UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 126 OF THE COMMITTEE ON

ACADEMIC POLICY AND PROGRAMS

December 6, 2006

To the Academic Board,
University of Toronto.

Your Committee reports that it met on Wednesday, December 6, 2006 at 4:10 p.m. in the Council Chamber, Simcoe Hall, with the following present:

Professor Andrea Sass-Kortsak, (Chair)
Professor Douglas McDougall,
  (Vice-Chair)
Professor Edith Hillan, Vice-Provost,
  Academic
Professor David Farrar, Deputy Provost
  and Vice-Provost, Students
Professor Derek Allen
Professor Gage Averill
Professor Ragnar Buchweitz
Mr. Ryan Matthew Campbell
Mr. Tim Corson
Ms Bonnie Goldberg
Dr. Chris Koenig-Woodyard
Professor Lesley Ann Lavack
Professor Louise Lemieux-Charles
Mr. Matto Mildenberger

Professor Sioban Nelson
Professor Janet Paterson
Professor Cheryl Regehr
Professor J. J. Berry Smith
Miss Maureen Somerville

Professor John R. G. Challis, Vice-
  President, Research and Associate
  Provost
Dr. Tim McTiernan, Assistant
  Vice-President, Research
Ms Karel Swift, University Registrar

Secretariat:

Mr. Neil Dobbs
Mr. Henry Mulhall

Regrets:

Professor Luc De Nil
Professor Dickson Eyoh
Ms Linda B. Gardner
Mr. Billeh Hamud

Dr. Wajahat Khan
Professor John Wedge
Ms Johanna L. Weststar

In Attendance:

Mr. Jason Bechtel, Counsel, Office of the Vice-President, Research and Associate
  Provost
Ms Judith Chadwick, Director, Government Research Infrastructure Programs and
  Director of the Connaught Programs
Ms Helen Lasthiotakis, Director, Policy and Planning, Office of the Vice-President
  and Provost

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In Attendance (Cont'd)

   Ms José Sigouin, Manager, Research Information Analysis, Office of the Vice-President, Research and Associate Provost

   Ms Linda Vranic, Director of Operations, Office of the Vice-President, Research and Associate Provost

ITEMS 3, 5 AND 6 CONTAIN RECOMMENDATIONS TO THE ACADEMIC BOARD FOR GOVERNING COUNCIL APPROVAL. ALL OTHER ITEMS ARE REPORTED FOR INFORMATION.

1.   Time of Adjournment

     On motion duly made and seconded, it was RESOLVED that the meeting adjourn no later than 6:00 p.m.

2.   Report of the Previous Meeting

     The attendance list for Report 125 was corrected to remove the second recording of the name of Mr. Ryan Matthew Campbell. Report Number 125 (October 25, 2006) as corrected was approved.

3.   School of Graduate Studies: Faculty of Music - Graduate Program Restructuring and New Degree Programs

     Professor Hillan said that the Faculty of Music had been growing significantly in recent years. The proposal to restructure the graduate program followed a lengthy process of planning and discussion, and it would bring the program fully into line with contemporary graduate programs in Music.

     Dean Averill said that a significant element in the program restructuring represented housekeeping, with the rearrangement of the degree programs into two groups: one for academic programs focusing on research and one for performance and professional training programs. The proposal would bring the master's level and doctoral degrees for both sets of programs into line with those now used in leading programs in North America. In response to questions, Dean Averill said that students in the doctoral-stream academic programs leading to the MA and PhD would qualify for the University's guaranteed funding packages, whereas those in the music-performance programs leading to the Master of Music and Doctor of Musical Arts degrees would not. The Faculty had not to date given consideration to making available the possibility of direct entry to the Doctor of Musical Arts program. It had also not given consideration to permitting holders of the earlier MusDoc degree to request a retroactive change to the proposed new Doctor of Musical Arts. Ms Swift commented that the Committee and the Academic Board,

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3.   **School of Graduate Studies: Faculty of Music - Graduate Program Restructuring
     and New Degree Programs** (Cont'd)

when they had approved permitting holders of the LLB degree to request the new Doctor
Juris degree, had established the specific understanding that the case would be regarded as
an exception and that there would be no other exchanges for newer degree names.

On the recommendation of the Faculty of Music and the Graduate Education Council,

YOUR COMMITTEE RECOMMENDS

(i)   THAT the proposal from the Faculty of Music for
      restructuring of graduate programs, as outlined in
      Appendix "A" hereto, be approved, effective
      September 2007; and

(ii) THAT the proposal for a Master of Music (Mus.M.)
      degree and a Doctor of Musical Arts (D.M.A.) degree
      in the Music Performance Program be approved,
      effective September 2007.

4.   **Vice-President, Research and Associate Provost: Annual Report, 2005-06**

Professor Challis presented the highlights of the Annual Report of the Vice-
President, Research and Associate Provost for 2005-06. The inputs into the research
enterprise - the great minds at the University combined with funding for their research
work - combined to produce important outputs: research publications and their citation in
the research publications of other scientists and scholars, honours won by University of
Toronto researchers, commercial applications of the research, the training of the highly
qualified researchers of the next generation, and a positive social impact.

- **Funding: Direct costs of research**. Total funding for the direct costs of research
  for 2004-05 had amounted to nearly $700-million. (Figures were reported for
  2004-05 because of delays in the receipt of funding information from the affiliated
  teaching hospitals.) Nearly one third of that funding came from the three
  Government of Canada research granting agencies (the "tri-Councils"). That
  included $127.2-million from the Canadian Institutes for Health Research (CIHR),
  $59.0-million from the Natural Sciences and Engineering Research Council
  (NSERC) and $20.4-million from the Social Sciences and Humanities Research
  Council (SSHRC). Given those amounts, successful advocacy for increased
  funding for the tri-councils was absolutely essential to the University.

- **Government research infrastructure programs.** A further 27% of research
  funding was received through the University's office responsible for Government

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  4.   **Vice-President, Research and Associate Provost: Annual Report, 2005-06**
      (Cont'd)

      Research Infrastructure Programs (GRIP). This funding included that from the
      Canada Research Chairs (CRC) program, the Canada Foundation for Innovation
      (CFI) and the Ontario Research Fund (ORF). Those funding sources were critical
      to the University, and a major concern was the risk that the Government of Canada
      would not sustain the funding for the CFI program.

- **Other funding**. A further 9% of research funding was received from
  corporations. About 3% was received from international sources, and Professor
  Challis had recently established a small international research and development
  office to seek to increase that proportion. That office would seek to match
  University investigators with potential funding agencies in other countries. The
  not-for profit sector provided 16% of research funding, and those agencies – for
  example the Heart and Stroke Foundation or the Canadian Cancer Society –
  represented a major source of funding for the research carried out at the affiliated
  teaching hospitals. Professor Challis noted that if the University of Toronto
  received funding for the indirect costs of research at a level comparable to that in
  the United States, the amount would be about $1-billion per year, representing $3-
  million of research activity per day – an amount that would clearly rank the
  University of Toronto among the five top institutions in North America.

- **Canada Research Chairs**. There were 267 Canada Research Chairs at the
  University, by far the largest number of any university. The number of Chairs
  awarded was proportional to research funding from the tri-councils, another reason
  for stressing the importance of that funding source. Of the Chairs, 36% had been
  recruited from outside of Canada. That represented an important gain from the
  original intention of the program, which had been to enable Canadian universities
  simply to retain their outstanding scientists and scholars. The funding for the
  program was, however, not indexed for inflation, leaving the universities to meet
  its increased costs, leading to real concern about their ability to continue to reap its
  advantages. Therefore, both the indexation of support under the program, and the
  maintenance and increase in the number of chairs, were very important goals of
  the University's advocacy.

  In response to a question, Professor Challis undertook to try to determine what
  proportion of the 36% of Canada Research Chairs recruited from outside of
  Canada were Canadians who were returning to this country.

  In response to another question, Professor Challis said that the University had been
  successful in 92% of its applications for Canada Research Chairs, a remarkable
  figure.

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4.   **Vice-President, Research and Associate Provost: Annual Report, 2005-06** (Cont'd)

- **Publications and citations**. For the period 2001-05, the University of Toronto ranked second only to Harvard in the number of publications among the members of the Association of American Universities (the AAU) and the group of 13 leading Canadian research-intensive universities (the G13). It ranked first among public universities and the Canadian G13 universities. (It was appropriate to consider the public universities as a separate category because the ratio of undergraduate students to faculty members was much higher in those institutions.) The University of Toronto, including its affiliates, ranked sixth in the number of citations among the AAU and G13 universities and third among the public universities.

  Professor Challis noted that in the social sciences, added to the report for the first time, the University of Toronto ranked sixth among the AAU and G13 institutions in publications and third among the public institutions. The University had resisted comparisons of the number of publications and citations in the humanities because scholarship in those disciplines often expressed itself in ways other than publications and their citation. A committee was making good progress on identifying appropriate performance measures in the humanities.

  The Thomson ISI survey of citations had also identified about 250 highly cited researchers in 21 disciplines at Canadian universities. Of those, 33 were University of Toronto researchers. That was a remarkable outcome and an important measure that the University would continue to monitor.

- **Innovation and commercialization**. The previous Technology-Transfer Office and the Innovations Foundation had been merged and were now under the leadership of Dr. Tim McTiernan. Revenue from research grants from industrial sources and from research contracts in 2004-05 represented 9.3% of the University's total revenue, a slight decline in the proportion in the previous year. That still represented $65.7-million, which was both a large amount of money and an increase in dollar terms from the $52.5-million the previous year. That said, Professor Challis was confident that the amount and proportion could be improved.

- **Researchers of tomorrow**. In 2004-05, 678 students had earned their doctorates and 1,244 students had earned master's degrees in doctoral-stream programs. A further 1,951 students had completed master's degrees in professional areas. In addition, 1,424 people had received post-doctoral training at the University, which was a slight increase over the previous year.

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    4.   Vice-President, Research and Associate Provost: Annual Report, 2005-06 (Cont'd)

- **Social impact**. The report contained several examples of researchers at the University whose work was having a substantial impact in terms of strengthening Canadian society. Professor Monica Boyd of Sociology had completed valuable studies on the vulnerability risks of immigrants in Canada. Professor Cindy-Lee Dennis had spearheaded a province-wide effort to combat post-partum depression. Professor Alana Johns had worked to save an ancient Inuit language. Professor Faye Mishna had completed research in the area of cyber-abuse and online bullying. Professor Kathi Wilson had studied links between neighbourhoods and health.

- **Honours**. An important measure of research output was the honours conferred on members of the University's faculty The report cited a long list of recipients of international and Canadian awards.

    Questions and discussion focused on two topics.

(a) Publication and citation ranking in computer science and engineering and in the other physical sciences. A member noted that the relative ranking of the University in publications and citations in both the areas of (i) computer science and engineering and (ii) other physical sciences was significantly lower than the University's overall ranking. How would the University improve its ranking? Professor Challis replied that ranking 9th among 47 public institutions in computer science and engineering and 13th in other physical sciences represented very good rankings, among the top group of North American universities and preeminent in Canada. That those rankings were lower than the University's rankings in the other discipline areas provided a challenge and an opportunity to improve.

(b) Rankings normalized for the size of the University. A member asked how the University of Toronto would rank in the various performance measures if the results were normalized for the fact that the University's faculty was larger than that of most or all other institutions. Professor Challis observed that the question was one that arose each year. The type of performance measures presented were one among a set of such measures, and they accurately reflected the impact of the University. The Vice-President and Provost had observed that because, for example, Microsoft was a very large company did not vitiate its economic impact. The University of Toronto did have a large faculty, but it also had a large student population and a teaching load that was larger than that at many peer institutions. It also had a large clinical faculty with responsibility for treating patients as well as teaching and research. It was therefore very difficult to normalize for the size of the faculty. Therefore the numbers in the report should simply be recognized as one set of numbers among others.

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 5.   Statement on Research Partnerships

Professor Challis presented the proposal to approve a new Statement on Research Partnerships. (The proposal is attached hereto as Appendix "B" and the proposed Statement itself is attached hereto as Appendix "C".) Over the past year, the University had undertaken a review of all of its research policies, which dated from as early as 1974 to as recently as 2002. A large committee with good representation, including graduate student representation, looked at all of the policies to determine whether they required updating. The review committee had been divided into three subcommittees, each responsible for several of the policies. All members of the committee were invited to meetings of all the subcommittees to enable them to contribute to the review of any policies that were of particular interest that were not being reviewed by their own group. The policies that emerged had then been recommended to the Research Advisory Board and subsequently to the Provost, to the University's central executive group, and to the group of Principals, Deans, Academic Directors and Chairs. They had also been posted to the web to enable comment from any interested member of the University.

With respect to the matter of research partnerships, Professor Challis said the review process had reached the conclusion that the University should not establish a new policy, which could have the effect of placing undesirable restrictions on sources of research funding and would therefore represent a form of censorship and a restriction on the freedom of academic enquiry. Rather, the proposed Statement would reaffirm the University's commitment to academic freedom and to its existing policies and procedures that ensured academic freedom. The proposed Statement referred to the University's tradition of partnerships in its research activities, formed in a context of transparency and public accountability. The specific items in the Statement reaffirmed the commitment to academic freedom, including the freedom to pursue research and scholarship and to publish the results. It reiterated the importance of the University's policies to review research proposals, as set out in its *Policy on Ethical Conduct in Research* and to ensure conformity to legal and University policies for such things as the use of human subjects, animals and bioharzardous materials. The proposed Statement noted that the University's *Publication Policy* provided for the publication of research results while encouraging the translation of knowledge into socially useful applications by permitting limited publication delays to the extent necessary to protect proprietary rights in research results. Item 7 made it clear that to ensure academic freedom, no policy or practice limited research partnerships that were conducted within legal limits and that had passed the required University reviews. The University would not limit approved research based on its potential or actual applications.

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5.   **Statement on Research Partnerships** (Cont'd)

On the recommendation of the Vice-President, Research and Associate Provost,

YOUR COMMITTEE RECOMMENDS

THAT the proposed Statement on Research
Partnerships, a copy of which is attached hereto as
Appendix "C", be approved.

6.   **Statement on Conflict of Interest and Conflict of Commitment**

Professor Challis presented the proposal to approve a new Statement on Conflict of Interest and Conflict of Commitment. (The proposal is attached hereto as Appendix "D" and the proposed Statement is attached hereto as Appendix "E".) Professor Challis said that the University's current policies on Conflict of Interest required the highest standards of integrity, and the proposed Statement was not intended to amend those policies. Rather it affirmed the University's dedication to fostering research, teaching and learning with the highest standards of academic integrity, including freedom from conflict of interest and conflicts of commitment and appropriate management of perceived conflicts. The proposed Statement first reaffirmed the University's commitment to academic freedom. It encouraged an environment in which academic activities could be undertaken with appropriate regard for avoidance of conflicts of interest. It cited the University's policies for dealing with conflicts arising from activities that produced supplemental income and other situations. It cited the requirements for disclosure and mitigation of conflicts in connection with research activities. It referred to the requirement for disclosing any conflicts in research publications. It cited the requirements in the *Code of Behaviour on Academic Matters* for minimizing conflicts in the teaching and learning relationship. Finally, it stressed the importance of financial accountability, freedom of information and openness to public scrutiny.

A member noted that the proposed Statement would not replace or amend any current policy but rather it reaffirmed certain current policies. What value would be added by the Statement? Professor Challis replied that the objective was to bring together in one place and reaffirm the various policies listed on page 3 of the proposal.

On the recommendation of the Vice-President, Research and Associate Provost,

YOUR COMMITTEE RECOMMENDS

THAT the proposed Statement on Conflict of Interest
and Conflict of Commitment, a copy of which is
attached hereto as Appendix "E", be approved.

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 7.   **Framework to Address Allegations of Research Misconduct**

        Professor Challis presented for information the University of Toronto Framework to Address Allegations of Research Misconduct, a copy of which is attached hereto as Appendix "F". The Framework had emerged from discussions among representatives of the Natural Sciences and Engineering Research Council (NSERC) and University of Toronto legal counsel. The discussions recognized that standards and definitions had evolved with time, and the review had been intended to ensure that the University's policies and procedures for applying them remained satisfactory. The outcome had been reviewed by the University's Principals, Deans, Academic Directors and Chairs and by other authorities within the University. NSERC had reviewed the framework and had accepted it on behalf of the three federal research-granting councils. The Framework set out what the University was already doing in its policies and procedures in a 2007 context. A primary element was the unambiguous statement that the key point of contact for the tri-councils with respect to allegations of misconduct was the Vice-President, Research and Associate Provost. The Framework clarified the procedures and definitions for application of the University's research policies and its *Code of Behaviour on Academic Matters*. Professor Challis noted that the document was based on one used in the Faculty of Medicine and revised to make it generally applicable. It was intended to be the core University procedural document, which replaced all divisional guidelines and which would serve as the basis for adaptations individual divisions might wish to make (with the approval of the Vice-President, Research and Associate Provost) to ensure the Framework's applicability to their own circumstances.

        The Chair stressed that the Framework set out administrative procedures to implement various approved policies in the area including the *Policy on Ethical Conduct in Research*. The Framework was not being put forward as a policy for approval.

        Questions and discussion focused on a number of matters relating to students.

(a) Consultation with students. A member asked about student involvement in the development of the Framework. Professor Challis described the process from which the Framework had emerged. It had been based on one in use in the Faculty of Medicine, with University legal counsel then working with representatives from NSERC to update it and make it generally applicable. Given the nature of process, there had not been a broad process of consultation. Invited to comment, Mr. Bechtel said that care had been taken to ensure that the Framework did not change the treatment of students under the *Code of Behaviour on Academic Matters*. Rather, certain procedural steps were established to be taken before any charge was brought under the *Code*.

(b) Protection of student "whistle blowers." A member expressed concern that the Framework did not go far enough to protect students who alleged misconduct on the part of their research supervisors. For example, a student might well lose the benefit of the

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 7.   **Framework to Address Allegations of Research Misconduct** (Cont'd)

research work already completed. Mr. Bechtel and a member replied that section 6.1 of the Framework stated that "all persons involved, [including] those making allegations . . . shall be treated with respect, fairness and due sensitivity" in the processing of complaints. Section 4.1f) defined one of the instances of research misconduct as "retaliation against a person who acted in good faith and reported or provided information about alleged Research Misconduct." The member who raised the matter remained concerned that, in practice, a student might well be forced to chose between exercising her/his right to bring forward an allegation of misconduct and risking the loss of the benefit of research work completed under the supervision of the potential respondent to the allegation.

(c) Ownership of the intellectual property arising from research completed by students. A member said that apart from allegations of misconduct, there was a serious issue concerning ownership of the intellectual property arising from independent research completed by doctoral students working under supervision, especially when that work was funded by the supervisor's research grant. How were such questions addressed? Dr. McTiernan replied that questions of ownership were dealt with in the process of invention disclosure. At that time, every effort was made to ensure that legitimate ownership of intellectual property was established and documented. The member said that she was less concerned with the issue of commercialization and more concerned about ensuring appropriate credit for the research work. The question was often complicated when University of Toronto students were working in non-University laboratories under the supervision of cross-appointed faculty. Professor Challis replied that inappropriate claims to credit for research were an offence under the *Code of Behaviour on Academic Matters*. The key contribution provided by the Framework was the requirement that, in a matter such as that described by the member, the Vice-President, Research and Associate Provost be informed. That in turn would enable other appropriate actions, including notification of the funding agencies involved. The Framework sought to build bridges to ensure that such matters were addressed appropriately.

        The Chair invited members with any further questions that might arise about this important matter to address them to Dr. Challis.

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 8.   Dates of Next Meetings

The Chair recalled that the Committee was scheduled to meet twice in January to consider calendar changes as well as a number of other research policies. The first of those meetings was scheduled for Wednesday, January 17, 2007 and the following meeting for Wednesday, January 31, 2007.

The meeting adjourned at 4:55 p.m.

Secretary	Chair

December 18, 2006

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