

UNIVERSITY OF TORONTO  
THE GOVERNING COUNCIL  
REPORT NUMBER 116 OF THE ACADEMIC BOARD

January 16, 2003

To the Governing Council,  
University of Toronto.

Your Board reports that it held a meeting on Thursday, January 16, 2003 at 4:15 p.m. in the Council Chamber, Simcoe Hall. An attendance list is presented at the end of this report. In this report, item 5 is recommended to Governing Council for approval, items 4, 6, 7 and 8 are presented for Executive Committee confirmation and the remaining items are reported for information.

The Chair welcomed Professor James Barber, Dean of the Faculty of Social Work, and Professor David Farrar, Vice-Provost, Students, to their first meeting.

A motion to adjourn no later than 6:30 p.m. was duly moved and seconded. The motion was carried.

**1. Report of the Previous Meeting**

The report of the previous meeting, dated November 14, 2002, was approved.

**2. Business Arising**

The Chair noted that there were two matters of business arising requiring further action. The first pertained to a question about the range of student services. Professor Neuman had responded to the member directly and the member had indicated her satisfaction with the response.

The second matter concerned the gender balance in the chairholders in the Canada Research Chairs program. Professor Tuohy said that 21 percent of the chairholders at the University were women, 18 percent of the Tier I chairs and 24 percent of the Tier II. The total pool of women at the University in faculty positions eligible for appointment as CRCs was 29 percent. The national average was 16 percent women chairholders overall, and the national pool was 26 percent. She noted that the data for the latest cycle of appointments were not included in the national CRC data, but were included in the University's data.

**3. Report Number 102 of the Agenda Committee**

The report was received for information.

Several members expressed their disagreement with the decision of the Agenda Committee not to place on the agenda a notice of motion concerning the Canadian Association of University Teachers' (CAUT's) proposed post-secondary education act. One of the members indicated that the student members of Governing Council would continue to explore the issue.

4. **Capital Project: Southeast Infrastructure Upgrade, Electrical Substation and Chiller - Change in Scope**  
(arising from the excerpt from Report Number 84 of the Planning and Budget Committee)

Professor Gotlieb reported that the Committee agreed unanimously to recommend this change which would see electricity supplied to the new buildings in the southeast sector of the St. George campus by means of a direct hookup to Toronto Hydro rather than through a new University substation.

On a motion duly moved and seconded,

YOUR BOARD APPROVED

THAT the scope pertaining to the electrical power provision of the original project be modified, as indicated in Appendix "A" hereto, to provide for a direct electrical connection to Toronto Hydro in preference to the construction of the Southeast Substation as planned. No change in scope of the chiller component of the project is planned.

THAT the previously approved allocation from the Centre for Cellular and Biomolecular Research and the Leslie L. Dan Pharmacy Building capital project budgets be maintained at that previously approved.

5. **Capital Project: University of Toronto at Scarborough, Parking Expansion and Renovation – Project Planning Report**  
(arising from the excerpt from Report Number 84 of the Planning and Budget Committee)

Professor Gotlieb said that the Committee unanimously supported this recommendation to expand parking facilities and improve rights of way at the University of Toronto at Scarborough (UTSC). One small change to the motion had been introduced at the meeting. Section (iv) had been amended to read "Contribution from Centennial College for \$790,000 to support right-of-way improvements consistent with *an agreement with Centennial College*" (rather than "with the Centennial Lease agreement").

A member referred to Section VIII, Environmental Impact and Strategy, of the Project Planning Report. A sentence referred to the planting of trees to replace those that had been removed for development or allowing the natural succession to the growth of mature trees. He asked why the choice was given. Professor Thompson responded that the City of Toronto arborist had been involved with the decision to remove the trees. The College was now in discussion with conservationists about whether the best plan was to plant new trees or allow natural growth.

On a motion duly moved and seconded,

YOUR BOARD RECOMMENDS

THAT the Project Planning Report for the Expanded and Renovated Outer Parking Facilities at the University of Toronto at Scarborough, to allow for the provision of a total of 2399 parking spaces and Right-of-Way Improvements, a copy of which is attached hereto as Appendix "B", be approved in principle;

THAT the project cost of \$10,150,000 be approved, with the funding sources for the Outer Parking Facilities and the Right of Way Improvements to be as follows:

**5. Capital Project: University of Toronto at Scarborough, Parking Expansion and Renovation – Project Planning Report (cont'd)**

For the Outer Parking Facilities,

- i) UTSC Parking Ancillary allocation of \$232,000
- ii) Contribution identified with the Academic Resource Centre project of \$184,000
- iii) Financing of a mortgage in the amount of \$7,797,953 to be repaid from the parking fee revenues over a 25 year amortization period at 8% per annum

For the Right of Way Improvements,

- iv) Contribution from Centennial College for \$790,000 to support right-of-way improvements consistent with an agreement with Centennial College
- v) Contribution from UTSC of \$1,110,000 derived from the funds received from the Centennial College SuperBuild Lease Agreement.

**6. Faculty of Arts and Science: Constitution - Amendments**

Professor Amrhein reported that the series of changes to the constitution had been taken to a meeting of the Faculty Council on January 13. The changes had passed without comment.

On a motion duly moved and seconded,

YOUR BOARD APPROVED

The “Council of the Faculty of Arts and Science and its Committees” as amended, dated January 13, 2003.

Documentation for this item is attached hereto as Appendix “C”.

**7. University of Toronto at Mississauga: Constitution - Amendments**

Professor Orchard noted that the College Council had given unanimous endorsement for the tri-campus framework. The Council had approved, also unanimously, the changes to the Constitution which would remove the University of Toronto at Mississauga from the Faculty of Arts and Science so that it would be a freestanding division. He noted that the rules concerning open meetings had been moved from the Constitution to the by-laws.

On a motion duly moved and seconded,

YOUR BOARD APPROVED

The Erindale College Council Constitution (UTM) as amended, dated October 10, 2002.

Documentation for this item is attached hereto as Appendix “D”.

**8. University of Toronto at Scarborough: Divisional Name Changes**

Professor Neuman was pleased to present the motion to change the divisional names at the University of Toronto at Scarborough to departmental names.

**8. University of Toronto at Scarborough: Divisional Name Changes (cont'd)**

On a motion duly moved and seconded,

YOUR BOARD APPROVED

The following divisional name changes at the University of Toronto at Scarborough, effective February 1, 2003:

Division of Humanities to Department of Humanities

Division of Life Sciences to Department of Life Sciences

Division of Mathematical Sciences to Department of Computer and  
Mathematical Sciences

Division of Physical Sciences to Department of Physical and Environmental  
Sciences

Division of Social Sciences to Department of Social Sciences.

Documentation for this item is attached hereto as Appendix "E".

**9. Items for Information**

(a) Report of the Vice-President and Provost

(a) Appointments and Status Changes / Appointment of Professors Emeriti

Professor Neuman presented a number of appointments and status changes for information.

(b) Provost's Study of Accessibility and Career Choice in the Faculty of Law

Professor Neuman reported that the Committee on Academic Policies and Programs had endorsed the methodology she would be using in her study, after a lengthy discussion. The memorandum containing the revised methodology was attached to the Report and she referred members to it.

Professor Neuman reported that the accessibility study was close to being completed. The literature survey had been done, data from the Law Society of Upper Canada, which would be used for analysis on career choice, had been received and statisticians in her Office had begun their analysis. She had learned recently that there were problems with the L.S.U.C. data on legal aid. It had not been collected this year and data from previous years were unreliable. Research into salaries of lawyers and the effects of changes to legal aid funding by the Province was continuing.

On a motion duly moved, seconded and carried with the required two-thirds majority, the Chair invited Mr. Smith of the Canadian Bar Association to address the Board. Mr. Smith said that he was speaking on behalf of Ms Arleen Huggins, Vice-Chair of the Standing Committee on Equality. He noted that during the summer the Canadian Bar Association had passed a motion about fee increases and the impact on accessibility. What impact would a fee of \$22,000 have on accessibility? He believed the methodology of the current study was good to test the current fees of \$13,000, but asked how it would test the effect of the proposed end fee of \$22,000. He urged the Board to think about the students who might be planning to come 5 years from now. Would families be able to afford it? He suggested looking at comparable professions. For example, family income needed to support medical students had increased from \$80,000 to \$150,000. He expressed reservations about the study. He also suggested that the Law Society did not have good data on race and recommended information from Statistics Canada.

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**9. Items for Information (cont'd)****(a) Report of the Vice-President and Provost (cont'd)****(b) Provost's Study of Accessibility and Career Choice in the Faculty of Law (cont'd)**

A member said that questions still remained about the methodology and that it should proceed to Governing Council for action. He believed that if such methodology were used in medical research it would be termed unethical. He asked how the University would proceed if the study showed that the fees were affecting accessibility. Professor Neuman reminded members that the annual report on student financial support provided information on a regular basis as to who applied, what the family income was, etc. Governing Council was kept informed of these issues. If the data indicated that accessibility were changing, the Governing Council would decide what action to take, examining both tuition fees and student support levels.

**(c) Update on SuperBuild Growth Fund and Enrolment Expansion**

Professor Neuman reported that just before the holiday break, the provincial government had made an announcement about the SuperBuild Growth Fund but had not given any indication of the amount that would be available. The University was very interested in this program because of the increase in enrolment planned at both the University of Toronto at Mississauga and the University of Toronto at Scarborough and the need for new facilities. The government had calculated how much space was needed to handle the increased enrolment and the University of Toronto was found to be short of space. The government had indicated its intention not to fund all universities. It had also stressed that funding would be provided for classroom construction and other academic facilities to support undergraduate education. With these parameters, the administration believed that it would be able to make a strong case for SuperBuild support.

There were no questions on this report.

**(d) Academic Planning**

Professor Neuman stated that the green papers on academic planning were available on the Provost's website and that they had also been printed in the January 13 issue of *the Bulletin*. Twelve town hall meetings had been planned to discuss the papers with the University community and receive feedback; four had been held to date. Fifty to seventy-five participants generally attended the meetings and the wide-ranging comments had been very valuable. She noted that when the meetings were held in the colleges, students attended. She asked the academic administrators present to urge their students to attend the meetings and become involved. Each meeting had a cross-section of the community attending, not just those from the particular division where the meeting was held. She expected a number of faculties and departments would make written submissions.

There were no questions on this report

**(e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association**

Professor Neuman stated that she had written to the President of the University of Toronto Faculty Association (UFTA) in December indicating that she would like to open up the Memorandum of Agreement solely with respect to the clinical faculty.

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**9. Items for Information (cont'd)**

- (a) Report of the Vice-President and Provost (cont'd)
- (e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

She gave a brief report on clinical faculty, noting that there were about 1300 of them full time in the nine hospitals fully affiliated with the University. These individuals were not paid by the University but were paid by their practice plans. The clinicians billed OHIP, the funds were collected by the practice plans and the clinicians took a salary from a practice plan's budget. Some portion of the practice plan's earnings supported teaching and research in the hospitals. The University provided only about 5 percent of the funding for clinical faculty. All of this was part of complicated agreements between the physicians, the hospitals, the Ontario Medical Association and the provincial government.

She stated that historically, there had been ambiguity about whether the clinical faculty were covered by the Memorandum of Agreement. This ambiguity had existed since 1975. They were not specifically included. Clinical faculty had been specifically excluded from the Policy and Procedures on Academic Appointments. There was wording to indicate that policies on appointments would be developed, but none had been approved to date. There had been changes to clinical working conditions over time. The practice plans were entering into new alternate funding arrangements and research involvement had increased. Clinicians had always been an integral part of the program to educate medical students.

Professor Neuman reported that clinical faculty did not believe that UTFA represented them. UTFA did not negotiate their salaries, and although they could join UTFA, they were accorded no voting rights. Very few belonged to UTFA. In 2001, a new compensation arrangements for practice plans began to be negotiated with the government. UTFA launched a legal challenge to the process, which challenge would have delayed the clinicians from obtaining salary increases.

The University, as a step to resolving the issues that concerned clinicians, had established a Task Force on Clinical Faculty in 2001. The Task Force was co-chaired by Professor Vivek Goel, Vice-Provost, Faculty, and Professor David Naylor, Dean of the Faculty of Medicine and Vice-Provost, Relations with Health Care Institutions. The Task Force had consulted widely and brought forward a draft document in the spring, 2002. The recommendations were conveyed to UTFA for response and the response received said that the recommendations violated Article 2 and academic freedom and that it rewrote the grievance procedures. In the fall, 2002, the Task Force's report had been endorsed by the nine Chief Executive Officers (C.E.O.s) of the hospitals, the nine elected presidents of the Medical Staff Associations of the hospitals, and all the Chairs of departments in the Faculty of Medicine. Professor Neuman's response to the Task Force report had been posted on the Provost's website and UTFA had been so informed.

Professor Neuman said that the matter had been discussed at a full meeting of principals and deans where she had received the support of every principal and dean for the action taken. There had been time constraints in writing to UTFA. The intention to open the Memorandum of Agreement could only be given in December. Principals and Deans had met on December 19, one day before the University closed for the Christmas break. She joined a meeting with Professors Goel and Hildyard and Luste to discuss what was being done and why. She gave Professor Luste her letter personally. Professor Luste indicated that he would have to speak to his colleagues. In early January, she had received a letter from Professor Luste indicating UTFA's view that the Provost had no authority to give notice pursuant to Article 21 of the Memorandum of Agreement to terminate the Agreement. Article 20 of the Agreement specified that all formal notices had to be exchanged between the Chairman of the Governing Council and the President of UTFA.

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**9. Items for Information (cont'd)**

(a) Report of the Vice-President and Provost (cont'd)

(e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

Professor Neuman then reported on the matter of timing. New practice plans were being negotiated with the Ministry of Health and arrangements must be completed before the end of March, 2003. The Ministry now required that the plans include dispute resolution procedures. If the procedures were not agreed by the University, various procedures would be put in place by the hospitals and they might not articulate well with any University procedures to protect academic freedom.

In terms of the process, she stated that she had consulted with legal counsel and with the Governing Council Secretariat. Article 20 indicated that all formal notices should pass between the Chairman of Governing Council and the President of UTFA. She was advised that past practice allowed for delegation of this authority to the Vice-Presidents as signing officers of the University, and she had, therefore, signed the letter. Professor Neuman said that she had consulted with the Chair of Governing Council, and the chairs of both the Academic Board and the Business Board. The Chair of the Governing Council had written to UTFA to confirm the Provost's authority to give the notice contained in her letter of December 19.

Professor Neuman drew attention to a number of points in the Report of the Task Force on Clinical Faculty. The first was a recommendation that a taxonomy be established to describe different clinical faculty and the work they did. The other points referred to the grievance procedures. There were recommendations: (a) that clinical staff be members of the Clinical Faculty Grievance Review Panel to deal with cases concerning their University work (teaching, research and issues of academic freedom); (b) that a dispute resolution mechanism be established for the practice plans to deal with issues related to their members' work in the hospitals; and (c) that a Joint Clinical Tribunal be established to determine the facts related to academic freedom where there was overlap in jurisdiction of the grievances and to provide the facts to the dispute resolution panels in the practice plans and hospitals. Professor Neuman believed that these recommendations would improve and protect academic freedom in a clinical setting.

In closing, Professor Neuman said that the administration wished to amend the Memorandum of Agreement solely in regard to clinical faculty. The letter to UTFA giving notice pursuant to Article 21 was the only way, given the decades-long delay in establishing policies for clinical faculty, to deal with the matter. The notice was intended solely to set the stage for negotiations. She said she was committed to acting as though the Memorandum was still in place. Letters had been received from the Toronto Academic Health Science Council on behalf of the nine C.E.O.s of the hospitals and from the nine Medical Staff Association presidents. Professor Neuman referred to the letter from the Staff Association presidents which stated that UTFA had no special standing to represent the clinical staff and that UTFA was not their agent or negotiating body. She read the last paragraph of the letter:

In closing, we support the work of the Task Force on Clinical Faculty and are grateful for the Provost's intervention to allow the development of policies specific to our circumstances. We look forward to working with the University of Toronto and the Faculty of Medicine to establish a lasting, collegial and effective relationship which protects the interests of all parties concerned.

A member who was a member of UTFA noted that he had not been consulted on this issue. It was his understanding that clinical faculty approached UTFA only when they needed help. He believed that it would be good for clinical faculty to have their own policies. He

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**9. Items for Information (cont'd)**

- (a) Report of the Vice-President and Provost (cont'd)
- (e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

believed UTFA could be more focused on the issues of members. He saw the actions taken as a good thing, not a “bomb”. He was not offended by the Provost’s actions but supported them.

A member referred to a procedural matter and noted that the previous member had commented on the Provost’s report rather than asking a question as had been required by the Chair on earlier reports. The Chair responded that the usual practice was to invite questions on the Provost’s report.

A member noted his concern with the Task Force recommendation regarding clinical faculty on the Grievance Review Panel. In the recent high-profile case, there was a problem with the supervisor. His second question concerned whether the University had a responsibility with respect to research undertaken in the hospitals. On the first question, Professor Neuman said that a supervisor would not be a member of the Panel. On the second point, hospitals had their own ethical review panels. The member suggested that the Dean of the Faculty might be in a conflicted position on grievances. Professor Goel noted that the grievance process consisted of several stages at which the matter was reviewed – the Chair, the Dean, and the Provost. If the matter was still unresolved, it would proceed to the Grievance Review Panel. It was proposed that a similar set of procedures be established for clinical faculty in the practice plan settings, independent of the hospital administration. He noted that the University and hospitals had worked on harmonizing policies on such matters as publications and ethics. These harmonized policies were stronger at this University than elsewhere. The President re-iterated the support of the clinical staff associations as given in the final paragraph of the letter quoted above.

A member who was also a long-standing member of UTFA indicated her confusion with the documentation released by UTFA. She was offended by the inference that UTFA’s intervention might be required in matters of clinical work.

A member noted that it would have been useful to have someone from UTFA respond to some of the comments. In his opinion, the discussion was biased.

A member who was a member of the clinical faculty said that he supported the Provost. There was a consensus that UTFA could not represent them and asked whether the clinical faculty could have made their position any clearer.

A member noted that the remarks had focused on the clinical faculty. The concern, however, was the relationship between the administration and the Faculty Association. She believed that the Memorandum of Agreement should be protected. What could the administration do to reassure the general faculty about the Memorandum of Agreement? Professor Neuman responded that she understood there was confusion but she stated everything remained in place. Research leaves were still in place. The wording of the Memorandum of Agreement was unfortunate in that it allowed notice in only one month, December, if either party wished to change a term that could not otherwise be resolved. Professor Neuman stated that the administration wished the Memorandum of Agreement to be identical to the current one, with the clear exclusion of the clinical faculty.

A member described the issue as a “no brainer”. There was a group that did not want to be represented by UTFA. Why not respect the group’s decision?

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**9. Items for Information (cont'd)**

- (a) Report of the Vice-President and Provost (cont'd)
- (e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

A member foresaw that a great deal of money might be spent for legal costs resolving this issue, and he was concerned that the students would bear much of the burden. Why not wait a year to open the Memorandum of Agreement and avoid the legal questions? If UTFA wanted to certify, he said the members should be allowed to choose. Professor Neuman reiterated the problems with delay. New practice plans as well as dispute resolution mechanisms had to be in place by the end of March as well as grievance procedures. If the hospitals instituted them, rather than the University through the recommendations of the Task Force, the grievance procedures in the hospitals might not articulate well with those in the University. She believed that all faculty had the right to self determination. In this case, the clinical faculty did not want to be represented by UTFA.

A member, in response to the previous member's comment, said that UTFA could move at any time to certify on the ground that they thought the University was acting in a high-handed manner. He had been present at the principals and deans meeting where this issue was the subject of a full and long discussion. The intent was not a threat or an attempt to abrogate the Memorandum of Agreement. It would be unfortunate if this matter were the reason for a certification drive. Speaking as a member of UTFA, he said that this issue was not an appropriate reason to certify.

A member who was not a physician but who worked in the hospitals commented on the never-before-seen level of unanimity on an issue. The administration had the good will of the clinical faculty to represent their best interests against an association which wished to represent them against their will.

A member also from the principals and deans group said that it was clearly understood that the issue was narrowly confined and that rest of the Memorandum of Agreement would not be affected. There was nothing to fear. He too was a member of UTFA. How could UTFA seek certification on the basis of self-determination while at the same time denying the right of self-determination to a group of clinical faculty? He encouraged the president of UTFA to explain the Association's position. He had watched UTFA become distracted lately by a few issues which made it generally less effective.

A member indicated that he too had been at the principals and deans meeting. If it were offered, he would like other changes in the Memorandum of Agreement but the current intention was clearly to deal with only the issue of the clinical faculty. There was no intention to open up the Memorandum. The clinical faculty did not have tenure and they received no salary from the University. He urged members of the Board to meet their clinical colleagues, to gauge the depth of their concern on this matter.

Dr. Naylor, Dean of the Faculty of Medicine, thanked the members who had expressed their support on this issue. He explained that the clinical faculty saw patients, billed OHIP and received no salary from the University. He said that the group in question was a very distinguished cadre of colleagues. If there was an UTFA certification drive, the clinical faculty, who were self-employed and not employed by the University, would be excluded from the bargaining unit. UTFA's response to the Provost's request seemed to him paradoxical.

A member noted that the discussion had been very valuable but the problem remained. There appeared to be a consensus in the Academic Board, but the perception outside was quite different. It was unfortunate that the president of UTFA was not present. There was a danger that the situation could snowball and she asked what the administration could do to share their

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**9. Items for Information (cont'd)**

- (a) Report of the Vice-President and Provost (cont'd)
- (e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

views with UTFA. Professor Neuman said that the Memorandum of Agreement would end only if UTFA did not agree to exclude the clinical faculty, a group that did not want to be part of UTFA. She was committed to working with UTFA. At the Joint Committee meeting with UTFA, she had articulated her understanding of the action taken. She continued to make every effort to arrive at a resolution of the matter. A question-and-answer sheet would be prepared for Principals, Deans, Academic Directors and Chairs (PDAD&C). This was also an open meeting and what had been discussed here could be shared.

A member reminded the Board that the principals' and deans' support had been unanimous.

A member supported the Provost's explanation of why it was important to make this change now. He said that there were currently intense negotiations with the Ministry of Health related to the practice plans. There were a number of issues that put the academic mission of the Faculty of Medicine at risk. Successful negotiations would include a formula to allow for protected time for research and teaching. There was a great deal happening at this time that could be threatened. Taking this step to clarify the clinical faculty's relationship with UTFA would improve the situation and allow the negotiations to proceed appropriately.

A member found the issue clear cut; clinical faculty did not want to be part of UTFA. She reported that she would be speaking at her Faculty Council meeting on this matter and urged others to do the same. Another member asked what he could say to his clinical faculty colleagues, when UTFA apparently did not respect their wishes.

The Chair asked Professor Neuman what her plans were with respect to bringing forward the recommendations of the Task Force. Professor Neuman indicated that she would bring policies on clinical staff to the February 27 meeting of this Board.

A member said that the certification issue should not be a subject for Board deliberations, but rather issues that affect the welfare of the University as a whole should be discussed.

A member noted that the Task Force report dealt with medical clinical faculty and he asked whether clinical personnel in other faculties would be covered by new policies. Professor Goel responded that nurses and occupational and physical therapists, for example, were employees of the hospitals and not part of the proposed policies. The clinical faculty, on the other hand, were self-employed.

A member asked if, in addition to noting the unanimity among the principals and deans and presenting a consistent message about the intention to change the Memorandum being restricted only to clinical faculty, there were other avenues the administration could pursue to help clarify the situation. Professor Neuman said that the administration might bring forward a recommendation to the Board to support the continuation of the Memorandum of Agreement with the one amendment.

A member, noting that he was a member of UTFA Council, said that it was unfair to represent UTFA as opposed to the clinical faculty. This was a divisive issue. The UTFA Council had not debated this issue. There had, however, been a vote to establish a committee to advise on what steps UTFA would have to take in order to certify. There was a concern that the faculty and librarians be protected if the Memorandum was ended. He cautioned the

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**9. Items for Information (cont'd)**

- (a) Report of the Vice-President and Provost (cont'd)
- (e) Clinical Faculty Policies and the Memorandum of Agreement with the Faculty Association (cont'd)

members about assuming UTFA was opposed to the wishes of the clinical faculty. There were two separate issues. He asked what the administration proposed to do. Professor Neuman said that if UTFA Council was in favour of self-determination of the clinical faculty, the logical consequence was to accept the amendment of the Memorandum, which would then continue in force. She indicated that in the past, UTFA had been slow to respond to issues raised by the administration. In this instance, there was an urgent question of timing: the matter had to be settled by mid-March. She indicated that she would be happy to meet with the UTFA Council.

Dr. Naylor said that the presidents of the Medical Staff Associations had made it clear that the clinical faculty did not believe that UTFA spoke for them. The administration was in a double bind. He believed that the administration could not negotiate with a body whose status with respect to the group was in question, but, on the other hand, the policies had to be reviewed by this Board on an urgent basis in order to allow completion of negotiations with the Ministry.

The Chair thanked the members for the excellent discussion.

- (b) Items for Information in Report Number 97 of the Committee on Academic Policy and Programs
- (c) Reports Number 270, 271, 272 and 273 of the Academic Appeals Committee
- (d) Quarterly Report on Donations over \$250,000, August – October, 2002

The Chair noted that because of the length of the previous discussion, these three items would be dealt with at the next meeting.

**10. Date of Next Meeting**

The Chair noted that the next regular meeting of the Board would be held on February 27, 2003.

**11. Other Business**

A member indicated that he had a number of items. He expressed his concern about the procedures used during the previous discussion and the marginalization of certain members. He was concerned that other voices had not been heard during the discussion of the clinical faculty matter. His points briefly were:

- The gender distribution of the Canada Research Chairs indicated that women faculty were 1:4 or 1:5 compared to male faculty. The University seemed to be standing still. He asked what was being done to address this issue.
- He asked what was being done to help post-doctoral fellows with a debt-relief program.
- He thanked the Chair for distributing the report on student financial support but noted that a direct link not been provided to the chart on Scotia bank loans. He said that chart indicated that students were going into debt and this should be a cause for concern.
- He asked that the Board consider that graduate programs in gender and equity studies be given a discrete degree.

**11. Other Business**

- He reported that a former student of the University had appeared at divisional court to contest his non-admission to the Faculty of Law. The student had been refused on the basis of his marks and the LSAT scores. In his opinion, the latter were outdated tests.

A member said that the Ontario Human Rights Commission had indicated that it would investigate the Faculty of Law on a charge of systemic discrimination. He asked what type of response the University would prepare. He said that this was a longstanding issue. The Faculty currently had the same number of black students today that it had had 10 years ago. He asked what the University would do to bring about concrete changes.

The Board moved *in camera*

**12. Academic Administrative Appointments**

The following academic administrative appointments were approved:

## FACULTY OF APPLIED SCIENCE AND ENGINEERING

*Department of Materials Science and Engineering*

Professor Doug Perovic	Chair from January 1, 2003 to December 31, 2007 (re-appointment)
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## FACULTY OF ARCHITECTURE, LANDSCAPE, AND DESIGN

Professor Larry W. Richards	Dean from January 1, 2004 to June 30, 2004 (extension)
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## FACULTY OF ARTS AND SCIENCE

Professor Susan Pfeiffer	Vice-Dean, Graduate Education and Research from January 1, 2003 to June 30, 2006
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Professor Pekka Sinervo	Vice-Dean, Academic from January 1, 2003 to June 30, 2006
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*Department of Anthropology*

Professor Ted B. Banning	Acting Chair from January 1, 2003 to June 30, 2003
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*Department of Chemistry*

Professor Stuart Whittington	Acting Chair from January 1, 2003 to June 30, 2003
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*Department of East Asian Studies*

Professor Rick Guisso	Chair from July 1, 2003 to June 30, 2004 (extension)
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**12. Academic Administrative Appointments (cont'd)**

## FACULTY OF MEDICINE

Professor Catharine Whiteside	Associate Dean, Graduate and Inter-faculty Affairs from January 1, 2003 to December 31, 2004 (extension)
Professor John Wedge	Associate Dean, Clinical Affairs from January 1, 2003 to December 31, 2005

*Department of Medicine*

Professor Eliot Phillipson	Chair from September 1, 2003 to June 30, 2004 (extension)
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*Department of Nutritional Sciences*

Professor Michael Archer	Chair from January 1, 2003 to June 30, 2003 (extension)
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*Department of Obstetrics and Gynaecology*

Professor Alan Bocking	Chair from April 1, 2003 to June 30, 2008
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## UNIVERSITY OF TORONTO AT MISSISSAUGA

Professor Ulli Krull	Vice-Principal, Research from January 1, 2003 to December 31, 2007
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## UNIVERSITY OF TORONTO AT SCARBOROUGH

*Division of Computing and Mathematical Sciences*

Professor John Scherk	Acting Chair from January 1, 2003 to June 30, 2003.
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The meeting adjourned at 6:20 p.m.

Secretary  
January 20, 2003

Chair

**Present:**

Professor W. R. Cummins, Chair  
 Professor B. Corman, Vice-Chair  
 Dr. T. Simpson, Chair, Governing Council  
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 Development and Associate Provost and  
 Interim Vice-President, Research and  
 International Relations  
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 Professor J. Barber  
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 Professor C. Beghtol  
 Mr. M. Bonham  
 Ms H. Brabazon  
 Professor R. Bryan  
 Professor N. Camerman  
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 Mr. A. Chapnick  
 Professor M. Chipman  
 Professor S. Choudhry  
 Professor D. Clandfield  
 Professor D. Cook  
 Professor F. Cunningham  
 Professor R. Daniels  
 Professor L. De Nil  
 Professor R. Deber  
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 Professor C. Dyer  
 Professor M. Eichler  
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 Dr. S. G. Fell  
 Ms R. Fernandes  
 Professor E. Fiume  
 Professor M. Fullan  
 Professor J. Furedy  
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 Professor L. Girolametto  
 Ms B. Goldberg  
 Professor A. Gotlieb  
 Professor H. Gunz  
 Professor A. Haasz  
 Dr. G. Halbert  
 Professor E. Hillan

Professor W. Hindmarsh  
 Professor E. Hodnett  
 Ms B. Horne  
 Professor S. Horton  
 Professor L. Howarth  
 Mr. J. Hunter  
 Professor M. Hutcheon  
 Mr. M. Hyrcza  
 Ms M. Jackman  
 Professor A. Jones  
 Professor R. Kluger  
 Dr. M. Letarte  
 Professor L. Loeb  
 Professor J. MacDonald  
 Professor M. Marrus  
 Ms S. McDonald  
 Professor M. McGowan  
 Ms V. Melnyk  
 Mr. D. Melville  
 Professor C. Misak  
 Professor D. Mock  
 Ms C. Moore  
 Professor D. Naylor  
 Professor M. O'Neill-Karch  
 Mr. E. Ohayon  
 Professor I. Orchard  
 Mr. J. Paterson  
 Professor P. Perron  
 Mr. C. Purchase  
 Mr. C. Ramsaroop  
 Professor C. Regehr  
 Professor R. Reisz  
 Professor L. Richards  
 Professor B. Sampson  
 Mr. R. Sanders  
 Mrs. C. Seymour  
 Professor B. Sherwood Lollar  
 Professor P. Sinervo  
 Professor J. J. B. Smith  
 Professor D. Thiessen  
 Professor P. Thompson  
 Professor V. Timmer  
 Mr. N. Turk-Browne  
 Professor T. Venetsanopoulos  
 Ms S. Walker  
 Professor L. Wilson-Pauwels

**Non-voting Assessors:**

Mr. F. Chee  
 Professor D. Farrar  
 Professor A. Hildyard  
 Dr. S. Levy  
 Professor R. Venter

**Secretariat:**

Ms S. Girard, Secretary  
Ms C. Oke

Mr. J. Fraser  
Professor E. Freeman  
Professor R. Geist  
Professor M. Gotlieb  
Mr. B. Greenspan  
Professor P. Halpern  
Mr. A. Hamoui  
Mr. D. Herbert  
Professor A. Johnston  
Professor G. Kerr  
Professor B. Kidd  
Professor J. Lepock  
Professor R. Martin  
Professor P. Pennefather  
Professor K. Rice  
Mr. V. Sekhar

**Absent:**

Professor G. Allen  
Professor S. Aster  
Professor B. Baigrie  
Professor N. Bascia  
Professor B. Benhabib  
Professor M. Berkowitz  
Professor M. Diamond  
Professor J. Donaldson  
Professor D. Edwards

**In Attendance:**

Mr. J. Bisanti, Chief Capital Projects Officer  
Ms S. Bloch-Nevitte, Director, Public Affairs and Campaign Communications  
Mr. N. Dobbs, Deputy Secretary, Office of the Governing Council  
Dr. B. FitzPatrick, Assistant Vice-President and Director, Office of the President  
Ms L. Lewis, Interim Assistant Provost  
Ms E. Sadowski, President, Association of Part-time Undergraduate Students  
Mr. C. Smith, Equity Advisor, Canadian Bar Association