

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL

Thursday, March 23, 2006

MINUTES OF THE GOVERNING COUNCIL meeting held on Thursday, March 23, 2006 at 4:30 p.m. in the Council Chamber, Simcoe Hall, University of Toronto.

Present:

Ms Rose M. Patten (In the Chair)
Mr. John F. (Jack) Petch, Vice-Chair
Professor C. David Naylor, President
Mr. Husain Aboghodieh
Mr. Navine K. Aggarwal
Ms Holly Andrews-Taylor
Dr. Robert M. Bennett
Professor Philip H. Byer
Mr. Ryan Matthew Campbell
Professor Pamela Catton
Mr. Shaun Chen
Professor Brian Corman
Professor W. Raymond Cummins
Miss Coralie D'Souza
Mr. Brian Davis
Dr. Claude S. Davis
Dr. Alice Dong
Ms Susan Eng
Dr. Shari Graham Fell
Mr. Ran Goel
Professor Vivek Goel
Dr. Gerald Halbert

Professor Glen A. Jones
Dr. Joel A. Kirsh
Mr. Joseph Mapa
Professor Michael R. Marrus
Mr. Geoffrey Matus
Professor Ian R. McDonald
Ms Jacqueline C. Orange
Professor Ian Orchard
Ms Marvi H. Ricker
Professor Barbara Sherwood Lollar
Mr. Stephen C. Smith
Miss Maureen J. Somerville
Mr. Mahadeo Sukhai
Ms B. Elizabeth Vosburgh
Professor John Wedge
Mr. W. David Wilson

Mr. Louis R. Charpentier, Secretary of the
Governing Council

Secretariat:

Mr. Henry T. Mulhall

Absent:

Mr. Navine K. Aggarwal
Mr. P.C. Choo
The Honourable William G. Davis
Professor Linda McGillis Hall
Ms Florence Minz
Mr. George E. Myhal

Mr. Richard Nunn
The Honourable David R. Peterson
The Honourable Vivienne Poy
Mr. Timothy Reid
Professor Arthur S. Ripstein
Mr. Robert S. Weiss

In Attendance:

Ms Estefania Toledo, Member-elect of the Governing Council
Dr. John R. G. Challis, Vice-President, Research and Associate Provost
Ms Rivi Frankle, Interim Vice-President and Chief Advancement Officer
Professor Angela Hildyard, Vice-President, Human Resources and Equity
Ms Catherine Riggall, Vice-President, Business Affairs
Ms Susan Addario, Director, Student Affairs
Mr. Nouman Ashraf, Anti-Racism and Cultural Diversity Officer
Dr. Helen Breslauer, University of Toronto Faculty Association

In Attendance (cont'd):

Mr. Mark Britt, Director, Internal Audit
 Dr. Chris Cunningham, Special Advisor to the President
 Mr. Jim Delaney, Assistant Director, Student Affairs
 Dr. Heather Driscoll, Director of Operations, Office of the Vice-President, Government and Institutional Relations
 Mr. Andrew Drummond, Assistant Secretary of the Governing Council
 Ms Sheree Drummond, Assistant Provost
 Professor David Farrar, Deputy Provost and Vice-Provost, Students
 Ms Nora Gillespie, Legal Counsel, Offices of the Vice-President and Provost and the Vice-President, Human Resources and Equity
 Ms Jen Hassum, Chair-Person Elect, and Vice-President, External, Students Administrative Council
 Ms Margaret Hancock, Warden, Hart House
 Professor Edith Hillan, Vice-Provost, Academic
 Ms Helen Lasthiotakis, Director, Policy and Planning, Office of the Vice-President and Provost
 Ms Myra Lefkowitz, Manager of Health and Well-Being Programs and Services
 Ms Rosanne Lopers-Sweetman, Director, Special Projects, Office of the Vice-President and Provost
 Ms Margaret McKone, Administrative Manager, Office of the Governing Council
 Mr. Steve Moate, Senior Legal Counsel
 Ms Cristina Oke, Assistant Secretary of the Governing Council
 Mr. Jeff Peters, Vice-President, Internal, Association of Part-time Undergraduate Students
 Professor Jay Rosenfield, Associate Dean, Undergraduate Education, Faculty of Medicine
 Ms Christina Sass-Kortsak, Assistant Vice-President, Human Resources
 Ms Elizabeth Sisam, Assistant Vice-President, Space and Facilities Planning
 Ms Oriel Varga, former member, the Governing Council
 Professor Catharine Whiteside, Vice-Provost, Relations with Healthcare Institutions, Dean, Faculty of Medicine
 Professor Safwat Zaky, Vice-Provost, Planning and Budget

1. Chair's Remarks

(a) Welcome and Congratulations

The Chair welcomed members and guests to the meeting. She stated that she wished, for the record, to offer special congratulations on behalf of the entire Council to one member who had not been able to attend the meeting that day. As members were aware, the Honourable David Peterson had been elected the 32nd Chancellor of the University, to take office on July 1, 2006. The Chair expressed her pleasure with this appointment, and in particular with the fact that, as Chancellor, Mr. Peterson would remain an *ex officio* member of the Governing Council in the years ahead.

(b) Speaking Requests

The Chair informed members that four speaking requests had been received. Two had not been granted as they concerned matters to be dealt with by the administration of the University. Two had been granted, and she would call on the speakers at the appropriate time in the meeting.

(c) Additional Documentation for the Meeting

The Chair noted that additional documentation for the meeting had been placed on the table. This included: two Board and Committee reports which had not been available for

1. Chair's Remarks (cont'd)**(c) Additional Documentation for the Meeting (cont'd)**

mailing with members' agenda packages; the President's statement on racist and offensive incidents on campus; a news release by the Muslim Students' Association, and a letter from four faculty members, on the same subject; as well as a memorandum from the Vice-President and Provost and the Vice-President, Human Resources and Equity to Governors on the subject of an email received by some Governors earlier that day. The Chair noted that the email in question had dealt with a matter appropriately under the purview of the University administration.

(d) Audio Web-cast

The Chair reminded members that the meeting was being broadcast on the web, and that private conversations might be picked up and broadcast. She asked all members, senior administrators, and guests who were invited to speak during the meeting to use a microphone, so that their comments could be heard by those listening to the audio web cast.

2. Minutes of the Previous Meeting

The minutes of the meeting of February 9, 2006 were approved.

3. Business Arising from the Minutes of the Previous Meeting

There was no business arising from the previous meeting.

4. Report of the President**(a) President's Statement on Racist and Offensive Incidents on Campus****(i) A History of Diversity**

The President stated that, for decades, the University had placed a special emphasis on creating the most diverse academic community possible. It had done so because outstanding scholarship and outstanding teaching could only thrive in an environment that embraced the broadest range of people and encouraged the free expression of their diverse perspectives. Year by year, the University had succeeded in building a safe place for the widest breadth of communities, of experiences and thus inevitably, of ideas. By some measures, the University was more diverse even than Toronto itself. Continuing to advance that achievement remained its daily work.

(ii) A Current Strain

The President added that it was thus important to note when part of the University community felt under particular strain. He was concerned that a number of incidents in previous weeks had made the current environment difficult for members of the University's Muslim community. Misinformation about these incidents had only compounded that anxiety. The President was disappointed that some members of the University community had offered commentary on these distressing events that had not been particularly accurate or helpful.

In order to ensure the accuracy of the discussion of these events, the official written statement issued by the President the previous day on racist and offensive incidents on

4. Report of the President (cont'd)**(a) President's Statement on Racist and Offensive Incidents on Campus (cont'd)****(ii) A Current Strain (cont'd)**

campus¹ had described the facts about four incidents in particular, and what the University's response to them had been. Clearly, these incidents had taken place in a setting of growing ethnic and religious tensions in Western society. That a university such as the University of Toronto, which pursued diversity as a central tenet, should find itself a venue for ugly displays of that tension was perhaps inevitable. It was most certainly regrettable, and it was without question intolerable.

Other Canadian universities had faced similar tensions in recent years. The University of Toronto, like them, could only respond to racism by confronting it directly, prosecuting it whenever warranted, protecting the safety of its members, and promoting diversity with unwavering commitment. The University had long been and remained opposed to Islamophobia, anti-Semitism, and every conceivable form of discrimination based on race, religion or faith, or ethnocultural identity. Combating these myriad forms of racism and discrimination was the daily work of many members of the University's administration, and it was a daily commitment made by countless members of the wider University community.

On that point, the President wished to register his concern at the way some individuals had publicized the hit-and-run crime the previous weekend as being linked to the Islamophobic incidents that clearly involved members of the University community. The struggle against racism was not advanced by commentary that fueled anxieties or that unfairly impugned the reputation for inclusivity of the remarkably diverse University community. In that respect, the Administration had decided the previous week to proceed with a statement to the Governing Council, and had been firm in not allowing the previous weekend's unrelated incident to alter its timetable. The President's considered view was that no amount of public rhetoric was a substitute for the private professionalism and commitment demonstrated so abundantly by members of the Student Affairs team and the Campus Police in their interactions with victims of discrimination and their outreach to members of the affected communities.

The President reported that, the previous Friday, he had had the honour to attend Muslim Jumma prayers at Hart House – where they had been held for over forty years. In speaking with members of the University community there, he had underscored the fact that the University of Toronto was *their* home; that Muslim students, faculty and staff were integral to the University's learning community; that diversity and respect for difference was its advantage, and that the strength shown by Muslim students, faculty and staff in continuing to educate others about their community in the face of difficulties had benefited the entire University.

The University had worked with student groups to develop plans for a multi-faith centre that would provide an appropriate permanent location for Muslim students, as well as the many other faith communities on campus. The President was pleased that construction of that facility would commence during the summer of 2006. The President also stated that he was proud of the way that Muslim students on campus had joined forces with other groups, most notably Hillel, to challenge ethno-cultural stereotyping and actions that promoted intolerance. In many ways, these two communities had provided a model of bridge building for the entire University to pursue further. The President also expressed his desire to thank the great many people in the Administration, in the faculties and

¹ Presidential Statement to Governing Council regarding concerns about racist and offensive incidents on campus: <http://www.president.utoronto.ca/aboutthepresident/speeches/racistandoffensiveincidents.htm>.

4. Report of the President (cont'd)**(a) President's Statement on Racist and Offensive Incidents on Campus (cont'd)****(ii) A Current Strain (cont'd)**

within student bodies who devoted themselves, daily, to fighting racism and building an equitable environment.

(iii) The University's Values

The President noted that some individuals had asked how the University applied the principle of free expression in the current difficult climate. He wished to state very specifically that the University would not tolerate actions that appeared to rise to the level of a hate crime, or for that matter, any criminal act. The University had worked and would continue to work to protect victims, to investigate such events quickly and thoroughly, and to forward any evidence to the Toronto Police for their prosecution where evidence existed to support a conviction. The President added that incidents targeting individuals on the basis of their identity -- even if they did *not* rise to the level of an actual crime -- also caused the University grave concern, because they undermined its basic purpose as a learning community.

The President stated that the principle of free expression was, of course, a cornerstone of free academies in democratic societies. No university embracing that principle could ban legal expressions of opinion. Indeed, as noted previously, every member of the University community should be prepared to confront opinions they found morally offensive.

Nonetheless, any action undertaken for the sole purpose of causing distress to other members of the University undermined its basic purpose as a learning community, that is, to advance knowledge through teaching and research in an environment of inclusiveness and respect. Intolerance was a destructive distraction from that goal. It thus had no moral place at the University, even when expressed through means that were protected by the principle of free expression.

The President repeated: there would be offensive expressions that the University could not suppress or censor because of its respect for the core value of free speech on campus and in society. However, the President wished to serve notice that the University administration would not hesitate to communicate its concerns to those who sought not to promote a dialogue, but to posture as demagogues.

Beyond all of these considerations, any action that threatened the physical safety and well-being of University members or of visitors to the University's campuses was absolutely intolerable. Every member of the University community was responsible for ensuring an environment in which their peers and guests felt safe and welcome. The President added his assurance that the administration would continue to focus on ensuring the safety of all on the University's campuses.

(iv) The Path Ahead

The President concluded his statement by reiterating that the University would continue to uphold the principle of free expression -- even, at times, to a degree that might be uncomfortable in broader society -- because it was the cornerstone of its daily work. In so doing, it was expected that all members of the University community would be mindful of the fine line between discourse that was provocatively reasonable and that which was unreasonably provocative because it targeted individuals on the basis of their identity.

4. Report of the President (cont'd)**(a) President's Statement on Racist and Offensive Incidents on Campus (cont'd)****(iv) The Path Ahead (cont'd)**

Racism and discrimination on the basis of religion or ethno-cultural identity were unacceptable on the University's three campuses. To that end, the administration would continue to devote major resources to strengthening the culture of inclusiveness and respect for differences that already characterized so much of the University. In that effort, the President remained grateful for the contributions of countless members of the University community who, in their everyday interactions with each other, upheld the principle that equity and diversity were essential prerequisites for the long-term success of the institution.

(b) Election of the University Chancellor

The President stated that he wished to echo the Chair's congratulations to the Honourable David Peterson on his election as the University's next Chancellor, and added that he personally looked forward to working with Dr. Peterson in his new role in the years ahead.

(c) External Relations: PACER

The President's Advisory Committee on External Relations (PACER) had been meeting regularly, and was interviewing candidates for the new position of Vice-President, University Relations. The Committee had been very impressed by the quality of the candidate pool, and it was anticipated that the process would be completed in April.

(d) Provincial Government Relations: Budget and Tuition Framework

The President stated that the University had not expected that the Provincial Budget released that day would contain significant new announcements regarding post-secondary education, as the previous year's budget had announced major multi-year investments. Initial reports indicated that this assessment had been accurate, and education items in the Budget were limited to some modest one-time-only, multi-year investments in research and technology transfer.

More significantly, the Provincial Government had on March 8, 2006 announced its new tuition fee framework and plans to expand student assistance programs. Under the new multi-year framework, the overall institutional average increase in tuition fees was to be limited to 5% in any year. Fee increases of up to 4.5% would be allowed for first-year students in most programs, and up to 8% in the first year of professional and graduate programs. For students already enrolled in their programs, annual increases would be limited to 4%. Clarification was being provided by the Ministry of Training, Colleges and Universities regarding which programs fell into which category. The University was quickly formulating a tuition fee schedule as the process had been delayed a number of months while waiting for the release of the government's tuition framework. The schedule would be presented to the Business Board, and then proceed to Governing Council for consideration.

The Government's announcement that it would raise the threshold for household income allowable to qualify for student assistance to \$75,000 *per annum* had been a very positive development. This would make more financial aid available for a wider variety of students. Details about how the government's Student Access Guarantee would be implemented were still unclear, but it was expected that it would be similar in

4. Report of the President (cont'd)**(d) Provincial Government Relations: Budget and Tuition Framework (cont'd)**

practice to the University's own access guarantee outlined in its *Policy on Student Financial Support*.

The President wished to point out that there was a continuing need to engage the Provincial Government regarding its ongoing commitments to higher education. The *Reaching Higher Plan*, though a major and welcome investment in post-secondary education, was unlikely to bring about transformative change, especially with respect to such parameters as student-faculty ratios. Much of the new funding would be committed to enrolment expansion, especially for graduate studies, and the quality enhancement funds would be relatively modest. The University, along with its partners in the Council of Ontario Universities, would need to continue to advocate with the Provincial Government for the needs of the post-secondary education sector.

(e) Federal Government Relations

Following upon the change of government in Ottawa, the University was working to develop new relationships and to establish dialogue with federal ministers, their staffs and members of the civil service. The Chancellor, Senator Poy, had been very helpful in this regard. The upcoming federal budget was likely to focus almost exclusively on the five key priorities of the new government, with post-secondary education issues expected to be given minimal immediate attention. The University's advocacy, along with that of the Association of Universities and Colleges of Canada (AUCC), would thus take a medium to longer term approach. One of the key topics of discussion going forward would be that of increased funding to cover a greater percentage of the indirect costs of research, an issue of particular significance for research-intensive institutions like the University of Toronto. The previous government's proposal in this regard would have increased base funding to the University by approximately \$20 million per year. Another issue for active advocacy would be increased federal support for international education. The President had recently become a member of the AUCC's Standing Advisory Committee on International Relations, and a priority for the University's new Vice-President, University Relations, once in place, would be to strengthen the institution's international affairs portfolio. The President concluded by stressing the importance of carefully coordinating the advocacy efforts of the University's various divisions with federal officials to ensure a consistent approach.

(f) Discussion of the President's Statement on Racist and Offensive Incidents on Campus

At the invitation of the Chair, Ms Jen Hassum, Vice-President, External of the Students Administrative Council (SAC), addressed the Council. She stated that SAC welcomed the President's public statement regarding racist and offensive incidents on campus made that day, but was concerned that it had not been made earlier. In particular, SAC felt that a public statement to all members of the University should have been made immediately following the incident that had occurred at Hart House. The absence of a rapid, clear, public statement by the University had led SAC to issue its own statements supported by various student groups, faculty and staff. The University campus was as safe, or even safer, than the wider Toronto community, but this safety came from knowing that there were organizations on campus that opposed Islamophobia, anti-Semitism, hate and intolerance. When offensive or racist incidents occurred, they needed to be addressed quickly and proactively. In this regard, SAC had formed a campus-wide committee called Students Against Islamophobia which would focus on education and outreach. SAC also wished to work with the University to adopt a policy to standardize their collective response to hate and intolerance on campus.

4. Report of the President (cont'd)**(f) Discussion of the President's Statement on Racist and Offensive Incidents on Campus (cont'd)**

The Chair invited Ms Murphy Brown, President of the Association of Part-time Undergraduate Students (APUS), to address Council. It was noted that Ms Brown was not present.

A member asked what measures the University would take to ensure that further racist or offensive incidents did not occur on campus, and that mixed messages would not be issued by the University in response to such incidents. The President responded that the University had been consistent regarding the primacy of free speech, but that interpretations of that position seemed to vary depending on the perspectives of individuals and groups and the immediate context. He emphasized that the Administration had sought a balance between supporting freedom of speech as a core university value and discouraging the abuse of free speech to justify expressions that were deliberately provocative and offensive. This was challenging terrain. On the matter of prevention, the University's Anti-racism and Cultural Diversity Office was being proactive in soliciting the views of students, through focus groups and direct contact with student groups such as the Muslim Students' Association, to identify continuing causes for concern. The University's ongoing anti-racism, equity and diversity initiatives were very extensive, and an enormous amount of work was being done on a daily basis that was not always noticed when unfortunate incidents captured the community's attention. Given the fact that ethno-cultural strife seemed to be on the rise worldwide, it was possible that further investments by the University in anti-racism efforts could be required in the future.

A member commended the President on the University's response to these incidents, and asked what sanctions, beyond the law, the University had at its disposal. The Provost responded that the University had two codes, the *Code of Student Conduct* for non-academic matters and the *Code of Behaviour on Academic Matters*. Penalties under the *Code of Student Conduct* could be as severe as suspension or expulsion. Another member expressed her view that the University's administration and infrastructure had been very responsive in taking action in response to the incidents that had occurred on campus. It was important that all groups and individuals on campus work together to support the administration in its efforts to combat such problems.

5. Items for Governing Council Approval**(a) Faculty of Medicine and University of Toronto at Mississauga: New Medical Academy**

Professor Cummins reported that this proposal to establish a new clinical home for 36 medical students at the University of Toronto at Mississauga (UTM) had been developed as part of the planned expansion of the M.D. program by a total of 104 students. The particular focus of the new UTM Academy would be community-based medicine, and it would operate in partnership with the Mississauga community-affiliated hospitals. It would assist particularly in training students planning to enter family practice and community-focused specialty practices, and it would complement the existing Academies based at the more specialized teaching hospitals in Toronto. The recommendation had had the strong support of both the Committee on Academic Policy and Programs and the Planning and Budget Committee, and had been approved overwhelmingly by the Academic Board.

5. Items for Governing Council Approval (cont'd)**(a) Faculty of Medicine and University of Toronto at Mississauga: New Medical Academy (cont'd)**

On motion duly moved and seconded

It was RESOLVED

THAT a new Academy of the Faculty of Medicine, based at the University of Toronto at Mississauga, in partnership with the Mississauga community-affiliated hospitals, be approved as submitted.

Documentation is attached to Report Number 141 of the Academic Board as Appendix "A".

(b) School of Graduate Studies: Department of Health Policy, Management and Evaluation: Master of Management of Innovation Program

Professor Cummins reported that this was a proposal for a new, twelve-month, professional master's program in management that would focus on the innovation process in the health care sector. The program would be housed at UTM with academic oversight provided by the Graduate Department of Health Policy, Management and Evaluation. The Planning and Budget Committee had been satisfied that the proposed program was consistent with UTM's academic plan which emphasized the establishment of new professional master's degree programs. While intended to train managers for innovative health-related companies, it would include many broad courses in the management of innovation, be widely applicable, and could be expanded in scope over time.

On motion duly moved and seconded

It was RESOLVED

THAT the Master of Management of Innovation Program, to be offered through the Department of Health Policy, Management and Evaluation, be approved, effective September 2006.

Documentation is attached to Report Number 141 of the Academic Board as Appendix "B".

6. Creation of the Position of Assistant Vice-President, Strategic Communications

The President referred members to the documentation in their agenda packages which provided a detailed rationale for the creation of this new position. Since the departure of Ms Susan Bloch-Nevitte as Director of Public Affairs in April 2004, that position had remained vacant, and the University had relied on external consultants to help manage its strategic communications functions. During the intervening period, an external review of communications and public affairs had been carried out by Mr. Peter Donolo which recommended the restructuring of communications so as to expand this portfolio and situate it within the Government and Institutional Relations vice-presidential portfolio. The review of the Division of University of Advancement in 2005 had also underscored challenges in communications and public affairs, while acknowledging the very considerable strengths of the Division and its contributions to the University. Following ongoing internal consultation it had been decided to create the new position of Assistant Vice-President, Strategic Communications. The position would be associated with the restructuring of the communications functions within the Division of University Advancement, and the primary reporting line would be to the new Vice President, University Relations when s/he was recruited. The President referred members to his memorandum of March 16, 2006 which

6. Creation of the Position of Assistant Vice-President, Strategic Communications (cont'd)

elaborated on the goals for the new portfolio. He also pointed out that, following discussion at the Executive Committee, it had been decided to expunge the term 'branding' from the position description. However, the functions associated with the terms social marketing, positioning, reputational enhancement, and branding would be central to this portfolio.

On motion duly moved and seconded

It was RESOLVED

THAT the creation of the position of Assistant Vice-President, Strategic Communications, be approved.

7. Reports for Information

Members received the following reports for information:

- (a) Report Number 141 of the Academic Board (February 16, 2006);
- (b) Report Number 146 of the Business Board (January 16, 2006);
- (c) Report Number 132 of the University Affairs Board (January 17, 2006);
- (d) Report Number 133 of the University Affairs Board (February 14, 2006);
- (e) Report Number 393 of the Executive Committee (January 26, 2006);
- (f) Report Number 394 of the Executive Committee (March 9, 2006).

8. Date of the Next Meeting

The Chair reminded members that the next regular meeting of the Governing Council was scheduled for Monday, May 1, 2006 at 4:30 p.m.

9. Question Period

Members had no questions for members of the senior administration.

10. Other Business

A member wished to point out that an important milestone was approaching, the 100th anniversary of the completion of the report of the 1906 Royal Commission on the University on April 4, 1906. The Royal Commission was followed by passage of *The University Act* on May 14, 1906. One of the major results for the University of Toronto of the report and subsequent legislation was the "removal of the government's direct control of the University and substitution of a board of governors".¹ The bicameral governance structure that was introduced had remained in place until the creation of the Governing Council in 1972.

A member enquired whether details regarding speaking requests made to address the Governing Council that were subsequently declined could be made public, perhaps on the Governing Council website. The Secretary responded that requests were ordinarily to be submitted in time to be considered by the Executive Committee at its meeting which preceded the Governing Council meeting. Information regarding their disposition was recorded in the report of the Executive Committee. However, many requests were received on short notice, often within hours of the Governing Council meeting, and were considered by the Chair. If members had questions regarding these late requests, information could be made available to them. The member asked if such information

¹ See: Friedland, Martin L., *The University of Toronto: A History* (2002), p. 204.

10. Other Business (cont'd)

could be provided retrospectively. The Secretary responded that, if Governing Council wished, it could be provided as part of the record of the Governing Council meeting.

There were no other items of Other Business.

The meeting adjourned at 5:30 p.m.

Secretary

Chair

April 19, 2006