relief component.

The Faculty has made significant strides over the past five years, assisted in large part by a shared compact among all the Faculty's key constituencies. However, the Faculty is still facing several challenges, namely to attract an outstanding and diverse student body, to attract and retain an outstanding professoriate, and to deal with deteriorating physical facilities. The Faculty's priorities for the *Raising Our Sights* planning period are to actively engage with issues of accessibility and diversity, to ensure that international level performance by faculty will command nominally competitive international salaries, to introduce a number of enhancements to student services and programs, to make a significant investment in the student clinic, DLS, as well as to create a special fund to support the operations of other clinic-related activities at the Faculty. In addition, the Plan recommends the development of a Public Interest Law Initiative and a Student Exchange and Placement Office. The Faculty believes that a comprehensive solution to the Faculty's space needs is urgent and has endorsed the development of a plan for additional and renovated academic space. The Faculty is also recommending the rapid implementation of a new law residence.

## A. Retrospective: Progress to Date

### 1. Elements of the Plan Accomplished, 1995-2000

The Faculty's aspiration was to be among the top five Law schools in the world. It believed this goal could be met through an Enhanced Program. Beginning with increased support for the Faculty's recruitment of the best students and augmented by enhanced student aid programmes, the student experience would be deepened through a variety of innovative initiatives such as: national and international internship programs, an innovation program (Pro Bono Canada) and an International Human Rights Advocacy Program. Other aspects of the plan included enhancements to the curriculum and improvements to career placement services. The principal requirement to realize this goal was a significant augmentation of the Faculty's full-time teaching complement. Meeting this need formed the basis of the Faculty's APF and ATF requests.

The Faculty has made enormous strides over the past five years. It has attracted \$68 million in new resources. Of this amount \$25 million is from alumni, friends, and foundations of the Faculty, \$23 million from University matching support and \$20 million from government support. 16 new endowed chairs have been established. As a result, the full-time faculty complement has increased from 33 FTE to 57 FTE and the Faculty now has a student-faculty ratio of 1:9. The Faculty has strengthened its recruitment of J.D. students. As measured by a number of different factors – GPA and LSAT, visible minority and Aboriginal participation, socio-economic status, number of applications, yield rate on offers made – the Faculty can show improvements to the student composition. Enrolment in the graduate program has tripled and is comprised of students from countries as diverse as Argentina, Botswana, Mongolia, Scotland and Yugoslavia. Student aid has increased by \$18 million. The Faculty allocated \$1.56 million in financial assistance to J.D. level students in 2001-02. A number of different initiatives included in the Plan, including the establishment of Pro Bono Canada and an expansion of the International Human Rights Program, have been achieved.

### 2. Progress in Filling Positions Awarded in the First Two Rounds of the APF

Round One:

<u>Academic</u>	<u>Allocated</u>	<u>Filled</u>	<u>Administrative</u>
Unconditional	1.0 FTE	1.0 FTE	NA
Designated	1.66 FTE	0.66 FTE*	NA
EAF Matched	4.0 FTE	1.0 FTE**	NA
Leapfrog	3.0 FTE	3.0 FTE	NA

\*One FTE (the Aboriginal position) was filled in 1998, but the incumbent resigned in 2001 and the position is now vacant. \*\*Three FTE positions were closed due to budget cuts.

Round Two:

<u>Academic</u>	<u>Allocated</u>	<u>Filled</u>	<u>Administrative</u>
Unconditional	5.0 FTE*	5.0 FTE	1.0 FTE (filled)
EAF Matched	4.0 FTE	3.0 FTE	

\* Restoration of two replacement positions and three chair positions.

### 3. Budget Reductions, 1995-2000

	FTE	Value
Academic Positions	8.5	\$590,450
Administrative Positions	5.5	\$193,735
Savings from other academic salaries		\$ 31,376
Savings from non-salary items		\$110,574

In addition to the University's budget reductions, the Faculty also faced a reduction in the Law Foundation grant from \$520,000 to \$260,000.

### 4. Impact of Budget Reductions

The Faculty undertook an administrative re-engineering process to restructure the administrative and library staff in 1996 and 1997. As a result, 5.4 FTEs were released. In addition, the Faculty delayed filling several of its vacant academic positions in order to support the ongoing operating needs. It further delayed implementing improvements to existing student programs, and adoption of other student programs.

The Faculty was seen to have demonstrated that it is worthy of significant support from both the University and its students. Accordingly, the Provost recommended to the Planning and Budget Committee that the Faculty move forward with its enhanced program and that funding for all the Faculty's requests, save funding for internships and externships associated with International Human Rights program. The Provost believed that this worthy program could be funded under the auspices of student aid with the Faculty deciding on the deployment of these funds.

### *Raising Our Sights*

#### 5. Self Study: Faculty at a Glance

In 1999/2000, the Faculty had the following composition:

#### Staff Complement (FTE)

Tenured/Tenure-stream complement	57
Librarians	5.8
Administrative Staff	53.5

#### Enrollment (FTE)

Undergraduate Program (JD)	535
Master's Program (LLM)	39.7
Doctoral Program (SJD)	36.0

### 6. External Review Recommendations and Concerns

An external review of the Faculty took place on November 20-22, 2000 by Professor Michael Crommelin of the University of Melbourne Faculty of Law, Professor Janet Halley of Harvard Law School, Professor Jeffrey Lehman of the University of Michigan Law School, Professor George Triantis of the University of Chicago Law School and The Honourable Mr. Justice Frank Iacobucci on the Supreme Court of Canada.

The reviewers noted that over the past five years the Faculty has been extraordinarily successful in meeting and surpassing the ambitious goals set by the Task Force on the Faculty of Law's Next 50 Years (1996).

In particular the reviewers noted the following achievements:

- The faculty complement has grown through the appointment of 20 new entry and intermediate appointments.
- The extracurricular opportunities available to students have expanded dramatically and the Faculty has narrowed a large gap in this respect against its international peers.
- The Faculty has also dramatically narrowed the gap with its international peers in its placement and career development services.
- Tuition increases have been accompanied by dramatic growth in the funding for financial assistance, taking the form of means tested bursaries, subsidized loans, and back end relief.
- The quantitative measures of the student body have improved significantly over the past five years. Yield rates, and median LSAT and GPA scores are competitive with the very top schools in the U.S.
- The Faculty has attracted \$68 million in resources over the last five years, from increases in tuition, alumni gifts, University matching grants and government and foundation support.

The reviewers noted the following challenges:

- Without dramatic improvement in both the quality and quantity of the Faculty's physical facilities, the Faculty of Law will be unable to be counted as one of the leading law schools in the world. Teaching spaces are woefully inadequate, there are insufficient offices to house the present faculty complement and none to accommodate any additions and distinguished visitors, the lack of office space for administrative staff is even more severe and student facilities are especially disturbing.
- A second critical challenge facing the Faculty of Law is to continue its success in recruiting and retaining a faculty that excels by international standards within a highly mobile global labour market for the very best professors of law.
- A third fundamental challenge facing the Faculty is to continue to attract the highly qualified J.D and graduate students from a diversity of backgrounds.
- None of the three challenges described above can be met without also meeting a fourth: adequate staff support. Significant improvements are necessary merely to meet current levels of activity in the Faculty, much less to support planned expansions.
- There is a broad consensus supporting the Faculty's goal of "internationalization". However, the specifics are not always clear.

The achievements and successes over the last five years have been built on a solid foundation but the excellence that has been attained is a fragile one. The challenges ahead will require continued and even more energetic visionary and dedicated leadership

## B. Academic Plan for 2000-2004

### 1. Academic Priorities and Directions

The Faculty has identified the following challenges for the next planning period:

- a) To attract an outstanding and diverse student body;
- b) To attract and retain an outstanding professoriate;
- c) To respond to the rapid deterioration of the Faculty's physical facilities;
- d) To firmly implant the public/community service ideal in the Faculty;
- e) To increase diversity in the Faculty, including among students, faculty and staff as well as in course offerings and extra-curricular programs;
- f) Internationalization of the Faculty's academic and extra-curricular programs;
- g) To re-affirm the Faculty's commitment to fostering an environment in which canons of citizenship rather than of the impersonal market inform and shape community interactions;
- h) To further enhance the services offered to students;
- i) To enhance information services and technology in the Faculty;
- j) Program enhancement and curriculum development.

### 2. Academic Programs

The Faculty plans to increase the enrolment into its Master's program from 39.7fte in 1999-2000 to 54.0 fte in 2003-2004.

### 3. Enrolment Plan for 2000-2004

	1999/2000 actual fte	2003/2004 target fte	Increase/decrease in fte to 2004
Undergraduate (JD)	535	529	-6
Masters (LLM)	39.7	54.0	+14.3
Doctorate (SJD)	36	36	0

### 4. Development

The Faculty's development goals over the next five years are as follows:

- Building Project: \$25 - \$60M, depending on the site;
- Law Residence: \$2M;
- Increase annual alumni giving by \$700K;
- Endowed Chairs: \$2M;
- Various Programmes: \$2.5M;
- Student Aid: \$3.5M, depending on new Government matching programme.



## **D. The Faculty's Budget and APF Requests**

### **1. Base Budget**

The base budget of the Faculty of Law in 2001/02 is \$8.3 million. Over the four years of the plan, the Faculty must accommodate a total base cut of approximately \$500,000. The Faculty is requesting that these cuts be offset.

### **2. APF Requests**

#### **a) Request Related to the Complement**

The Faculty is proposing the creation of a "Faculty Recruitment, Retention and Reward Initiative", to ensure that international level performance will command nominally competitive international salaries. A fund of approximately \$1.7 million is required.

#### **b) Request Related to the Library**

The Faculty requests an annual allocation of \$200,000 to enhance library services. The funds would be for a significant increase in library staff, the creation of Research Assistants Pool and an increase in salaries for student assistants in the library.

#### **c) Request Related Administration Support**

The Faculty requests \$335,000 annually for increases secretarial and administrative support.

#### **d) Request Related to Technology**

The Faculty requests \$300,000 annually for technology enhancements for students, staff and faculty.

#### **e) Request Related to Student Support Services**

The Faculty recommends an increase in student support services of 5.5 fte, which would be supported by an annual budget of \$300,000

#### **f) Request Related to Diversity Issues**

The Faculty is requesting an annual allocation of \$100,000 for initiatives related to the promotion of diversity in the Faculty.

#### **g) Requests Related to Clinical Legal Education**

The Faculty is requesting \$300,000 annually to invest in DLS' proposal for clinical legal education and \$25,000 annually to support the operations of clinic related activities at the Faculty other than DLS.

#### **h) Request Related to Public Interest Law**

The Faculty requests \$100,000 to be allocated annually to support a public interest law initiative.

#### **i) Request Related to a Student Exchange and Placement Office**

The Faculty requests \$125,000 annually for the establishment of a new Student Exchange and Placement Office. This Office would be responsible for coordinating international and domestic exchanges and academic placements.

**Provost's Response:**

The Provost will recommend the following funding:

1. \$500,000 in base to offset the four 1.5% reallocative budget cuts (for the four years 2000-2004).
2. In steady state, the Faculty of Law will receive a total of \$1.7 million in student aid, which will be in addition to the \$900,000 already transferred to the Faculty.
3. In steady state, the Faculty of Law's share of tuition revenue (resulting from the increase from \$8,000 to \$22,000) will be \$3,222,182.

**Note:**

1. \$1.4 million of these funds will be set aside in the Salary Retention Fund for Law salary anomaly adjustments.
2. Tuition revenue and funds for student aid will flow to the Faculty as these funds are generated.
3. The allocation from the APF is contingent upon the J.D. fees rising to planned levels as described in the 2002-2003 fee schedule.

<b>Total Recommendations to Base:</b>	<b>\$5,422,182</b>
<b>From the APF:</b>	<b>3,722,182</b>
<b>From the Student Aid Budget:</b>	<b>1,700,000</b>

		Table 1	As of June 4, 2002 P&B Meeting		
<b>APF Allocations in Support of Raising Our Sights Plans, 2000-2004</b>					
Base Funding Available for Allocation as of Budget Report for 2002-03					\$35.9
Allocations Including those before Planning & Budget Committee of June 4, 2002					\$35.8
Remaining for allocation					\$0.1
<i>Note: Allocations before the Planning &amp; Budget Committee of June 4, 2002 are in italics.</i>					
Academic Division	Relevant Base 2000		Allocation Base	Allocation OTO	Comments
Architecture	3.2		396,894	836,363	
Arts & Science	111.2		8,000,000	4,100,000	
			706,927		Allocations from tuition increase revenue to Computer Science
			682,684	278,037	Allocations from tuition increase revenue to Commerce
Graduate Centres	1.6		257,640	167,680	Comp. Lit and Medieval Studies are now located in Arts & Science
Engineering	30.0		3,332,712	1,650,000	Includes funding from increase in tuition fee revenue to 2001. Allocations beyond 2001 are still to be made.
Forestry	1.9		172,188	25,000	
Music	6.1		416,825	600,000	
Social Work	3.1		181,250	60,000	
TYP	0.8		171,250		
Dentistry	14.7		400,003	878,750	Includes all tuition increases.
Additional for Dentistry			167,300	125,000	
Medicine	53.9		3,285,250	2,320,720	Includes all tuition increases. Does not include most recent enrolment increase in MD program
IMS			120,000		
Nursing	3.6		594,431	201,500	
Pharmacy	4.7		284,726	110,000	Includes all tuition increases.
School of Graduate Studies					
Centres & Institutes	6.2		355,944	1,388,000	Original OTO allocation of 1,508,000 reduced by 120,000 OTO for KMDI replaced by 180,000 in Base
Additional for KMDI			180,000	96,000	
Administration	3.0		209,930	365,122	
Constituent Colleges					
Innis	0.9		124,782	50,000	
New	1.3		211,500		Includes \$50,000 in base support previously allocated to the Institute for Women's & Gender Studies
University	1.2		244,000	210,000	Includes \$75,000 in base and \$200,000 OTO for University Art Centre and \$110,000 base for Coordinator of Writing Support
Additional for University Art Centre			200,000		
Woodsworth	7.0		151,500	25,000	Note that WW is being held harmless for \$187,000 in loss of tuition revenue due to the discontinuation of the Certificate in Business Administration
Federated Colleges					
St. Michael's			35,625	325,000	
Trinity				215,000	
Victoria			110,140	164,000	
OISE/UT	8.5	Note: This represents former FEUT portion of OISE/UT budget	800,000		Note: \$400,000 is contingent upon OISE/UT making available a similar amount in new graduate funding from its own operating budget
Information Studies	2.5		60,000	107,000	\$6,000 of the OTO allocation is not needed until 2004-05
Law	7.7		1,831,445		An additional \$1.9m will be drawn from the APF funded beyond 2003-04
Management	6.6				
Physical Education & Health	2.1		127,675	100,000	
UTM	31.1		116,921	850,000	Relevant base includes \$2 million physical plant. Base allocation is from tuition increase for Computer Science.
			567,094	171,519	Allocations from tuition increase revenue to Commerce
			1,952,000	609,000	Towards Enrolment Expansion Needs I
UTSC			911,434	120,000	Allocations from tuition increase revenue to Commerce
			298,095		Allocations from tuition increase revenue to Computer Science
Additional Requests			550,991	99,000	
Sub-total Academic Divisions	312.8				
Academic Services					
Library	23.3		1,580,000	2,776,000	
Provost	1.7		154,375		
Vice-Provost Students	0.6				
Intern'l Student Exchange	0.1		145,000		
Student Recruitment	0.9		600,000		
Admissions & Awards	3.1				
Statistics, Records & Conv.	0.8				