

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT NUMBER 370 OF
THE EXECUTIVE COMMITTEE

Monday, February 2, 2004

To the Governing Council,
University of Toronto.

Your Committee reports that it held a meeting on Monday, February 2, 2004 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Dr. Thomas Simpson (In the Chair) ¹
Professor Robert J. Birgeneau, President
Dr. Robert Bennett
Professor Philip H. Byer
Ms Susan Eng
Mr. Michael Foderick
Ms Françoise Ko ²
Ms Karen Lewis
Professor Ian McDonald
Professor Michael Marrus
Ms Rose Patten
Mrs. Susan M. Scace

Non-Voting Member:

Mr. Louis R. Charpentier ³

Secretariat:

Ms Cristina Oke

Regrets:

Mr. John F. (Jack) Petch
Dr. Joseph Rotman

In Attendance:

Mr. Muhammad B. Ahmad, Chair, University Affairs Board
Professor W. Raymond Cummins, Chair, Academic Board
Ms Jacqueline Orange, Chair, Business Board
Dr. Jon Dellandrea, Vice-President and Chief Advancement Officer ⁴
Professor Vivek Goel, Acting Vice-President and Provost ⁵
Ms Catherine Riggall, Acting Vice-President, Business Affairs ⁶
Dr. Beata FitzPatrick, Assistant Vice-President and Director, Office of the President
Mr. Paul Holmes, Judicial Affairs Officer, Office of the Governing Council ⁷

Vary the Agenda

It was agreed to vary the agenda to allow members to be briefed on a property matter, and then consider two senior appointments.

¹ Not present for item 4 (b)

² Not present for item 3

³ Not present for item 2 (d)

⁴ Present for item 1 only.

⁵ Not present for items 1 and 2 (a) and (b).

⁶ Not present for items 1 and 2 (a) and (b).

⁷ Present for item 3 only

On motion duly moved and seconded,

IT WAS RESOLVED

THAT, pursuant to sections 28 (e) and (f) of By-Law Number 2, consideration of agenda items 1, 2, 3 and 4 take place *in camera*, with the Board Chairs, Vice-Presidents, and Dr. Fitzpatrick admitted to facilitate the work of the Committee.

1. Property Matter

Members were briefed on a property matter.

2. Senior Appointments

(a) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendation contained in the President's memorandum dated February 2, 2004.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

(b) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendation contained in the President's memorandum dated January 26, 2004.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

(c) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendation contained in the memorandum from the Secretary of the Governing Council dated January 26, 2004.

2. Senior Appointments (cont'd)

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

(d) On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendation contained in the President's memorandum dated January 27, 2004.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

3. Code of Student Conduct: Recommendation for Expulsion

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council for consideration the recommendation for expulsion contained in the letter from the President dated January 9, 2004.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

4. External Appointments

(a) Innovations Foundation

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT Professor Richard Owens be nominated as Chair of the Board of Directors of the Innovations Foundation.

4. External Appointments (cont'd)

(b) Board of Directors of the University of Toronto Asset Management Corporation

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the following individuals be approved and nominated as members and directors of the University of Toronto Asset Management Corporation for one-year terms until the 2005 annual meeting of the corporation and until their successors are appointed:

Mr. Ira Gluskin (Chair)

Dr. Joseph L. Rotman (Vice-Chair)

Professor Robert J. Birgeneau (*ex officio*)

Mr. Felix P. Chee (President of the Corporation, *ex officio*)

Professor Eric F. Kirzner

Dr. Anthony R. Melman

Mr. James J. Mossman

Ms Catherine J. Riggall (*ex officio*)

Ms Andrea Rosen

Dr. Thomas H. Simpson (member of the Governing Council or Business Board)

THE COMMITTEE RETURNED TO CLOSED SESSION.

5. Report of the Previous Meeting

It was brought to the attention of the secretary that Mr. M. Ahmad had been omitted in error from the list of those present at the meeting of December 2, 2003.

Report 369 of the Executive Committee meeting held on December 2, 2003 was approved as amended.

6. Business Arising from the Report of the Previous Meeting

There were no items of business arising from the previous meeting.

7. Minutes of the Governing Council Meeting held on December 15, 2003

Members received for information the minutes of the Governing Council meeting held on December 15, 2003.

8. Business Arising from the Governing Council Meeting

The Chair noted that there were three items of business arising from the meeting of the Governing Council. A question had been raised as to whether the University, at any time in the past, had informed students that a planned conference could not be held. Professor Farrar was looking into this matter. The Chair had indicated that there would be a discussion at this Executive Committee meeting of non-members addressing the Governing Council and its Boards and Committees. He noted that this discussion would take place under Other Business.

8. Business Arising from the Governing Council Meeting (cont'd)

The written report from the Secretary of the Governing Council on speaking requests not granted had been included in the agenda package.

9. Report of the President

The President reported on governmental relations. He commented on the strong indication of support from all levels of government, and stated his optimism about the long-term future for universities.

(a) Provincial Relations

The President described a number of successful meetings that had been held with various Ministers and senior staff in the provincial government. Representatives of the University had had breakfast meetings with Members of the Provincial Parliament (MPPs) at the University of Toronto at Mississauga and at the University of Toronto at Scarborough, as well as with some of the local Toronto area representatives. The most recent meeting had taken place on the Scarborough campus on January 30, with the Honourable Mary Anne Chambers (Minister of Training, Colleges and Universities), the Honourable Gerry Phillips (Chair of the Management Board) and Mr. Brad Duguid (Parliamentary Assistant to the Minister of Municipal Affairs (Urban)). The President and Professor Carolyn Tuohy, Vice-President, Government and Institutional Relations, had met with the Honourable Joe Cordiano (Minister of Economic Development) and with the Honourable Greg Sorbara (Minister of Finance).

The President had made a presentation on February 2, 2004 to the Standing Committee on Finance and Economic Affairs. Among the points that he raised were the following:

- The most pressing problem facing universities was the erosion of their financial base, as a result of having no adjustment in university operating grants since 1991 to reflect the increased costs of educating each student.
- Universities needed compensatory funding to offset the loss of tuition revenue and funding for student financial aid resulting from the tuition freeze. This freeze deprived universities of needed income that had been built into their long-term planning.
- Universities needed to plan for the second 'pulse' of the double cohort – the demand for entry to professional and graduate programs, as well as for the underlying on-going increase that would result from the "echo" generation and increased participation rates.
- Improvements in the Ontario Student Assistance Program (OSAP) were necessary to extend its reach into the middle class, to address the decline in participation rates for students in that income category.

A member asked whether there would be any delay in OSAP reform initiatives. The President replied that the Minister of Training, Colleges and Universities was working diligently on this matter.

9. Report of the President (cont'd)

(b) Federal Relations

The President informed members of meetings with various federal officials. He had acted as a moderator for a pre-budget consultation with the Honourable Ralph Goodale, Minister of Finance, held in Toronto on January 14, 2004. With respect to education, the prevailing view had been that the government should continue to support universities and university research.

The President had also recently met with Mr. Kevin Lynch, Deputy Minister of Finance. There was increasing recognition by the federal government of the importance of public research universities. This was most clearly demonstrated with the reference to 'A Canada built on innovation with world-class research universities' in the Speech from the Throne presented on February 2, 2004. Universities were being encouraged to further the Innovation Agenda by developing creative new programs.

10. Meeting Schedule for Executive Committee and Governing Council, 2003-04: Revision

At the invitation of the Chair, the Secretary of the Governing Council explained that By-Law Number 2 required the approval of the Executive Committee for any change to the previously-approved schedule of meetings of the Executive Committee and the Governing Council.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Governing Council meeting scheduled for Thursday, April 1, 2004 be re-scheduled for Monday, March 29, 2004.

11. Item for Confirmation

(a) Faculty of Physical Education and Health: Constitution - Amendment
(Arising from Report Number 125 of the Academic Board (January 15, 2004))

Professor Cummins explained that this item had been brought forward in November, but debate had been adjourned because the Board had had concerns about the Dean's choosing the professors emeriti to sit on the Council. Between the November and January meetings of the Academic Board, the Council of the Faculty of Physical Education and Health had voted to allow any professors emeriti who wished to sit on Council to be able to do so at the professor's request. At the January meeting of the Board, the motions from the November Academic Board meeting had been withdrawn and a new motion had been proposed. It passed without further discussion.

11. Item for Confirmation (cont'd)

(a) Faculty of Physical Education and Health: Constitution – Amendment (cont'd)

On motion duly moved and seconded,

YOUR COMMITTEE CONFIRMED THE DECISION OF THE
ACADEMIC BOARD

THAT the constitution of the Faculty of Physical Education and Health, as amended, dated October 15, 2003, and December 10, 2003, be approved.

12. Items for Endorsement and Forwarding to the Governing Council

(a) Stepping UP – A Framework for Academic Planning at the University of Toronto – 2004 - 2010

(Arising from Report Number 125 of the Academic Board (January 15, 2004))

Professor Cummins reported that the Planning and Budget Committee had enthusiastically supported the Framework document. A presentation had been given at the Academic Board, and a number of points had been discussed, as outlined in Report Number 125 of the Board.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council, the following recommendation:

Subject to the understanding that, in due course, the President and the Vice-Presidents will bring forward for consideration by the Governing Council or its appropriate board or committee:

- (a) proposals to implement the new academic plan, including but not limited to, revisions to the *Statement of Institutional Purpose*;
- (b) summary reports on divisional academic plans and recommendations for resource allocations in support of these plans; and
- (c) periodic reports on the University's and academic divisions' progress toward achieving the goals defined in their academic plans,

THAT the key priorities and the framework for planning as outlined in pages 1 to 35 of ***Stepping UP: A Framework for Academic Planning at the University of Toronto – 2004-2010***, dated November 27, 2003, a copy of which is attached to Report Number 125 of the Academic Board as Appendix "C", be approved in principle.

It was agreed that there would be a full presentation on this item at the Governing Council.

12. Items for Endorsement and Forwarding to the Governing Council (cont'd)

(b) Capital Project: University of Toronto at Scarborough – Science Laboratory Upgrades – Project Planning Report

(Arising from Report Number 125 of the Academic Board (January 15, 2004))

Professor Cummins reported that there had been no discussion on this item at the Academic Board.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council, the following recommendation:

1. THAT the Project Planning Report for the Renovation and Expansion of Science Facilities at the University of Toronto at Scarborough, Phase 1 2003-04: Science Teaching Laboratories, a copy of which is attached to Report Number 125 of the Academic Board as Appendix “D”, be approved in principle.
2. THAT the project scope of renovation of six chemistry teaching laboratories and eleven biology teaching laboratories, and associated mechanical systems and preparation areas, be approved at a cost not to exceed \$4,300,000 with the funding sources as follows:

i) Provincial Government Funding	\$1,830,000
(previously identified as SuperBuild 2002)	
ii) Mortgage to be repaid from Enrolment Growth Funds	<u>\$2,470,000</u>
	<u>\$4,300,000</u>

(c) Capital Project: University College Residence – Changes in Project Cost, Sources of Funding and a Change in Scope

(Arising from Report Number 125 of the Academic Board (January 15, 2004))

Professor Cummins informed members that questions about this item at the Academic Board had included the effect of this project’s increased costs on future planning of capital projects and the University’s ability to finance them. The Board was concerned at the high cost per room. Concerns had also been raised about the current unused residence spaces in the University. The President commented that, in his opinion, the University had not yet exceeded its capacity for residence space. It was his view that individual colleges had not yet caught up with the expanded capacity. A member commented that the current residence space was in line with the residence plans that had been presented to the University Affairs Board in 1999.

Ms Orange told members that the discussion at the Business Board had echoed the concerns raised by Professor Cummins. Members had recognized the donor commitment to the project and its importance to University College. However, the increased cost of the project had required the University to add an additional \$2.46 million to its total borrowing needs.

12. Items for Endorsement and Forwarding to the Governing Council (cont'd)

(c) Capital Project: University College Residence – Changes in Project Cost, Sources of Funding and a Change in Scope (cont'd)

While the additional borrowing might not seriously affect the University's credit rating, there had been concern among members that this change would require the University to exceed its previously defined borrowing capacity by more than \$2 million. The President noted that the borrowing capacity had been determined at a time when the market was low, and therefore the borrowing limit was a conservative amount. Ms Orange commented that the Acting Vice-President Business Affairs and the Acting Chief Financial Officer would be examining the tolerances for borrowing.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council, the following recommendation:

1. THAT the minor change of scope to the approved Project Planning Report for the new University College Residence to air-condition the Dining Hall and Drama Studio, a copy of which is attached to Report Number 125 of the Academic Board as Appendix "E", be approved in principle.
2. THAT the revised funding arrangements, including furnishings and finance costs, for the University College residence expansion be approved at an estimated cost of \$28,000,000 with the funding as follows:
 - (i) \$10,000,000 from donations received and pledged from externally secured contributions,
 - (ii) An additional \$1,500,000 to be secured from additional external fund-raising by University College.
 - (iii) \$1,485,000 contribution from the UC residence ancillary
 - (iv) \$800,000 contribution provided by the UC food service ancillary
 - (v) \$50,000 allocation from the University Investment Infrastructure Fund in support of space for the Drama Program.
 - (vi) A mortgage in the amount of \$14,165,000 to be amortized over a period of 25 years and to be repaid by University College from residence revenues and the UC ancillary.

(d) Faculty of Medicine: Proposal to Disestablish the Undergraduate Department of Anatomy and Cell Biology

(Arising from Report Number 125 of the Academic Board (January 15, 2004))

Professor Cummins informed members that there had been no questions about this matter at the Academic Board. It had been noted that the faculty and staff in this department had moved to other departments. There were no students in programs in this department.

12. Items for Endorsement and Forwarding to the Governing Council (cont'd)

(d) Faculty of Medicine: Proposal to Disestablish the Undergraduate Department of Anatomy and Cell Biology (cont'd)

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

To the Governing Council, the following recommendation:

THAT the Undergraduate Department of Anatomy and Cell Biology be disestablished effective January 1, 2004.

(e) Health and Safety Policy: Revision

(Arising from Report Number 131 of the Business Board (January 19, 2004))

Ms Orange explained that the current health and safety policy had been approved in 1993. The objective of these revisions was to emphasize the importance of close cooperation between the University management and employees, joint health and safety committees and other members of the University community to promote a safe workplace through implementation of policy and associated legislation.

A member expressed his concerns that the policy had not been sufficiently discussed. He noted that the consultation seemed to have been only with the joint occupational health and safety committees. In his view, this policy was moving to a broader definition of health and safety than was included in health and safety legislation.

A member noted that a request had been made at the Business Board for a change in wording to the policy. This proposed change was to be sent to legal counsel for review. The member expressed her view that the wording should be clarified at the Business Board before the policy went forward to Governing Council.

A member asked what impact this policy would have on the safety of researchers in the field, a matter that was now being reviewed by the School of Graduate Studies and the Office of the Vice-President and Provost, with a view to develop appropriate policies.

The Chair asked Ms Riggall if approval of the revised policy was urgent. Ms Riggall replied that she was not aware of any statutory urgency for approval.

It was the decision of the Executive Committee to defer endorsing and forwarding the Health and Safety Policy: Revision to the Governing Council in February. Ms Riggall agreed to discuss the issues raised with Professor Hildyard, Vice-President, Human Resources and Equity. The policy will be considered for endorsing and forwarding to Governing Council in March 2004.

13. Items for Information

The Committee received for information Report Number 125 of the Academic Board and an excerpt of Report Number 131 of the Business Board.

14. Date of the Next Meeting

The Chair reminded members that the next meeting of the Executive Committee was scheduled for **Friday** March 12, 2004 at **12:00 noon**.

15. Other Business

a) Non-Members Addressing the Governing Council

The Chair explained that there were three aspects of this matter that had been raised at the Governing Council meeting. One concerned the decision not to allow the representative from the United Steel Workers of America (USWA) to address Council. The Chair pointed out that, although the *Procedures for Non-Members to Address Governing Council, its Boards and Committees* stated that requests from representative campus groups would normally be granted, the *Procedures* provided for the Chair to take into consideration a variety of matters. These included whether the members already possessed the information being offered. In this case, an intervention had been made to and a record provided in Report Number 123 of the Academic Board.

The second matter related to items not on the agenda. In practice, this has been interpreted to include items that were for information, and not a matter for debate and voting. For these items, there was no special consideration for representative campus groups.

The third issue was the number of speaking requests that had been denied in the past few years. That information had been provided to members. The Chair expressed his discouragement that decisions made by the Executive Committee, following approved procedures, were being challenged at the Council meetings.

A member stated that, in his opinion, too much time had been wasted discussing the matter at the Governing Council. In his view, speaking requests should only be denied for compelling reasons. The fact that a group had previously addressed a board or committee was, in his opinion, not a compelling reason because the members of the Governing Council were a different group from the members of boards and committees. Another member stated, that, in his opinion, it was more important to have governors active and engaged in debate than to listen to outside groups.

It was the consensus of the members of the Executive Committee that the approved *Procedures* were appropriate.

b) Order of Governing Council Agenda

There was agreement that approval items, with the exception of the senior appointments, expulsion and *Stepping UP* would be considered as consent agenda items.

15. Other Business (cont'd)

c) Governing Council and Academic Board Elections

The Chair congratulated Professor Byer and Ms Ko on their acclamation to the Governing Council for another term.

The meeting adjourned at 8:05 p.m.

Secretary
February 6, 2004

Chair