

UNIVERSITY OF TORONTO
 THE GOVERNING COUNCIL
REPORT NUMBER 468 OF
THE EXECUTIVE COMMITTEE
Monday, December 1, 2014

To the Governing Council,
 University of Toronto.

Your Committee reports that it held a meeting on Monday, December 1, 2014 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

<p>Ms Judy Goldring, Chair Ms Shirley Hoy, Vice-Chair Professor Meric Gertler, President Mr. Harvey Botting Mr. Andrew Girgis Ms Alexandra Harris Professor Edward Iacobucci Ms. Claire M.C. Kennedy Dr. Gary Mooney Ms N. Jane Pepino Ms. Catherine Riddell Prof. Salvatore Spadafora Professor Janice Stein Mr. Keith Thomas</p> <p>REGRETS:</p>	<p>Non-Voting Member: Mr. Louis R. Charpentier, Secretary of the Governing Council</p> <p>Secretariat: Ms. Sheree Drummond Mr. Lee Hamilton</p>
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In Attendance:

Ms Susan Froom, Member of the Governing Council
 Professor William Gough, Chair, UTM Campus Council and Member of the Governing Council
 Mr. Andrew Szende, Chair, University Affairs Board
 Ms Andrea Sass-Kortsak, Chair, Academic Board
 Mr. John Switzer, Chair, Business Board and Member of the Governing Council
 Professor Cheryl Regehr, Vice-President and Provost and Member of the Governing Council
 Professor Scott Mabury, Vice-President, University Operations
 Ms Bryn MacPherson, Assistant Vice-President
 Mr. Steve Moate, Senior Council, Office of the President
 Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances

Pursuant to section 28 (e) and 38 of By-Law Number 2, consideration of items 12 to 17 took place in camera.

The meeting was held in closed session.

1. Chair's Remarks

The Chair welcomed members to the second regular meeting of the Executive Committee for 2014-15. She reminded members that the Committee met in closed session, that the meeting was not open to the public, and that Governors who are not members of the Executive may attend for the closed session but may not participate in the debate unless invited to do so by the Chair. She advised members that the Committee would move *in camera* during the meeting pursuant to section 28 (e) and (f), at which time only members of the Committee, Board and Council Chairs, senior administrators (as appropriate), and staff from the Secretariat, may remain in the room. She reminded members that confidential matters must not be discussed with anyone other than members of the Committee.

2. Report of the President

The Chair invited President Gertler to make his report to the Committee.

President Gertler updated members on his the Three Priorities process and the consultations underway. He noted that consultations to date had provided instructive and helpful input, encompassing approximately five hundred members of the University of Toronto's academic community, including various Faculty Councils, and that he looked forward to speaking at more events in the new year. He informed members that the ideas and input received during the consultations would be catalogued, shared, and used to inform a discussion paper for circulation to the University community, including members of Governing Council. He noted that, concurrent with these consultations, much work was being done to advance University priorities and strengthen key partnerships. He cited, as examples, his recent leadership of a fifteen-member tri-campus faculty delegation to the Global Cities Conference in São Paulo, Brazil, as well as his recent meetings with key institutional partners in Europe during his participation in the conference *Innovation as a Solution to Society Challenges* hosted by the Centre for Innovation Research and Competence in the Learning Economy (CIRCLE) at Lund University, Sweden.

The President also provided an update on federal government relations issues, specifically noting pending clarification on the Government of Canada's roll-out of the Canada First Research Excellence Fund (CFREF). The Fund was announced in Budget 2014 to support the global leadership of Canadian post-secondary education institutions. He noted that he anticipated further announcements by the Government of Canada intended to complement the release of its updated Science and Technology and Innovation Strategy in the very near future.

President Gertler reported that eleven members had been invited to serve on the Design Review Committee. They included members of the University, as well as distinguished practitioners from outside the University, and University of Toronto alumni. He informed members that Governing Council would be represented on the DRC by governor Ms Jane Pepino, and that Mr. Bruce Kuwabara (a prominent local architect and alumnus) would chair the committee, and that Mr. Malcolm Lawrie (Assistant Vice-President, University Planning, Design and Construction), and Mr. Paul Bedford (former Chief Planner of the City of Toronto) would co-chair the committee. The DRC would hold its first meeting early in the new year, which would include orientation on the Master Plans of each of the three University of Toronto campuses.

The President remarked that the University had just emerged from another wonderful convocation season featuring distinguished convocation speakers, during which 4,430 students had graduated over eight ceremonies. Alongside the ceremonies in Convocation Hall, well over ten thousand people had visited Convocation Plaza to observe the ceremonies on a live webcast and enjoy related activities. He reminded members that convocation provides an occasion to pause and reflect as an institution upon the great work of the University and its students.

President Gertler advised members that the ongoing Boundless Campaign remained strong, and was ahead of its timetable, having surpassed the three-quarter mark, reaching \$1.643 Billion. He called members' attention to recent milestones, such as the opening of the Goldring Centre for High Performance Sport, and the announcement of the Ted Rogers Centre for Heart Research, enabled by the largest cash donation in Canadian history. With respect to University Advancement, he also observed that the University continued to see record response to calls for alumni engagement, and that the University had many more alumni around the world that it would like to engage more effectively.

The Chair invited Vice-President and Provost Cheryl Regehr to address the issue of sexual violence, and advised members that she would subsequently take questions on the president's report.

As important context and background, Professor Regehr provided a brief overview of her professional experience in the area of sexual assault and prevention, including services to victims, public awareness, and assessment of violent offenders to inform judicial proceedings. She summarized the influence of, and expectations arising from, the United States legislative context with respect to sexual discrimination and its government's guidance to institutions, and noted the general expectation in Canada for institutional responses to follow similar practices. She drew members' attention to the passage into law of *Title IX* of the *United States Education Amendments of 1972* prohibiting discrimination on the basis of sex in educational institutions receiving federal aid, as well as the 2011 clarification to institutions on *Title IX* sponsored by Vice-President Joe Biden. Among other things, the clarification required institutional grievance procedures to use a preponderance of the evidence standard to resolve complaints of sex discrimination, in contrast to the requirements of the judicial system.

Professor Regehr observed that recent high-profile cases in Canada involving allegations of sexual violence had elicited renewed interest in institutional responses to sexual violence, in particular within the post-secondary education sector, and that, in many ways, renewed public attention to the issue was a positive development. She observed that some media coverage of university sector policies focused on the policies' names rather than their content. She advised members that the University of Toronto had a policy framework in place to guide the University's activities and responses in this area, including policies informing: preventative education, emergency responses to violence, counselling services for victims, risk assessment procedures, and responses to sexual violence.

Professor Regehr remarked that, at the conclusion of the work of the Advisory Committee on Mental Health, and prior to the intensified public and media interest in the issue of sexual violence, planning at the University of Toronto had already been underway for the establishment of an Advisory Committee on Sexual Violence, to be co-chaired by Professor Angela Hildyard, Vice-President, Human Resources and Equity, and Professor Jill Matus, Vice-Provost, Students and First-Entry Divisions. Professor Regehr explained that this Advisory Committee on Sexual Violence was to be informed by the work of several sub-committees focusing on various dimensions of the issue, including services to victims, development of community relationships and practices, and review of internal practices. Parallel to these efforts, the Council of Ontario Universities (COU) had also established an advisory group, of which she was a member, as was Ms Andrea Carter, Director of High Risk and AODA (*Accessibility for Ontarians with Disabilities Act*) with the Office of the Vice-President, Human Resources and Equity and Professor Mayo Moran, Provost of Trinity. She also noted that the Ministry of Training, Colleges and Universities had engaged the Council of Ontario Universities in discussions on this issue, and that she had participated in those discussions.

In response to the Chair's invitation for questions and comments, a committee member asked the Provost to comment on the differences between the University of Toronto and other universities that had received media coverage pertaining to alleged sexual violence. The Provost summarized a number of awareness, training, and orientation practices in place at the University, and affirmed that the University would examine current policies, practices and procedures to determine if they were sufficient or if there was a need to develop additional activities and was open to learning from other institutions.

In discussion, members raised the following points:

- Would universities be developing their own policies, in contrast to the provincial college system, which had announced the creation of a single system-wide policy. The Provost confirmed that the contexts of universities were very different from one another, comprising a number of varying factors including location, size, and milieu, and that the single approach possible for the college sector could not work. It was suggested, however, that it would be important to communicate the common, core elements that are fundamental to the issue, and that a common statement of principles from universities might help address potential media criticism that universities were not creating a uniform policy for the sector.

- Would the COU have an oversight role in the development of institutional policies; the Provost advised that this was not the role of the COU.
- What had been the feedback from students? The Provost stated that students were concerned and wanted universities to take action on this issue. She explained the importance of providing information that was readily available and presented in a manner that was most accessible to students. The Provost also affirmed the intention to include student groups in the processes of the Advisory Committee.
- There were long-standing precautionary procedures among faculty, such as leaving office doors open during bilateral meetings with students and colleagues, and having third parties present for such meetings, and the current discourse did not seem to take into account the falsely accused. The Provost affirmed that the University had responsibilities with regard to both the alleged victim and the accused, acknowledged the severity of the potential consequences for the accused, and the need to ensure fair policies and processes for both the accused and the alleged victim.

3. Items for Endorsement and Forwarding to the Governing Council

a) Capital Project: Ramsay Wright Building Teaching Laboratories Upgrades – Revisions to the Report of the Project Planning Committee, Project Scope, and Sources of Funding

The Chair reminded members that the total project costs and sources of funding for the project would be considered during the *in camera* portion of the meeting, and invited Professor Andrea Sass-Kortsak, Chair of the Academic Board, to introduce the item and provide a report of the discussion that occurred at the meeting of the Academic Board on Thursday, November 13, 2014.

Professor Sass-Kortsak remarked that the item was a much-needed upgrade to the teaching laboratories in the Ramsay Wright Building, which had not been upgraded since the building was constructed in the late 1960s. She noted that an earlier project planning report had been approved in principle by the Governing Council in June 2013. However, since that time, the scope of the project had expanded to include additional necessary enhancements to the infrastructure for the laboratories and, hence, the increase in the costs related to the project.

Professor Sass-Kortsak reported that the Academic Board had heard compelling evidence from representatives from the Faculty of Arts and Science in favour of the project. It would result in an improved student experience; the modular structure of the laboratories would allow for flexibility in class-size and better use of the available space; and the addition of air-conditioning would provide much needed relief for users of the facilities.

On motion duly moved, seconded, and carried

YOUR COMMITTEE APPROVED

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

1. THAT the Revised Project Planning Committee Report for the Ramsay Wright Building Teaching Laboratories Upgrades, dated October 8, 2014, be approved in principle; and
2. THAT the total project scope of approximately 4,650 gross square metres (gsm) (approximately 3,514 net assignable square metres (nasm), to be funded by the Faculty of Arts and Science, Graduate Expansion Funds, and Financing, be approved in principal.

b) Faculty of Medicine: Proposal to Establish the Graduate Department of Rehabilitation Sciences renamed the Rehabilitation Sciences Institute as an Extra-Departmental Unit B (EDU: B)

The Chair invited Professor Andrea Sass-Kortsak to introduce the item and provide a report of the discussion that occurred at the meeting of the Academic Board on Thursday, November 13, 2014.

Professor Sass-Kortsak advised members that the Graduate Department of Rehabilitation Sciences [GDRS] was a graduate unit established 1995 in the Faculty of Medicine that offered MSc and PhD degree programs in Rehabilitation Science. The Chair of the Department of Physical Therapy [PT] and the Department of Occupational Science and Occupational Therapy [OS&OT] had customarily alternated as Graduate Chair.

Professor Sass-Kortsak informed members that, effective January 1, 2015, the proposed Rehabilitation Sciences Institute [RSI] would become an EDU:B with a Director appointed under the *Policy on Academic Administrative Appointments*, and that the Faculty of Medicine had been clearly identified as the lead Faculty. She noted that the proposed change was being undertaken to provide the RSI with the scope and appropriate leadership, structure, and visibility to meet its goals of increasing the breadth and capacity of rehabilitation science training and research to address such mounting societal needs as an aging population and a population living with chronic conditions.

She noted that the Academic Board had been informed that the creation of the EDU:B would also allow the Faculty of Medicine to consolidate thematically similar research-stream programs within the new EDU:B and to that end, the small MSc and PhD research-stream programs in Speech-Language Pathology (MSc. and PhD) would be administratively transferred from the Department of Speech-Language Pathology to the proposed institute later in the academic year.

During the discussion that followed, a committee member commented that the item illustrated a difference between the Faculty of Medicine and the Faculty of Arts and Science, and wondered if

this would serve as a model to be replicated elsewhere or if this was a one-time solution appropriate for this instance. The Provost noted that the units in question were graduate units already, sharing a common research stream, and that the change entailed consolidation of the graduate programs from the three departments. Professor Sass-Kortsak added that size limited the viability of the programs, and that therefore merging them into a new institute was prudent.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

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

THAT the proposal to Establish the Graduate Department of Rehabilitation Science renamed the Rehabilitation Sciences Institute as an Extra-Departmental Unit B (EDU: B) be approved effective January 1, 2015.

c) Report of the Committee to Review the UTM and UTSC Campus Councils (CRCC)

The Chair reminded committee members that the CRCC had been established to fulfill the Governing Council's resolution of June 25, 2014, to conduct a review of the manner in which the Campus Council and their Standing Committees had operated in the 2013-14 academic year. She noted that the CRCC had been mandated to report back to Governing Council in December 2014 with its findings and recommendations, and invited Vice-Chair Shirley Hoy, who chaired the CRCC, to introduce the item and provide the committee with an update.

Vice-Chair Shirley Hoy informed members that the CRCC had concluded its examination of the implementation and operation of the Campus Councils and Standing Committees, and that it had summarized its findings and recommendations in its Report. She provided members with an overview of the work of the CRCC, including its various consultations with members and chairs of governance bodies and senior administrators encompassed in the review, and members of the university estates from both the UTM and UTSC campuses. She noted that, overall, there was satisfaction with the governance model, appreciation of the fact that it was still young and had only been in place for one year, and provided a summary of the CRCC's recommendations. The Vice-Chair then invited the Secretary to provide his comments.

The Secretary remarked that feedback received by the CRCC during its consultations had been very informative. He also explained that, prior to sending the report to Governing Council, an amendment would need to be made to one of the recommendations to clarify the CRCC's intent with regard to the use of discretionary appointments of Non-Voting Assessors to ensure necessary representation or expertise on the Campus Councils and Standing Committees.

A member inquired about the allocation of elected seats among estates on Governing Council; the Secretary explained that the recommendation on student representation was related to a larger

issue – that of the distribution of seats in the student and teaching staff estates. One question, for example, was whether the current allocation of constituencies within those estates reflected adequately the growth at UTM and UTSC.

A member of the Executive Committee who had participated on the CRCC expressed appreciation for the Vice-Chair's leadership of the CRCC and the gracious and fair manner with which she had guided the work of the Committee.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the *Report of the Committee to Review the UTM and UTSC Campus Councils*, dated November, 2014, be endorsed and forwarded to the Governing Council for approval in principle.

4) Items for Confirmation by the Executive Committee

a) Proposal for a new professional graduate degree program, the Master of Professional Kinesiology (M.P.K.), Faculty of Kinesiology and Physical Education

The Chair invited Professor Andrea Sass-Kortsak to introduce the item and provide a report of the discussion that occurred at the meeting of the Academic Board on Thursday, November 13, 2014.

Professor Sass-Kortsak advised members that the proposal concerned the creation of a new professional master's program in Professional Kinesiology. The program would be offered by the Faculty of Kinesiology and Physical Education and would confer the professional degree designation, Master of Professional Kinesiology (M.P.K.). She informed members that, at the meeting of Academic Board, Dean Ira Jacobs had noted that Kinesiology had developed into a multi-disciplinary field that allowed it to be examined through several different academic lenses.

Professor Sass-Kortsak remarked that, in 2007, the government of Ontario had regulated the health profession of Kinesiology, allowing holders of undergraduate degrees in Kinesiology to become registered practitioners. She noted that Dean Jacobs had said that the MPK would be the first professional graduate program for the FKPE, and that, through this proposed graduate program, the University had shown leadership in advanced scholarship by providing an opportunity to registered Kinesiology practitioners to enhance and build on their professional skills.

On motion duly moved, seconded and carried

YOUR COMMITTEE CONFIRMED

THAT the proposed Master of Professional Kinesiology program, which will confer the new degree of M.P.K., as described in the proposal from the Faculty of Kinesiology and Physical Education dated October 1, 2014 be approved effective for the academic year September 2016.

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 Executive Committee Meeting – October 22, 2014

Report number 467 (October 22, 2014) was approved.

6) Business Arising from the Report of the Previous Executive Meeting

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

7) Report of the Governing Council Meeting – October 30, 2014

Members received the Report of the October 30, 2014 Governing Council meeting for information.

8) Business Arising from the Report of the Governing Council Meeting

There was no business arising from the report.

9) Reports for Information

Members received the following items for information:

- a) Report on the Reviews of Academic Units and Programs
 - i. Semi-Annual Report, April – September, 2014
 - ii. Follow-up Report on Reviews: Ontario Institute for Studies in Education
- b) Report Number 194 of the Academic Board (November 13, 2014)
- c) Report Number 214 of the Business Board (November 3, 2014)
- d) Report Number 184 of the University Affairs Board (November 6, 2014)
- e) Report Number 16 of the Pension Committee (June 2, 2014)
- f) Report Number 71 of the Elections Committee (June 9, 2014)
- g) Report Number 72 of the Elections Committee (November 12, 2014)

END OF CONSENT AGENDA

10) Date of Next Meeting – Monday, February 9, 2015 at 5:00 p.m.

11) Other Business

a) December 11, 2014 Governing Council meeting

A governor in attendance asks the Chair's permission to circulate a document to Executive Committee members. The Chair invites her to leave the documents on the table.

The Committee moved *In Camera*.

12) Item for Endorsement and forwarding to the Governing Council

a) Capital Project: Ramsay Wright Building Teaching Laboratories Upgrades – Revisions to the Report of the Project Planning Committee, Total Project Cost and Sources of Funding

On motion duly moved, seconded and carried,

YOUR COMMITTEE APPROVED

THAT the recommendation contained in the memorandum from Professor Scott Mabury, Vice-President, University Operations, dated October 23, 2013 be endorsed and forwarded to the Governing Council for approval, and

THAT, pursuant to Section 38 and 40 of By-Law Number 2, the recommendation be considered by the Governing Council in camera.

b) Report Number 58 of the Committee for Honorary Degrees

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

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

THAT the recommendations contained in Report Number 58 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 recommendation *in camera*.

13) Senior Appointment

On a motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the position of Vice-Provost, Innovations in Undergraduate Education, be created effective January 1, 2015.

THAT Professor Susan McCahan be appointed as Vice-Provost, Innovations in Undergraduate Education, effective January 1, 2015 to December 1, 2019.

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

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the President's recommendation for expulsion, as outlined in the memo and supporting documentation from the Secretary of the Governing Council, dated October 31, 2014 be confirmed.

15) Student Commons (230 College Street) Capital Project

In follow-up to the last meeting of the Executive Committee on October 22, 2014, the Provost provided members with an update on options that could be pursued to address concerns, along with the implications of pursuing the various options that would facilitate proceeding with the Commons Capital Project and the associated Student Commons Management Agreement.

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the Student Commons Agreement not be placed on the agenda of the Governing Council meeting of December 11, but be deferred to a future meeting, during which period counsel for the University can engage in discussions with counsel for the Students' Administrative Council / University of Toronto Students Union (SAC/UTSU).

16) Committee Members with the President

a) Senior Appointments

On motion duly moved, seconded and carried

YOUR COMMITTEE APPROVED

THAT the President's recommendations as contained in the memoranda dated November 25, 2014 and December 1, 2014 be endorsed and forwarded to Governing Council for approval.

17) Committee Members Alone

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

The Committee returned to closed session.

The meeting adjourned at 7:10 p.m.

Secretary
December 2, 2014

Chair