

THE UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 124 OF THE BUSINESS BOARD

March 3, 2003

To the Governing Council,
University of Toronto.

Your Board reports that it held a meeting on Monday, March 3, 2003 at 4:00 p.m. in the Council Chambers with the following members present:

Mr. Amir Shalaby (In the Chair)
Ms. Jacqueline Orange, Vice-Chair (by
teleconference)
Dr. Thomas Simpson, Chair of the
Governing Council
Ms. Rose Patten, Vice-Chair of the
Governing Council
Professor Robert J. Birgeneau, President
Mr. Felix P. Chee, Vice-President,
Business Affairs
Professor Angela Hildyard,
Vice-President, Human Resources
Mr. Mark Braun
Mr. Donald A. Burwash
Mr. Brian Davis
Dr. Claude S. Davis
Professor Sherwin S. Desser
Ms. Susan Eng
Mr. Paul V. Godfrey (by teleconference)
Ms. Shirley Hoy
Professor Brian A. Langille
Ms. Kim McLean
Mr. Richard Nunn
Mr. Roger P. Parkinson
Mr. Jack Petch

Regrets:

Mr. H. Garfield Emerson
Mr. Gerald A. Lokash
Mr. George E. Myhal

Mr. Chris Ramsaroop
Mr. Timothy Reid
Mr. Robert S. Weiss (by teleconference)

Mr. John Bisanti, Chief Capital Projects
Officer
Ms. Sheila Brown, Controller and Director
of Financial Services
Dr. Jon Dellandrea, Vice-President and
Chief Advancement Officer
Dr. Sheldon Levy, Vice-President,
Government and Institutional Relations
Professor Derek McCammond,
Vice-Provost, Planning and Budget
Professor Shirley Neuman, Vice-President
and Provost
Ms. Catharine Riggall, Assistant Vice-
President, Facilities and Services
Professor Ronald D. Venter, Vice-Provost,
Space and Facilities Planning

Secretariat:

Mr. Neil Dobbs
Mrs. Beverley Stefureak

The Hon. David R. Peterson
Ms. Carol Stephenson
Mr. John H. Tory

In Attendance:

Professor W. Raymond Cummins, Member, The Governing Council, Chair, Academic Board
Dr. John Nestor, Member, The Governing Council, Chair, University Affairs Board
Mr. David Melville, Member, The Governing Council
Mr. Sean Mullin, Member, The Governing Council
Mr. Elan Ohayon, Member, The Governing Council
Mr. Josh Paterson, Member, The Governing Council
Professor Carolyn Tuohy, Vice-President, Policy Development and Associate Provost

In Attendance: (cont'd)

Mr. Rocco Kusi-Achampong, President, Students' Administrative Council
 Professor Carl Amrhein, Dean, Faculty of Arts and Science
 Mr. Gleb Bazov, student, Faculty of Law
 Ms. Sue Bloch-Nevidte, Director, Public Affairs and Advancement Communications
 Mr. Mark Britt, Director, Internal Audit Department
 Ms. Lois Chiang, Assistant Dean, Students
 Professor Ron Daniels, Dean, Faculty of Law
 Mr. Marty England, Assistant Vice-Provost, Strategic Planning
 Professor David Farrar, Vice-Provost, Students
 Dr. Beata Fitzpatrick, Assistant Vice-President and Director, Office of the President
 Ms. Rivi Frankle, Assistant Vice-President, Alumni and Development
 Ms. Avvy Yao-Yao Go, Director, Metro Toronto Chinese and Southeast Asian Legal Clinic
 Professor Vivek Goel, Deputy Provost
 Ms. Mary Auxi Guiao, Equity Issues Commissioner, Students' Administrative Council
 Mr. Mohammad Hashim, University Affairs Commissioner, Students' Administration Council
 Ms. Arleen Huggins, Vice-Chair, Canadian Bar Association Standing Committee on Equality
 Mr. Josh Hunter, student, Faculty of Law
 Ms. Lesley Lewis, Assistant Provost
 Ms. Cathy Laird, Law Alumni Coalition
 Ms. Erika Lawson, African Canadian Legal Clinic
 Mr. Don Lindsey, President and Chief Executive Officer, University of Toronto Asset Management Corporation
 Professor George Luste, President, University of Toronto Faculty Association
 Mr. Rosario Marchese, Member of Legislative Assembly of Ontario
 Professor Michael Marrus, Dean, School of Graduate Studies
 Professor Roger Martin, Dean, Rotman School of Management
 Professor David Mock, Dean, Faculty of Dentistry
 Professor J.J. Berry Smith, Chair, Committee on Academic Policy and Programs
 Ms. Karel Swift, University Registrar
 Professor Tas Venetsanopoulos, Dean, Faculty of Applied Science and Engineering
 Professor Catharine Whiteside, Associate Dean, Faculty of Medicine

ITEM 4 IS RECOMMENDED TO THE GOVERNING COUNCIL FOR APPROVAL.
 OTHER ITEMS ARE REPORTED FOR INFORMATION.

1. Reports of the Previous Meetings – Report Number 122, [January 20, 2003](#); Report Number 123, [February 11, 2003](#); and, [Confidential Closed Session Report 123 of February 11, 2003](#)

The reports were approved.

2. Business Arising from the Reports of the Previous Meetings

The Chair said that, while this did not appear in the report, Dr. Dellandrea wished to clarify an impression that may have been left in the discussion of the Centre for Cellular and Biomolecular Research at the meeting of January 20.

Dr. Dellandrea noted that in discussion about the CCBR, members may have been given the impression that the changed scope of the project – in particular, the addition of an atrium – had been at the request of the donor and/or a condition of the donation. Dr. Dellandrea wished to assure the Board that this was not the case. The addition of the atrium had come about as a result of discussions between the architect and the administration quite independent of any donations.

3. Financial Update – Operating Fund and Endowment Forecasts for the Year Ending April 30, 2003

Mr. Chee was invited to present the operating fund and endowment forecast for the period ending April 30, 2003. With the assistance of a PowerPoint presentation (attached hereto as Appendix “A”), Mr. Chee reviewed the expectations for the endowment fund and the operating fund. He hoped that the presentation would give appropriate context to the forecast.

Mr. Chee began by relating information from the 2001-02 Income Statement which showed that expenses had exceeded revenue by \$125.1 million. The deficit for the year was \$12.7 million, of which \$7 million derived from the operating fund, \$0.5 million from the ancillary funds and \$5.2 million from the capital fund. Getting from \$125 million to \$12.7 million had been accomplished with a series of capital account adjustments. Mr. Chee explained that the capital accounts were: funds committed (i.e. monies previously earned but not yet spent); investment in capital assets (a mechanism specific to public sector accounting, which denoted the portion of “retained earnings” attributed to capital assets); and endowments.

The difference between the \$125.1 million revenue and expenses and the \$12.7 million deficit resulted as follows: funds committed had been reduced by \$73.5 million, capital assets had increased by a \$27.3 million and the endowment had been reduced by \$66.2 million to fund the endowment payout and investment losses.

A simpler way of looking at the same information was that the financing requirement was \$152.4 million comprised of the \$125 million of expenses over revenue and the equity portion for capital expenditures which was \$27.3 million. The source for this financing was a \$73.5 million reduction in funds committed, a drawdown from the endowment of \$66.2 million to fund the endowment payout and investment losses and borrowing for the deficit of \$12.7 million.

Mr. Chee turned to the period between 1998 and 2000 which showed that cumulative revenue had exceeded expenses by \$185.3 million. This excess had been utilized by adding \$48.8 million to funds committed, increasing capital assets by \$13.4 million, and adding to the endowment and the surplus \$115.8 million and \$7.3 million respectively. In 2000-01, things had begun to turn around and for the two years 2000-02 expenses were greater than revenue by \$191 million. In addition, \$33.2 million had been required for increased investment in capital assets. Funds committed had been reduced by \$88.5 million, the endowment had reduced by \$115.4 million and the deficit had increased by \$20.3 million.

The operating fund deficit projection for April 30, 2003 was an annual deficit of \$16.0 million compared to a budgeted deficit of \$4.4 million, which together with the cumulative deficit of \$18.1 million at the beginning of the year, resulted in a projected cumulative deficit of \$34.1 million for the operating fund. Mr. Chee briefly reviewed the implications of that deficit relative to reductions in funds committed, changes in capital assets, endowment payouts and losses, and forecasted operating fund deficit for the year. The funding gap was growing because at the same time that core expenses had been increasing a significant source of revenue – investment income – had been seriously reduced.

Mr. Chee concluded with a comparison of revenue minus expenses and investment income between April 30, 1998 and April 30, 2002. The former revealed a dramatic shift from \$109.8 million surplus at April 30, 1998 to the \$125.1 million deficit he had indicated earlier. The latter showed that investment income had been \$137.2 million at April 30, 1998, had dropped significantly to \$46.7 million in 1999, had gone up to \$125.1 million in 2000, then had dropped rapidly again to \$22.1 million in 2001 and a loss of \$12.2 million at April 30, 2002. His final slides illustrated salaries and benefits plus scholarships, fellowships and bursaries compared to

3. Financial Update – Operating Fund and Endowment Forecasts for the Year Ending April 30, 2003 (cont'd)

government grants for general operations, student fees, first with investment income and then without, and a comparison of all other revenue and expenses.

Professor Neuman was asked to comment. She confirmed that the University was facing a very difficult year for the operating budget. Divisions could anticipate significant rollbacks, both in one-time-only cuts and in base funding. This, together with dramatic increases in student enrolment, presented the University with a significant challenge in financial planning. Though it might appear that the difficulties were due to higher expenditures, the situation in truth was the consequence of a loss of investment income in the expendable funds investment pool and the pension plan.

Mr. Chee agreed, noting that in recent years investment income had been an uncertain stream of revenue. The University, on the other hand, required a high level of certain and dependable revenue. A member noted that there were significant costs to increased enrolment and wondered why the revenue from that source had not kept up. Mr. Chee explained that this was largely due to government caps on tuition fees and the lack of inflation protection in government operating grants. Those factors, coupled with the significant decline in investment income, had led to a scenario where expenses were increasing beyond the increases in revenue.

Professor Neuman noted too that enrolment growth was taking place at a time when the market for faculty was more competitive than it had been in a long while. Accordingly, recruitment costs were much higher than usual and the need to offer competitive salaries caused an unusual strain on the operating budget. Staff and faculty had the expectation that their salaries would keep stride with the consumer price index increases, while at the same time funding from tuition fees and government grants could not or did not take that into account.

A member referred to endowment payout to divisions that had not been spent by year-end and wondered how that was reflected in the deficit. Ms. Brown responded that these restricted funds would show up as liabilities, entitled deferred contributions, on the balance sheet. The member asked if those funds could be used to reduce the deficit. Mr. Chee responded that this was not an option. These were funds committed to a specific use and could not be diverted to other uses.

4. Tuition Fee Schedules, 2003-04

The Chair noted that from the point of view of the Business Board, the three reports, items 4(a) to 4(c) were intended solely as background to the tuition fee schedule. The enrolment report would be considered by the Planning and Budget Committee in March. Student financial support and the law school accessibility and career-choice reports had been considered by the Committee on Academic Policy and Programs. The latter had been the subject of a full and lengthy meeting of the Committee on February 27, 2003. All members of the Governing Council and of this Board had been invited to attend that meeting and the Committee's report was on the table.

The Chair reminded members that the Business Board's responsibility was to determine if the recommendations on tuition fees addressed the criteria set out in the Tuition Fees Policy – resource levels, program quality, program costs, competitiveness of fees, prospects of income for graduates of programs with higher fees, and the justification of balance between public funding and tuition fees. The Policy was attached to the Provost's report as Appendix A. The Committee on Academic Policy and Programs, on the other hand, had responsibility for student financial support and accessibility and for policy in those areas. Under the University's

4. Tuition Fee Schedules, 2003-04 (cont'd)

policies, accessibility was to be addressed by targeted financial aid programs and not by tuition fees.

The Chair indicated that there had been a number of requests from external speakers. He had agreed to all requests received up to late morning today. Those individuals who had asked after that time had not been granted permission to address the Board. He asked that the external speakers limit their remarks to two minutes each and that they refrain from repeating what had already been put forward by a speaker before them. He invited Professor McCammond to briefly introduce the Enrolment Report

(a) Enrolment Report, 2002-03

Professor McCammond indicated that he would limit his comments to Table 2 in the document circulated with the Agenda. He recalled discussions with the provincial government in which universities had been encouraged to take more students, as a result of which the University of Toronto had agreed to take an additional 750. Referring to Table 2, he pointed out the programs where the additional intake had occurred, adding that in general these first-entry programs had reached their revised (higher) targets and the high academic quality of the incoming students had been maintained. The same trend appeared to be happening again this year where, in first choice, the University's applications were up by 36%. In closing, Professor McCammond assured members that enrolment numbers were strong and there was every indication that they would remain so going forward.

(b) Student Financial Support, 2001-02: Report of the Vice-Provost, Students

Professor Farrar was invited to comment on the annual report on Student Financial Support, 2001-02. He recalled that the University's financial aid policy directed that any student offered admission to the University of Toronto was guaranteed that they would not be prevented from completing their program because of lack of funds. This year, the University had distributed \$35 million of undergraduate student aid, primarily on the basis of an OSAP assessment. Professor Farrar also reported completion of a successful initiative, undertaken with SAC, APUS and the GSU, to submit a report to the provincial government encouraging recognition of the deficiencies in OSAP as it was currently structured and urging redefinitions of eligibility.

A member noted the low amount of financial aid for part-time students relative to the proportion of tuition revenue that came from that source. He urged that there should be a move to include part-time students in eligibility for UTAPS. Noting that this item was for background to the tuition discussion and that the policy was not under discussion, the Chair indicated that the member's concern would be taken under advisement by the administration.

(c) Faculty of Law Accessibility Study and Career Choice Study

Professor Neuman invited Professor Goel to review briefly the Faculty of Law Accessibility and Career Choice reports. Professor Goel said that, since these had been considered at length by the Committee on Academic Policy and Programs, he would touch very briefly on the main points and the conclusions drawn in the reports.

Source data for the studies had been a literature review conducted by Professor Emeritus David Stager of the Department of Economics, accessibility statistics from the Faculty of Law and the LSAT, and comparisons of the articling and career choices of University of Toronto graduates with those from other Ontario law schools for the period from 1995 to 2000 for those who articulated and still worked in Ontario.

4. Tuition Fee Schedules, 2003-04**(c) Faculty of Law Accessibility Study and Career Choice Study (cont'd)**

The literature review had revealed a large body of literature that looked at accessibility to higher education in general, but very little that analyzed the impact of tuition levels on accessibility and admission to law schools. It appeared that the University of Toronto study might be one of the first such studies undertaken. Conclusions from the literature review were that tuition alone was not usually a significant factor in how students made a choice of where or what to study. Rather, these choices were directed by a multitude of social demographic and cultural factors. Household income and parental education were far more important as was the availability of needs based financial aid.

Likewise, in career choice, debt load was not a significant factor when looked at alone. There were numerous other factors – in particular working conditions and level of salary – that were usually more important than debt load.

Professor Goel noted that the University of Toronto accessibility study had confirmed the conclusions in general accessibility literature that tuition levels did not adversely affect accessibility. Indeed, attendance had increased for women and visible minorities, the proportion of Black students had doubled, although these numbers are small, and the level of Aboriginal students, which was about twice the average for Canadian law schools, had been maintained. In addition, the data had shown that, of the best qualified students regardless of background, an increasing percentage were choosing to come to the University of Toronto Faculty of Law. There was no apparent impact on accessibility among any group of students that could be related to tuition fee increases that had taken place from 1995 when fees were \$4,000 to 2002 when they were \$14,000. Though this was counter-intuitive, it was almost certainly because of the balancing effect of a highly effective needs-based financial assistance program at this Faculty of Law.

An analysis of the data related to career choice revealed that there was a pattern of more graduates choosing to work in law firms of 100 or more lawyers but, when that was compared to other Ontario universities, there was no statistical difference between the amount of changes at the University of Toronto and the others. Graduates from the University of Toronto were more likely to article at large law firms but this had always been the case and this was most likely related to the disproportionate number of large firms in Toronto compared to elsewhere in the province.

In response to a question about the nature of the criticism of and concerns about the study, Professor Goel said that the major issue had been with the methodology – specifically, why the study had not used a survey technique. The Provost's response had been that a survey would have answered different questions than those posed by the Governing Council. It would have revealed intentions and perceptions, neither of which would measure what a prospective student or graduate would actually do. Also, a survey in this case would have given results that were subject to a high degree of response and selection bias. He believed that a qualitative study could yield useful insight and that this should be undertaken by the legal community in general and perhaps by the legal academic community. The literature review had shown that a number of factors affect choices of where to study and where to seek employment after graduation and a study of these would be interesting and productive.

Finally, with respect to the career choice study, critics had rightfully noted that the source of the data gave information only on choices from students who entered the Faculty between 1992 and 1999, at a time when tuition climbed from \$2,000 to \$8,000. In all likelihood, these conclusions might provide the assurance that the Council was seeking, since it was not possible to extrapolate from the data how the significantly higher tuition levels, in themselves, might affect career choice.

4. Tuition Fee Schedules, 2003-04**(c) Faculty of Law Accessibility Study and Career Choice Study (cont'd)**

In conclusion, Professor Neuman thought that the study was a valuable exercise even though the projections of career choice did not precisely address the concern that had evoked the resolution

of Governing Council. The Faculty of Law had been keeping excellent data on career choice and accessibility. This Governing Council resolution gave the Faculty the opportunity to utilize its data for more than its own purposes. With respect to monitoring accessibility, she believed that the excellent data maintained by the Faculty, if analyzed over the longer term, would provide the on-going assurances that members of the Governing Council had requested.

Professor Birgeneau noted that the studies requested by the Governing Council had concluded that there was no evidence that increased tuition levels have had the effect of limiting access. He was as concerned as any other member that this should not be the case. The Faculty of Law effectively monitored the correlation between accessibility and tuition levels, and maintained career choice data on every student. It would be important to know as soon as possible if the higher levels had the effects of limiting accessibility or directing career choice, and the Faculty's data gathering methods ensured that that knowledge would be available in time for corrective action to be taken.

A member spoke in support of the findings, noting that, though no one was particularly happy about it, increasing tuition levels was an inevitable outcome of the current budget situation. He believed it was the responsibility of all members to make a financially sound decision. Higher tuition fees had been carefully balanced with a solid financial assistance program. Though he agreed that there was need to monitor accessibility carefully, he was satisfied that to this point higher fees had not had an impact on students from a broad range of backgrounds choosing to come to the University of Toronto to study law. In light of the conclusion of this study, there was no alternative but to feel assured and to make responsible decisions to support the recommendations on the tuition fee schedules when they came to the table.

A member took exception to the level of family income that demarcated middle-income families in this study, noting that it was lower in other studies. Professor Goel replied that this had been debated by the Committee on Academic Policy and Programs and he had been able to report there that the trends remained the same for any level of middle-income cutoff.

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04

The Chair proposed that the debate be ordered by focusing first on the regulated fees, then on programs with increases of 5%, and then on programs with higher increases. He noted that speaking requests had been received from several deans. He welcomed them to the meeting and indicated that they would be invited to speak when matters arose concerning their divisions' fees.

Professor Neuman introduced the tuition fee schedule for publicly funded programs. She began by reiterating the principles embedded in the Tuition Fee Policy, which were the underlying principles for the construction of the tuition fee schedule each year. She believed that the schedule proposed this year was faithful to the policy which reflected the University's mission as an internationally significant, public research University with programs of excellent quality. The policy assumed appropriate levels of funding from the provincial and federal governments, from endowment funds and from tuition fees. It also assumed financial aid and, for the past several years, it had been twinned with the policy on financial assistance to students which addressed issues of accessibility. The policy assumed advocacy for public investment in universities; fee revenue that supplemented public funding so as to offer students the finest quality education available; a fee level commitment to each student upon entry as to their level of fees for the duration of their program; and fee

differentiation in the pursuit of high program quality in each particular program and which took into account program costs and long-range planning. It was within the context of this policy that

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

Professor Neuman urged members to adopt the tuition fee schedules recommended this year. In closing her introductory remarks, Professor Neuman noted that, despite the lower return on endowments, the University would be maintaining its high and increasing level of student financial support.

The President echoed Professor Neuman's remarks. He asked members to undertake their responsibility focusing on the tuition fee policy which, at the direction of the Governing Council, was the framework within which the administration formulated tuition fee proposals. Noting that it was the Board's responsibility to ensure that the tuition fee proposal was fiscally responsible, he said that fee differentiation was a basic assumption in the tuition fee policy and was necessary if the University of Toronto were to remain a world-class educational institution. Summarizing the levels of increases requested, Professor Birgeneau said that 95% of the students would face an increase of 5% or less (30% of the increase went directly into financial aid). Of those, 55% of the students were capped at 1.9% which in terms of today's dollars worked out to a net loss of revenue for those divisions. The divisions for which an increase of more than 5% was proposed came forward as a result of carefully thought out and approved academic plans. In closing, the President said that the schedules presented were the most responsible to meet the University's obligations and he urged members to support them.

Professor Neuman briefly reviewed the three categories of tuition fees proposed. Regulated programs were capped at 1.9%. These were the Arts and Science divisions and the increase in total revenue per student, with which to offer educational programs, when student aid was deducted and flat government funding taken into account, was less than 1% per student – a good deal less than inflation. The Faculty of Medicine would be increasing fees by 5%, as would several other deregulated Faculties. Finally, within the schedule of deregulated fees, Applied Science and Engineering would be implementing the second of a two-step plan to raise tuition to \$7,000 per year. This represented a 12% increase this year in those fees and was necessary to address program quality. Other examples in this category and highlighted by Professor Neuman included the Doctor of Dental Surgery program in which fees would rise this year to \$17,950, representing an 18% year over year increase. The revenue derived from this increase would go toward a plan for replacing dental chairs that were 25 years old and were badly in need of upgrading. This was an expensive replacement to be funded by a combination of donor and University funding and tuition increases. The upgrade would be financed with a loan to be repaid over 15 years.

Other examples were the Rotman School of Management where M.B.A. fees would rise to \$25,000 this year. The Faculty of Law proposed that tuition would increase from \$14,000 to \$16,000. Access had been maintained with an outstanding financial aid program and, so far as could be determined, the increased fees had had no impact on career choice. In the case of all increases, a portion would flow to needs-based student aid.

In general, international students would be asked to pay fee increases of the same dollar amount as equivalent domestic students.

Professor Neuman introduced the Deans of Management, Dentistry, Applied Science and Engineering, Law and Arts and Science who would be available to respond to questions of detail and substance related to their divisions when debate began.

The Chair turned to the speakers' list and first invited Mr. Gleb Bazov to address the Board. Mr. Bazov said he was a first-year student at the University of Toronto and that his primary

concern rested with the responsibility of the University to students. He addressed what, in his view, were three myths. First was the proclaimed problem of “brain drain” -- the argument that

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

unless the Faculty of Law paid faculty salaries at a certain level the faculty would leave for positions elsewhere. The second myth related to the perceived correlation between tuition and quality of education. And the third myth was the assurance that the back-end debt relief addressed debt load problems at the University of Toronto.

With respect to the latter, he believed firmly that it did not. As for the “brain drain”, he was aware of three professors who had left the Faculty of Law. One had left for personal reasons, another had left to go into public life and the third may have left for financial reasons. In most cases, faculty who left the University of Toronto did so because they found another institution to be more attractive.

Mr. Bazov did not see nor believe that there was a direct correlation between high tuition fees and quality of education. He pointed to the University of Victoria, which enjoyed a high level of prestige but whose tuition was significantly lower than here.

The Chair invited Ms. Cathy Laird to speak. Ms. Laird urged the Board to slow down the process for raising Law School fees at the University of Toronto until it was possible to study in greater depth the impact of rising tuition on accessibility and career choice. She emphasized that this was a message from a great number of players in the legal community. The study done by the Provost’s Office, in her view, had been limited in scope; until it could be expanded to be more conclusive, increases in tuition should not be approved. The equity committee of the Canadian Bar Association had called for more study of the issues examined in the Provost’s study and Legal Aid Ontario would be drafting a position paper at its April 4 meeting. She hoped that a decision on the proposal before the Board could be delayed until after the input from that meeting. She believed the legal clinic system in Ontario and the justice system in the province depended on waiting for comments from Legal Aid Ontario as to whether the five-year plan of the Faculty of Law was realistic.

Ms. Erika Lawson was invited to speak next. As a PhD candidate at OISE/UT, Ms. Lawson had serious concerns about the Provost’s study, particularly as it related to conclusions about race, class and gender. She saw the methodology as flawed, perhaps chosen because it was easier to work with quantitative rather than qualitative data. She did not believe the results obtained in that methodology to be credible. In her view, these levels of tuition fees would be a barrier to accessibility. Individuals positioned in the privileged classes would have no difficulty with the levels of fees. However, she urged members to think carefully about how diversity and equality were reflected in this report. In closing, she urged that research should always take qualitative experience into account and she regretted that the opportunity had not been taken to include qualitative research in this study.

The Chair invited Ms. Arleen Huggins to speak. Ms. Huggins began by suggesting that the Provost’s study was successful insofar as it identified what was not known. She believed there had been insufficient data gathered from sociological and qualitative sources. Adding that dimension would have provided fuller conclusions. The law deans of Ontario would be conducting such a study soon and she hoped the University of Toronto would be involved. Ms. Huggins reiterated comments on methodology that she had made at the meeting of the Committee on Academic Policy and Programs as well as references to a similar study done in the United States that had reached other conclusions.

Mr. Rosario Marchese had requested permission to speak and was invited to do so. He charged that since the current provincial government had come into power colleges and universities had suffered deeply. He informed the Board that he was against deregulation and tuition hikes and, in his view, both let this government “off the hook” for providing appropriate support for

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

postsecondary education. He thought the answer was to lobby the government for more funding. He thought it was wrong to increase tuition to \$22,000. As a public institution, he believed the University had choices. It should ask for money; it should not raise tuition; it should use the influence of members of the Governing Council to change the Government’s position.

The Chair invited Ms. Avvy Yao-Yao Go to speak. Ms. Go related her personal story as an alumnus of the University of Toronto and her successful and diverse career path since then. Because fees were very low when she attended the Faculty, she never had to worry about high tuition and she believed that, had the tuition fees been what they were today, she could not have done what she did. Likewise, had she been faced with high tuition levels, her career path would have ended at a Bay Street firm because she would have needed the higher salary. She urged members to maintain accessibility by stopping the rise of tuition fees.

Mr. Josh Hunter was invited to speak. Mr. Hunter said that he was a fourth-year student in the joint Law/MBA program, and was a member of the Academic Board and the Committee on Academic Policy and Programs. He also sat on the Faculty of Law Faculty Council and he would reject any increase in tuition. Though he agreed with the goals outlined in the academic plan of the Faculty, he believed that students could not afford higher tuition. He also understood that the cost of public education needed to come from both government operating grants and tuition fees. However, fees in the Faculty of Law had now reached a level where students would not be able to pursue legal studies at this Faculty. Financial aid programs were laudable but the middle class would be left out as those programs were currently designed. Last week he had been involved in a welcome event for incoming students and the number one concern had been the level of tuition fees. He urged members to reject the proposal.

Ms. Mary Auxi Guiao was invited to speak. Ms. Guiao noted that she was speaking as the Equity Issues Commissioner of SAC and began by stating that SAC endorsed a tuition freeze or reduction. She had concerns that the economic priorities at the University of Toronto now reflected the educational ideas of a privileged class that no longer was dominant outside the University community. She believed the study on accessibility was incomplete in that student views had not been adequately considered. She also questioned the methodology and hoped that another study could be carried out in a more than technical way. She regretted what, in her view, was not a sufficient emphasis on equity and diversity in the green paper process and how outcomes would be implemented. More attention needed to be given to student views; they could not continue to be taken for granted.

The Chair invited the Deans to comment. Dean Marrus was recognized and began by stating that the comments from external speakers held, for him, a certain air of unreality about the nature of education. There could be no doubt that the University was committed to access and academic excellence and that there was an ongoing struggle to meet that commitment. One speaker had indicated that choices needed to be made. Dean Marrus wondered what those choices would be in the School of Graduate Studies. Would they be to slash travel funds for students, or would they be to disallow external examiners for students, or to deny students the opportunity to participate in conferences, or to slash bursaries for students, or to disallow divisional support to students, or to stop providing academic counselling to students, or to decrease English language support for students? Which of those would the speaker think could appropriately be foregone next year?

Dean Daniels was invited to comment next. He began by assuring members that planning in the Faculty was motivated by what was in the best interests of students. The academic plan and the continuing program were rooted in broad internal consultation and had been subject to a

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

rigorous external review. The plan, which had been designed to allow the Faculty to achieve the highest international standards, had been debated extensively last year and approved. He now found it difficult to constantly be going back to review the principles on which the Plan was based.

Dean Daniels noted that one of the priorities most often up for discussion was faculty recruitment and retention. Though critics of higher tuition fees were of the impression that there was no pressure on faculty to leave, he assured members of the Board that retention problems were real. He hoped that critics would stop focusing on people they knew who had left and, instead, talk to faculty members who had remained at the Faculty because of their deep commitment to its vision and goals. Dean Daniels noted that this Faculty's scholars were often invited to be visiting scholars at other prestigious institutions. Some might well stay at those institutions if this Faculty could not address the significant disparity in salary and they were not confident that this would change soon. He reiterated that this was a real problem and that it had been identified by external reviewers as the critical challenge for the Faculty.

Dean Daniels referred to the view that higher tuition fees created a barrier for students from less advantaged backgrounds. He said that with the concurrent program of needs-based financial aid, those students, in fact, were likely to be facing tuition fees of zero dollars. He stressed that the financial aid program was embedded as an important principle and core value in the academic plan precisely because the Faculty recognized that it could not achieve excellence without excellent students, and excellent students came from all strata of society. It was precisely the coupling of higher tuition fees and impressive needs-based financial aid to offset those fees that allowed students from disadvantaged backgrounds to enjoy the same access to a program of excellence as students of privilege. Compared to 1995, these students were better off because they had access to a better law program at a lower cost.

Dean Daniels noted that critics often pointed to the middle class student as being unduly harmed by rising tuition levels. Facts did not bear that out. Approximately 90% of Canadian households reported a combined annual income of \$75,000 or less. The financial aid program protected those students and assisted in a lesser way students from families with combined annual income of up to \$150,000. Given the substantial program of needs-based financial aid in the Faculty, he did not accept that this was a problem that touched the middle class, nor did it unduly hinder the underprivileged from choosing the University of Toronto if they wished. That, then, left one to consider the effect on students of privilege and, in his view, these were the few who were able to afford to invest in a superior legal education so as to qualify them for careers in what were usually high salaried fields.

In closing, Dean Daniels noted that, as a result of the two recently completed studies, this Board and members of the Governing Council in all likelihood knew more about what had happened to the University of Toronto Faculty of Law than to any other division. They also knew more than any other university governing body knew about any of its academic divisions. He believed that these studies revealed the commitment at the Faculty of Law to accessibility and public service legal careers, that the Faculty had been powerfully vindicated through these studies and that the Faculty had demonstrated that it had been able to protect the core values of its academic plan.

Dean Amrhein was invited to speak next. He began by informing the Board that the Faculty of Arts and Science comprised 18,000 students on the St. George campus and 30,000 students on all three campuses. He noted that the tuition fee schedule under consideration covered all divisions in the University and he wanted to stress that they all needed the revenue from the proposed increases. He had several points he wished to make. However, before doing so he

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

wished to indicate agreement with Dean Marrus with respect to comments in response to an external speaker and to add that the trend of under-financing postsecondary education did not begin with the current Ontario Government. In fact, the erosion of funding and capped tuition went back through the regimes of three past governments.

Dean Amrhein addressed what, in his view, was the unfairness of members in focusing on one aspect of academic life. The real issue, he thought, was whether students were getting what they paid for. It would be a tragedy if the quality of undergraduate education fell to the level where these students were not admissible to graduate programs. Since 1990, the core academic complement had gone down by 10% while the full-time equivalent enrolment had risen by 25%. The faculty student ratio had gone up by 30% to a level where the University of Toronto could no longer compete with its peer group. By 2004, the ratio would be worse. This was not good.

Continuing, Dean Amrhein reported that between 1990 and 2004, not adjusting for inflation, per student funding in Arts and Science had increased by \$350. If adjusted for inflation, there had been a \$2,000 per student reduction in funding. This was a story that affected 30,000 students at this University and, in a governing body that was responsible for maintaining the quality of education, this had to be as important as the central debate on accessibility. He urged members to consider this proposal in light of its implications for the entire University, not just for the Faculty of Law.

The Chair recognized Dean Roger Martin. Dean Martin began by pointing out that choices made at this Board table were of critical importance to the fundamental prosperity of the province and the country. Ontarians currently had a disposable income after taxes of \$10,000 less per family than comparable areas in North America. Twenty years ago the disparity had been only \$1,500. Many factors contributed to this, one of which most certainly was the underfunding of education. Ontario spent 50% per capita less than many of those jurisdictions. One part of this was the dearth of government funding but the biggest gap was in what students and their families invested in education. Dean Martin found the accessibility statistics to be interesting, in that they confirmed that higher tuition fees did not affect participation in higher education. In particular, accessibility of the less advantaged was not affected. He thought everyone understood that education was an important investment for life. He cautioned that critics should beware that their concern about higher tuition rates did not end up hurting the ones about whom they cared. He closed by noting that approval of the tuition schedule would be a broad-based vote for prosperity.

A member thought that it was the responsibility of members to choose from among options and wondered why the administration had not brought forward more than one option. He complimented Dean Daniels on his academic plan and understood that the proposed tuition fees were necessary to fulfill the aspirations of the plan and to achieve the high quality of the program. He wondered what would be done differently if the increase requested were in the single digits and whether a faculty/student ratio of 1/12 would be commensurate with quality? Were there any other options to consider? He recognized the excellence of the tuition fee policy but wondered if it might be time to strengthen it with, perhaps, the addition that in any given year no tuition level should go up more than 9%.

Another member responded that it was not the job of the Business Board to do academic planning. The Board's role was very clear and that was to determine if the proposal was fiscally sound and if students were getting value for their money. The academic plan and the academic values on which it was based had been debated last year and he believed it was unacceptable that they should be redebated this year.

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

The Chair of the Audit Committee, who had joined the meeting by teleconference, was recognized. He responded to the query about why the Board was not presented with options by indicating that the normal process for the administration was to work out the best recommendation for the next year and to come forward with that recommendation. Though he had sympathy for an earlier speaker, he recognized the complexity of this recommendation and the degree to which it was significantly linked to the budget report which would be coming to the next meeting. The Audit Committee had worked to identify risks to the academic mission of the University and to determine who was responsible for mitigating those risks. In the recommendations that came to the Business Board from the President and Vice-Presidents, the Board's primary focus should be on the acuity of the recommendations. The University was facing serious financial risks right now. It was the responsibility of the administration to put forward recommendations that best addressed those risks. In this case, he would not be comfortable with any action that delayed approval of the tuition fee schedule. This may not be an easy decision but the greater risk lay in delaying it. Given the facts available, he questioned whether the Board would be doing its job if it exposed the University to the risk of delay. The administration had presented a financially responsible proposal for a tuition fee schedule and, given that the Board's role was to determine fiscal responsibility, he believed that members had no option but to accept the recommendation.

A member told of his personal experience as a student and alumnus of the University of Toronto Law School. He, too, came from a less advantaged background. If he were a student now, he would qualify for financial aid and would likely be better off than when he attended. He could appreciate the concerns expressed by some of the speakers. However, he understood the financial aid program and felt assured that it effectively addressed the issue of increased tuition fees. He believed that current students were getting the best legal education in Canada because of the Faculty's highly qualified faculty and the positive relationship between the Faculty and its alumni. He was convinced that if the Board were to meet its obligation to ensure that the University had a good Law School, it should continue to exercise diligence and support the Dean. He believed the Dean and his colleagues were honest people and that they should be trusted to do what they had been hired to do. It might be useful to take a good look at the Faculty again in three to five years, but in the meantime he believed that the Board should fulfill its responsibility to allow its leadership to manage the Faculty.

A member indicated general support for the need to increase fees but he had difficulties with the extent to which this was proposed. He thought the proposal needed to be considered against the data on access and career path, which were not predictive. Frustrated students and faculty must be heard, and he was concerned about the level of discomfort in proceeding. He wondered if a compromise were possible.

The Vice-Chair, who participated by teleconference, spoke in favour of the proposal. She believed it was the right fiscal thing to do at a time when there had been a four-fold increase in the deficit with no projected increase in government funding and no foreseeable increase in investment income. She appreciated that the data on which the accessibility and career choice reports had been based were limited in scope. But the direction was clear for now. She would be happy with ongoing monitoring and thought that this should be done in all faculties rather than just Law. It was important to continue looking at these data and she would agree with a

previous speaker that, in the future, it might be useful to have more information on the table such as could be provided by sensitivity analyses.

A member agreed with the Dean of Law that the Faculty should be allowed to exercise their managerial responsibilities under their new academic plan which had been approved last year. In his view, that plan was a good one and it was the Board's responsibility to hold management

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

accountable for implementing it. The Faculty had excellent programs of financial aid for incoming students and debt relief for those students who chose a career in the public service or legal aid. There was no evidence so far from the studies that showed tuition fees were a barrier to full access nor that they caused career diversion. If this proposal were not to be approved, the options were to cut the quality of the programs, divert money from somewhere else or anticipate more money from the Government. None of these was acceptable. Even if the latter were a realistic hope, he wondered about the justice of the taxpayer providing a higher subsidy to law education. In closing, he recommended approval of the complete tuition proposal.

Another member hoped that the process could be slowed down. He was not sure what level of tuition fees would be acceptable to him, but he could probably support 5% to 10% increases. While it was important to be financially prudent, he had concerns for the well-being of students. He thought that a recommendation to limit increases in the unregulated programs to less than 10% might make objectors happy.

A member expressed concern that the financial aid program in the Faculty of Law could not support a sudden shift to, for example, an applicant pool where the great majority of the incoming students were from the less privileged homes. Referring to an example from the American legal education system, he thought it was not appropriate to have even one student deterred from applying or from choosing to work in a career where the salary was low to mid-income. Legal aid was an important part of the justice system; without it, individuals from immigrant or marginalized communities would often have nowhere to go for legal assistance. The member cited a study in Scotland where fee differentiation had led to problems with accessibility. The responsibility of the Board, in his view, was to consider other options. This funding crisis was not of the University's making and the government should be made to take its responsibility. He saw the health care increases as an example that consistent and strong lobbying of government could have positive results.

A member commended the President and the Provost for having worked hard to bring a complete and informative proposal before the Board. She wondered what the financial implications would be of a proposal that capped the deregulated increases at 10% and, secondly, how the impact of higher tuition fees would be managed for the children of middle income homes.

Recalling the five-year academic plan which had been approved last year, a member said that what had been very clear in that plan was the linkage between the goals of excellence and the gradual increases in tuition fees. The plan had been extremely clear that one could not happen without the other. As the request for tuition fees came forward last year, further increases were made contingent on a plan that studied accessibility and career choice. The studies had been undertaken and had indicated unequivocally that, to the level of \$14,000 in tuition fees, accessibility had not been impaired. Likewise, in a doubling of tuition fees up to the latest objective data available on career choice, there had been no impact. He thought the Business Board had few options but to approve the direction that had been set out in the five-year plan. It would be very difficult for the Faculty of Law to fulfill its academic mandate if there were no assurance beyond a year-by-year exercise that governance was supportive.

Dean Daniels was invited to respond to the questions of options and effect on the middle class. He began by reiterating his earlier comments that all financial aid was needs based; that all students from homes with combined incomes of less than \$60,000 per year received extensive financial aid and that students from homes of up to \$150,000 combined annual income received some support. He pointed to the current first-year class where 60% were receiving financial aid, and where the average amount received was \$6,500. Financial aid was distributed fairly evenly

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

throughout the cohort. Unequivocally, this was not a discussion about the middle class, who were as effectively considered in the financial aid program as the underprivileged.

Dean Daniels could understand that some members of the Business Board would like to see what other options were available and what would happen if the increase in tuition at the Faculty of Law were less than proposed. He noted that the Provost had indicated in the update on the operating budget that divisions were facing one of the largest budget cuts next year that they had ever faced. Facing that reality, even with the revenue from the proposed tuition levels the Faculty would have major challenges. Anything less than the proposed tuition level would mean that the core operating values of the Faculty would be undermined and it would not be able to achieve its mission.

Professor Neuman noted that if the fees in Law were capped at 10% this year, four years out the loss of revenue would be \$477,500 (based on an enrolment of 175 students). If Applied Science and Engineering and CCIT were to cap their increases at 10%, the loss of revenue in four years would be \$1,023,210.

Dean Venetsanopoulos was invited to speak. He began by stating that if the increases in funding were kept at the rate of inflation, funding would not stay constant. Student aid was taken off the top of any tuition increases and when one did the math it was clear that any increase less than 7% would mean a loss in revenue in real terms. Fees in the Faculty of Applied Science and Engineering were proposed to increase to \$7,000, this being the second of a two-year plan to bring them in line with McMaster, Queen's and Waterloo. He pointed out that those schools did not have the grandfathering clause which limited in-course increases to 5%, and their increases in tuition provided them with immediate revenue.

Dean Venetsanopoulos responded to the question of what the loss of revenue would mean to his Faculty were these increases not approved. One million dollars less in revenue translated into the loss of 10 assistant professors. A secondary effect would be the loss of 50 to 60 graduate students who came with their own scholarships and research funds but who worked under a faculty member. Recruitment would be more difficult and overall program quality would suffer. The greatest impact would be felt in graduate education.

By motion duly moved and seconded, the time of adjournment was extended to 7:30 p.m.

Dr. Nestor and two other members of the Governing Council had requested permission to speak. Dr. Nestor had some concern about whether this recommendation was in accordance with the tuition fee policy. He thought the suggestion to slow down was a good one. Though the Faculty of Law studies had made a good start, he conceded that the Governing Council had asked the wrong questions. The intention of its resolution was predictive and that had not been the question asked. Referring to page 3 of the study, he wondered if it revealed a statistic aberration or the tip of the iceberg. In his view, there must be several more years of study before tuition fees increased to the extent proposed. He hoped the proposal would be referred back. He went on to say that he supported the long-term aspirations of the Law Faculty, but suggested that it go about achieving them more slowly. He also believed that information on

accessibility and career choice should be a standard part of the information that was prepared for governance.

Mr. Paterson was invited to speak. He began by applauding the Provost's Office for the studies. He recognized the Faculty's commitment to financial aid and that tuition was very high. He had some concern that the Faculty could not guarantee future bursaries and that the middle-income students were not caught in the financial aid safety net. He believed the donation assumptions

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

were overly generous and that the gap between tuition and financial aid was too great. With respect to the studies, the conclusions reached could not be extrapolated into the future. He had no doubt that the Faculty of Law was committed to great ideals. However, the back-end debt relief was not as laudable as it seemed. He urged that the Faculty continue to keep building up student aid funding, both for incoming students and for debt relief. He thought the motion of Governing Council required that members be assured that higher tuition fees did not impact career choice and accessibility and he did not believe the conclusions of the studies gave that assurance. Many were pleading for more studies and a slowing down of the process.

The Chair invited Mr. Mullin to speak. Mr. Mullin echoed the previous two speakers and added that, in his view, the safety net of financial aid was not quite in place. The financial aid system at the Faculty hinged on OSAP and he thought the OSAP process was deficient. Students and administration had been working together to recommend to the government how the OSAP program could be made better and he urged that the Faculty go slower with its tuition increases so as to ensure that accessibility was maintained.

Ms. Chiang was recognized and invited to comment. Ms. Chiang said that she had the responsibility of overseeing the financial aid program in the Faculty of Law and that she was aware of every student's reported financial status. She wanted to assure Board members that students from homes of \$75,000 and under were all receiving maximum financial aid support. Those from homes with combined incomes of between \$100,000 and \$125,000 were receiving bursary support, but to a lesser extent. She questioned the concern over the financial aid safety net, and noted that \$1.9 million distributed this past year was a fairly substantial safety net. This amount would definitely not decrease and in all likelihood continue to go up.

A member thought that the studies done were worthwhile and important. Big increases had "slipped through" in other Faculties and she would recommend that they now go through a similar exercise. She thought the tuition numbers were big for the Faculty of Law but that the projected lost revenue if these increases were not to go ahead was so small in the context of its overall budget as to be almost a rounding amount. In her view, some of the discussion seemed to be about excellence versus accessibility. One did not rule out the other. She would be recommending a referral back with a cap of 5% for Law.

Dean Mock was recognized. He assured the Board that the proposed increase for Dentistry was well thought out. The Faculty had taken advantage of the opportunity for a donation and a deep manufacturer's discount to propose a replacement of extremely outdated equipment. This equipment was badly needed because what was currently in place would not meet current infection control guidelines. The Faculty provided a service to the underprivileged and the working poor. In the case of Dentistry, if the proposed increase did not go forward, the quality of dental education at the University would be reduced and the underprivileged would be deprived of decent dental care.

The Chair invited Professor Neuman to make final comments. Professor Neuman began by stating that it was a misplaced comment to say that large tuition increases in other Faculties had

“slipped through”. As members were aware, the full tuition schedule came to the Business Board annually. These increases had been a visible part of earlier tuition schedules and they had been approved by this Board each year. Further, she wanted to assure members that the loss in revenue to Law could not be considered a “rounding amount”. With respect to the concerns expressed about Table 3, this was because the group of students who did not report combined family income went down, and entered the greater than \$90,000 group in order to receive financial aid. The number of students who applied for and/or received financial aid had gone up; the number of students who did not apply for financial aid had gone down.

4. Tuition Fee Schedules, 2003-04

(d) Tuition Fee Schedule for Publicly Funded Programs, 2003-04 (cont'd)

Professor Neuman noted that, to date, the conclusions of the studies were that accessibility had been maintained up to and including last year’s incoming class when tuition levels were at \$14,000. The Faculty of Law has always been heavily committed to monitoring accessibility and that would continue. She reminded members that a loss of revenue also meant a reduction in the funds available for student aid since they were closely linked. This past year, twelve students had been able to study at the Faculty of Law on full tuition bursaries. Though the number of graduates choosing a career in public law had gone down, she reminded members that the proportion at the University of Toronto had actually gone up in comparison to other law schools in the province.

Finally, Professor Neuman noted that academic excellence and accessibility were not bipolar values. Quite the opposite, the Faculty of Law had always considered them complementary principles and this tuition schedule aimed to guarantee both. If this proposal were not to go ahead, there would be an erosion of one or the other or both.

It was duly moved and seconded,

That it be RECOMMENDED to the Governing Council

THAT the proposed tuition-fee schedules for publicly funded programs for 2003-04, copies of which are attached to Professor Neuman's February 13, 2003 memorandum to the Business Board as Tables 1 and 3 (attached hereto as Appendix “B”), be approved.

On motion duly moved and seconded,

It was MOVED

THAT the tuition fee schedule for publicly funded programs be referred back with a recommendation that the administration consider limiting all tuition increases to 10%.

The motion to refer back was DEFEATED.

The motion to recommend approval was CARRIED.

(e) Tuition Fee Schedule for Self-Funded Programs, 2003-04

On motion duly moved and seconded,

Your Board RECOMMENDS

THAT the proposed tuition-fee schedule for self-funded programs for 2003-04, a copy of which is attached to Professor Neuman’s February 13, 2003

memorandum to the Business Board (attached hereto as Appendix “C”), be approved.

On motion duly moved and seconded it was resolved that the time of adjournment be extended to 8:00 p.m.

In light of the late hour, the Chair proposed that all items except the Human Resources consent item be deferred to the next meeting. Members agreed.

4. Tuition Fee Schedules, 2003-04

(e) Tuition Fee Schedule for Self-Funded Programs, 2003-04 (cont'd)

A member belatedly enquired as to what time the vote on the publicly funded tuition fee schedule had been taken. The Chair, sensing that there was question as to whether the vote had been taken inappropriately, asked the member if he had particular concerns in that regard. If so, since all members in attendance were still present, the Chair would recall the vote. The member expressed no further concern. The Chair asked for other concerns with respect to this procedural point, indicating that if he heard none he would presume the assembly agreed that the vote was proper and legitimate. There were none.

5. Human Resources

The following two items had been proposed as consent items. No questions had been received from members.

(a) Policy, Procedures and Terms and Conditions of Appointment of Research Associates (Limited Term) and Senior Research Associates

On motion duly moved and seconded,

It was RESOLVED

THAT the revised Research Associates Policy be approved as the policies that will determine terms of employment for this particular staff group.

(b) Pension Benefit Improvements for Administrative and Unionized Retirees

On motion duly moved and seconded

It was RESOLVED

THAT augmentation of pensions in payment as of February 1, 2003, of non-faculty retirees be provided for up to 100% of the increase in CPI to July 1, 2002;

THAT an additional lifetime pension be provided, as of July 1, 2002, to all retirees for whom this improvement has not been negotiated, such additional pension to be based upon a recalculation of benefits from 1% to 1.3% of highest average earnings up to the CPP maximum.

6. Date of Next Meeting

The Chair reminded members that the next regularly scheduled meeting of the Business Board was Monday, April 7, beginning at 5:00 p.m. The balance of today's agenda would be considered at that meeting, as would the Budget Report 2003-04.

The meeting was adjourned at 7:50 p.m.

Recording Secretary
March 19, 2003

Chair