

## THE GOVERNING COUNCIL

### REPORT NUMBER 159 OF THE ACADEMIC BOARD

December 8, 2008

To the Governing Council,  
University of Toronto

Your Board reports that it held a meeting on Monday, December 8, 2008 at 4:10 p.m. in the Council Chamber, Simcoe Hall at which the following were present:

Professor Brian Corman (In the Chair)	Professor Alister Cumming	Ms Carole Moore
Professor David Naylor, President	Professor Gerald Cupchik	Professor Linda Northrup
Professor Cheryl Misak, Interim Vice-President and Provost	Professor Gabriele D'Eleuterio	Professor Donna Orwin
Professor Jonathan Freedman, Deputy Provost	Professor Christopher Damaren	Mr. Roger P. Parkinson
Professor Safwat Zaky, Vice-Provost, Planning and Budget	Professor Luc F. De Nil	Professor Ito Peng
Professor Stewart Aitchison	Professor Charles Deber	Ms Sheron Perera
Professor Cristina Amon	Professor Wendy Duff	Mr. Jeff Peters
Professor Gage Averill	Professor Meric Gertler	Professor Susan Pfeiffer
Professor Ronald Beiner	Professor Robert Gibbs	Professor Judith Poe
Ms Patricia Bellamy	Ms Pamela Gravestock	Professor Ato Quayson
Professor Denise Belsham	Ms Jacqueline Greenblatt	Professor Cheryl Regehr
Ms Marilyn Booth	Ms Emily Gregor	Professor Wendy Rotenberg
Professor Ragnar Buchweitz	Professor Rick Halpern	Mr. Paul Ruppert
Mr. Ryan Campbell	Professor Ellen Hodnett	Ms Maureen Simpson
Dr. Christena Chruszez	Mrs. Bonnie Horne	Ms Lynn Snowden
Professor Will Cluett	Ms Jenna Hossack	Miss Maureen J. Somerville
Professor David Cook	Ms Tharsni Kankesan	Mr. Olivier Sorin
Professor Elizabeth Cowper	Dr. Lesley Ann Lavack	Professor Suzanne Stevenson
	Professor Hy Van Luong	Professor Kim Strong
	Professor Jens-Erik Mai	Professor Romin Tafarodi
	Professor Douglas McDougall	Mr. Daniel Taranovsky
	Professor John R. Miron	Dr. Robert S. Turnbull
	Professor David Mock	Dr. Donald A. Wasylenki
<b>Regrets:</b>	Professor Gregory Jump	Ms Michelle Mitrovich
Professor Varouj Aivazian	Professor Shashi Kant	Professor Michael Molloy
Professor Christy Anderson	Dr. Allan S. Kaplan	Professor Mayo Moran
Professor Jan Angus	Professor Bruce Kidd	Professor Sioban Nelson
Professor George Baird	Dr. Young M. Kim	Mr. Andrew Ngo
Professor Sylvia Bashevkin	Professor Pamela E. Klassen	Professor Janet Paterson
Professor Katherine Berg	Dr. Chris Koenig-Woodyard	Professor Jolie Ringash
Professor Sujit Choudhry	Mr. Joseph Koo	Miss Charlene Saldanha
Professor Joseph Desloges	Professor Audrey Laporte	Miss Pamela Santora
Professor Miriam Diamond	Professor Louise Lemieux-Charles	Professor Andrea Sass-Kortsak
Professor Dickson Eyoh	Professor Robert Levit	Professor Tattersall Smith
Professor Guy Faulkner	Professor Rhonda Love	Mr. Shane Smith
Mr. John A. Fraser	Dr. Gillian MacKay	Professor Elizabeth M. Smyth
Professor Jane Gaskell	Professor Michael R. Marrus	Ms Rita Tsang
Professor Avrum Gotlieb	Professor Roger L. Martin	Professor Njoki Wane
Ms Anne Guo	Professor Mark McGowan	Professor Catharine Whiteside
Professor Russell Hartenberger	Mr. Andrew Mintz	Professor Donald Wiebe
Professor Wayne K. Hindmarsh	Professor Faye Mishna	Dr. Cindy Woodland

<b>Non-voting Assessors:</b> Professor Angela Hildyard, Vice-President, Human Resources and Equity	Professor Edith Hillan, Vice- Provost, Academic Ms Catherine Riggall, Vice- President, Business Affairs	
<b>In Attendance:</b> Ms Murphy Brown, President, Association of Part-Time Undergraduate Students Mr. Louis Charpentier, Secretary of the Governing Council Ms Sheree Drummond, Assistant Provost Dr. Anthony Gray, Special Advisor to the President	Ms Kate Hilton, Assistant Dean, Alumni and Development, Faculty of Law Ms Helen Lasthiotakis, Director, Policy and Planning, Office of the Vice-President and Provost Ms Renu Mandhane, Assistant Dean, Faculty of Law	Mr. Henry Mulhall, Assistant Secretary of the Governing Council Ms Alison Webb, Committee Secretary, Office of the Governing Council <b>Secretariat:</b> Ms Mae-Yu Tan

In this report, items 5 and 6 are recommended to the Governing Council for approval. The remaining items are reported for information.

The Chair welcomed members to the meeting and relayed Professor Marrus' regret at being absent.

### **1. Approval of Report Number 158 of the Meeting held on October 2, 2008**

Report Number 158 of the meeting held on October 2, 2008 was approved.

### **2. Business Arising from the Report of the Previous Meeting**

The Chair noted a correction to the Appointments and Status Changes Report (item 8a) which had been received for information by the Board at its previous meeting. A corrected version of the report was available on the Academic Board website.

### **3. Reports of the Agenda Committee**

#### Report Number 148 (November 12, 2008)

The Chair drew members' attention to two academic administrative appointments reported under item 5 of the Report (page 2). Professor Meric Gertler had been appointed Dean of the Faculty of Arts and Science from December 1, 2008 to June 30, 2014 and Professor Russell Hartenberger had been appointed Dean of the Faculty of Music from December 1, 2008 to June 30, 2010. The Chair offered both members of the Board his congratulations.

#### Report Number 149 (December 1, 2008)

The Chair said that a copy of the Report had been circulated electronically to members prior to the meeting, and copies had been made available at the door. He referred members to the 2008-09 membership of the Tribunal Selection Committee (page 2) which had been approved by the Agenda Committee. The Chair explained that the Tribunal Selection Committee was responsible for recommending to the Academic Board the names of the Senior, Associate, and Co-Chairs of the University Tribunal, and he noted that reports prepared by some of the Chairs would be discussed later in the meeting.

#### **4. Report of the Vice-President and Provost**

##### Economic Update

Professor Misak commented that the University had the benefit of a sizeable endowment due to benefactions from its good friends and significant advancement activities. That endowment had been carefully invested and a reserve had been responsibly built up as a protective cushion against difficult circumstances that the University might encounter. In October, Professor Misak had sent a memorandum to the Principals, Deans, Academic Directors, and Chairs (PDAD&C) containing a cautiously optimistic message with respect to the University's endowment. At that time, it had appeared that the University would be able to make a payment from the endowment in the spring of 2009. However, with the recent dramatic decline of the financial markets, it was unlikely that such a payment would be possible. The endowment was vulnerable to market volatility, and the University would need to monitor future developments and reassess its financial position in 2009 before making any final decisions.

Professor Misak said that the PDAD&C had been asked to take cost-containment measures that were appropriate for their divisions. The administration believed such an approach to be more equitable than across the board base budget cuts. Divisions would have the flexibility needed to determine the most suitable steps to address their individual financial situations. The University was hopeful that the problem was only a temporary one. Professor Misak acknowledged that in efforts to deal with the likely elimination of the overall \$62-million endowment payout, some divisions might decide not to make any planned new hires this year. However, such determinations could be made on an individual basis as appropriate for each division. The Provost's Office was in dialogue with the deans and would provide support as they made some very difficult financial decisions.

Professor Misak noted that the University had many obligations, both contractual and moral, funded by the endowment. For example, the University was committed to the salaries of its endowed chair holders and to its endowed needs-based student aid. Those commitments would continue to be honoured. The University would need to examine its academic priorities carefully and work to preserve its core mission, implementing cuts only where there was some flexibility.

Professor Misak then invited President Naylor to address the Board.

President Naylor responded to some common questions about the current economic situation. He explained that donors recognized the University's commitment to meeting its priorities normally funded by the endowment and appreciated the University's efforts to ensure that the long-term value of the endowment was maximized, even if that meant making reduced payouts. If the University were to proceed with providing payouts from the endowment in the current market, it would precipitate serious losses resulting from the University of Toronto Asset Management Corporation's (UTAM) sale of holdings that were currently devalued, or the loss of flexibility owing to conversion of cash-equivalent assets that were needed in the shorter term to preserve maneuvering room for UTAM. UTAM's President and Chief Executive Officer, Mr. William Moriarty, had noted that such an unusual decline in the markets had not occurred since the late 1930's.

President Naylor stated that he had also been asked why the University didn't simply borrow funds, as Harvard University had done. He said that the University of Toronto's endowment represented less than 4% of its operating budget, unlike Harvard, which was dependent on its endowment for approximately 35% of its budget. Over time, the University would determine whether it needed to run a deficit and would concurrently consider the implications for its borrowing strategy. Another question which had been posed was why the University didn't use funds from its operating cash-on-hand to compensate for the likely elimination or reduction of the level of endowment payout. President Naylor explained that funds currently invested in short-term cash or cash equivalents received an interest yield of 3-4%. By drawing on those funds, the

#### **4. Report of the Vice-President and Provost (cont'd)**

##### Economic Update (cont'd)

University would compromise its immediate operating reserves and forego the interest being earned on the operating 'float'. In that instance, moreover, as a matter of fairness to all divisions, those divisions that borrowed against the cash-on-hand should be required to repay the funds longer-term along with the foregone interest. This strategy would otherwise lead to inequities analogous to an across-the-board cut with central subsidization of those divisions that had been and would, in short order, again be the beneficiaries of endowed funds. Noting that some endowment funds had not yet been fully committed, President Naylor said that the administration would seek to identify and use such funds to assist in meeting financial obligations during this period. The President closed by assuring members of the Board that no final determination had yet been made with respect to endowment payouts; the University would monitor its situation from month to month.

In response to a question from a member, Ms Riggall stated that the financial statements for the University of Toronto Pension Plan as of June 30, 2008 showed a deficit. It was certain that the deficit had since grown with the decline in the securities markets in recent months. However, the University had filed its actuarial valuation with the Financial Services Commission of Ontario as at July 1, 2007 and the next formal filing of the valuation was required as at July 1, 2010. That meant that the University had some time to see if the market recovered and gains were made. In the event that that did not occur, the University was lobbying the Provincial Government to provide a longer period for solvency payment requirements. Ms Riggall noted that the pension plan statements would be presented to the Business Board for approval at its meeting of December 15, 2008 and would be discussed thoroughly at that time.

Members inquired about central cost containment measures that might be taken. Professor Misak replied that all administrative units would need to plan for sizeable cuts, including those at the senior administration level. However, since the majority of funds were allocated to the divisions, most cost-containment measures would occur within those units. The University was hopeful that such divisional initiatives would be sufficient to address the impact of the current economic conditions. However, if that was not the case, central cuts would be made as necessary. Professor Misak had previously announced her decision not to distribute start-up grants for new faculty members from the Connaught Fund.

A member asked if the current economic situation would affect the University's academic planning process that would normally be undertaken this year. Professor Misak acknowledged the difficulty in engaging in such planning given the present financial uncertainty. She intended in the future to send a communication to the PDAD&C providing guidance on this matter.

#### **5. School of Graduate Studies/Ontario Institute for Studies in Education: Ed.D. Program in Developmental Psychology and Education – Closure**

The Chair said that the proposed closure of the Ed.D. Program in Developmental Psychology and Education had been considered by the Committee on Academic Policy and Programs (AP&P) on November 25, 2008 and by the Planning and Budget Committee (P&B) on November 27, 2008. If approved by the Board, the proposal would require Executive Committee confirmation at a meeting on January 15, 2009.

Professor McDougall stated that the Department of Human Development and Applied Psychology at the Ontario Institute for Studies in Education (OISE) offered two doctoral programs in Developmental Psychology and Education: a Ph.D. program and an Ed.D. program. Originally, the former had been intended to be more an academic program and the latter more a professional program. However, in recent years, the distinction between the two programs had become less clear. With the offering of the

**5. School of Graduate Studies/Ontario Institute for Studies in Education: Ed.D. Program in Developmental Psychology and Education – Closure (cont'd)**

Ph.D. program on a flexible-time basis, the enrolment in that program had grown, and enrolment in the Ed.D. had declined. The School of Graduate Studies and OISE therefore proposed to stop admitting students to the Ed. D and to terminate the program when the final student ceased to be registered for it. Professor McDougall informed the Board that the Committee on Academic Policy and Programs supported that proposal.

Professor Rotenberg said that the Planning and Budget Committee had also considered the proposed program closure. At the Committee's last meeting, Professor Woodruff, the Associate Chair of Human Development and Applied Psychology at the Ontario Institute for Studies in Education, had stated that the Ed.D. program had been under consideration by the Ontario Council of Graduate Studies and they had recommended that it be made distinct from the Ph.D. program. However, the Department had not felt that it would be able to make the Ed.D. program sufficiently distinct to warrant its continuation. The Planning and Budget Committee had been informed that there were no financial implications to the proposed closure of the program and had unanimously supported the proposal.

A member of the Board asked whether students might be adversely affected by the proposed Ed.D. program closure. Professor McDougall reiterated that students were pleased with the availability of the equivalent flexible-time Ph.D. program, and they considered the opportunity to graduate with a Doctor of Philosophy degree to be professionally advantageous.

On motion duly moved, seconded, and carried, subject to confirmation by the Executive Committee

YOUR BOARD APPROVED

THAT the proposal from the School of Graduate Studies and the Ontario Institute for Studies in Education to cease admission to the Developmental Psychology and Education Ed.D. program, a copy of which is attached hereto as [Appendix "A"](#), be approved effective immediately and,

THAT the closure of the Developmental Psychology and Education Ed.D. program be approved, effective when no students are registered in it, and THAT the entry for the program be removed from the School of Graduate Studies calendar on a permanent basis.

**6. Faculty of Applied Science and Engineering: Bachelor's Degree in Engineering Science – Renaming**

The Chair said that the proposed renaming of the Faculty of Applied Science and Engineering Bachelor's degree in Engineering Science had also been considered by AP&P on November 25, 2008. The proposal would require Executive Committee confirmation at its meeting on January 15, 2009 if approved by the Academic Board.

Professor McDougall said that the Engineering Science Program was a distinctive one in the Faculty of Applied Science and Engineering and one that was offered by very few universities in the world. Students completed a two-year foundation curriculum and then two years of specialization in a Major area, many of which were unique to the Program. Students were also required to complete an independent, research-based thesis project. At the present time, all students in the Faculty worked towards a Bachelor of Applied Science degree. After broad consultation, and with the full support of its students, the Faculty had proposed to recognize completion of the distinctive Engineering Science program by awarding a distinctive degree – the Bachelor of Applied Science in Engineering Science.

## **6. Faculty of Applied Science and Engineering: Bachelor's Degree in Engineering Science – Renaming (cont'd)**

One member spoke in support of the proposed degree renaming and praised the Faculty of Applied Science and Engineering for its extensive student consultation.

In response to a question as to whether the Bachelor of Applied Science in Engineering Science degree would be retroactive, Dean Cristina Amon stated that Engineering Science students who had previously graduated could request a letter that would explain the equivalence of the Bachelor of Applied Science and the new degree.

On motion duly moved, seconded, and carried, subject to confirmation by the Executive Committee

**YOUR BOARD APPROVED**

THAT the degree name for students graduating from the Engineering Science Program in the Faculty of Applied Science and Engineering be changed from Bachelor of Applied Science to Bachelor of Applied Science in Engineering Science, effective for graduates receiving their degree in June 2009.

Documentation is attached hereto as [Appendix "B"](#).

## **7. Items for Information**

### **(a) Semi-Annual Report: Academic Appeals Committee, Individual Cases, Fall 2008**

The Chair noted that the Academic Appeals Committee (AAC) was one of four standing committees of the Academic Board and that, in June, the Board had appointed the Chairs and student and teaching staff members of the Committee who heard and considered academic appeals made by students. Members were reminded that they were welcome to raise questions about the academic appeals process, but it was not the Board's function to re-examine the decisions of the individual cases presented for information to the Board.

In response to a comment from a member with respect to Report #327 of the AAC, Ms Kate Hilton, one of the AAC Chairs, stated that AAC members were sensitive to the impact of such factors as language barriers and cultural practices when considering student appeals. She emphasized that the AAC reviewed large amounts of evidence which did not appear in the final decisions submitted to the Academic Board and that the AAC took great pains to make careful, fair decisions.

Professor Misak added that AAC reports were provided to the Academic Board so that it would be informed of the types of cases heard by the committee. As well, the requirement for the report for information was outlined in the Board's terms of reference<sup>1</sup>.

The Chair asked Ms Hilton to convey the Board's thanks to the other Chairs for their work on the Academic Appeals Committee.

### **(b) Semi-Annual Report: University Tribunal, Individual Cases, Fall 2008**

Referring to the case of student S.K. heard by the University Tribunal on June 18, 2008, a member questioned the efficacy of the sanction. As the individual was not currently registered at the University, the decision to suspend him and recommend him for expulsion appeared

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<sup>1</sup> See Section 5.2.6 b, Academic discipline - Individual cases.  
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## **7. Items for Information (cont'd)**

### **(b) Semi-Annual Report: University Tribunal, Individual Cases, Fall 2008 (cont'd)**

futile. Professor Misak commented that the imposed sanctions were those available to the University.

The Chair asked Ms Smart, the University Judicial Affairs Officer, to thank the members of University Tribunal on behalf of the Academic Board for their dedication and service.

### **(c) Report Number 137 of the Committee on Academic Policy and Programs (November 25, 2008)**

The Chair said that Report Number 137 of the Committee on Academic Policy and Programs had been circulated electronically on December 5 to members and copies had been available at the door.

The Chair invited Professor McDougall to comment on the AP&P meeting. Professor McDougall referred to item 4 of the AP&P Report that addressed the Master of Sacred Music Degree. He stated that, at its June meeting, the Academic Board had recommended that the Governing Council approve the establishment of a Master of Sacred Music degree program, to be offered by Victoria University as a conjoint degree program with the University of Toronto. The post-nominal abbreviation for the degree was to be M.S.M. However, the Committee on Academic Policy and Programs had been advised on November 25, 2008 that the use of the M.S.M. was legally reserved for a national honour awarded for military valor or civilian distinction, the Meritorious Service Medal. Therefore, the abbreviation to be used for the Master of Sacred Music Degree would be the M.S.Mus. Because the change was not to the degree name itself but only to the post-nominal abbreviation, it had been decided that the change could be approved under administrative authority, with a report for information to AP&P and to the Academic Board.

### **(d) Draft Excerpt from Report Number 127 of the Planning and Budget Committee (November 27, 2008)**

The Chair noted that an excerpt from the draft Report Number 127 of the Planning and Budget Committee had been circulated electronically on December 5 to members and copies had been available at the door. There were no questions.

### **(e) Appointments and Status Changes**

There were no questions arising from the Appointments and Status Changes Report.

## **8. Date of Next Meeting**

The Chair reminded members that the date of the next meeting was Thursday, February 5, 2009, at 4:10 p.m.

## **9. Other Business**

### **a) Academic Board Elections**

The Chair emphasized the importance of members' contributions to University governance through service on the Governing Council's Boards and Committees. He encouraged members whose terms on the Academic Board would end on June 30, 2009 to reapply to serve or to recruit a colleague to serve. He noted that there was no limit on the length of service for the Board. Members were asked to collect

**9. Other Business (cont'd)**a) Academic Board Elections (cont'd)

the list that was available at the door of elected teaching staff and librarian members of the Academic Board and the date their term would end.

The Chair announced that nominations for teaching staff seats on the Academic Board would be accepted from Friday, January 9, 2009 at 12:00 noon until Friday, January 23, 2009 at noon. There would be 17 vacancies on the Academic Board as follows:

- 5 seats in Arts and Science
- 3 seats in Medicine
- 1 seat in each of the following divisions:
  - Applied Science and Engineering
  - Dentistry
  - Forestry
  - Music
  - OISE/UT
  - Pharmacy
  - UTM
  - UTSC
- 1 librarian seat

Elected teaching staff and librarian members of the Board would serve a three-year term effective July 1, 2009. The Chair also informed members that information about applications for co-opted members of the Board (administrative staff, alumni, and students) would be provided next term.

b) Governing Council Elections

The Chair also announced that the nomination period for administrative staff, students, and teaching staff members of the Governing Council would also open on Friday, January 9, 2009 at 12:00 noon. Nomination forms would be available on the Governing Council website, and members could direct questions about either election to Ms Nancy Smart or Ms Mae-Yu Tan.

**10. Quarterly Report on Donations - August 1, 2008 – October 31, 2008**

Members received this report for information. There were no questions.

The Chair thanked members for attending the meeting and wished them a safe and happy holiday season and a Happy New Year.

The meeting adjourned at 5:05 p.m.

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 Secretary

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 Chair

December 10, 2008