

UNIVERSITY OF TORONTO
THE GOVERNING COUNCIL
REPORT 116 OF THE AGENDA COMMITTEE

December 16, 2004

To the Academic Board,
University of Toronto.

Your Committee reports that it held a meeting on Thursday, December 16, 2004, at 2:00 p.m. in Room 102, Simcoe Hall.

Present: Professor W. Raymond Cummins (In the Chair)
 Professor Brian Corman, Vice-Chair
 Professor Viviek Goel, Vice-President and Provost
 Professor Avrum Gotlieb, Chair, Planning and Budget Committee
 Professor Edith Hillan, Senior Assessor, Committee on Academic Policy
 and Programs
 Professor Diane Massam
 Professor J. J. Berry Smith, Chair, Committee on Academic Policy and
 Programs
 Mr. Bruce Cameron

 Ms Cristina Oke, Secretary

Regrets: Professor Paul Perron

In Attendance: Mr. Andrew Drummond, Assistant Secretary of the Governing Council
 Ms Helen Lashiotakis, Director, Policy and Planning, Office of the Vice-
 President and Provost

1. Report of the Previous Meeting

The report of the previous meeting, Report Number 115 dated October 28, 2004, was approved.

2. Tribunal Selection Committee: Appointment

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

The following membership of the Tribunal Selection Committee:

Professor Mayo Moran, Chair
Professor Ronald Daniels, President's designate
Mr. William Lumsden, student
Ms. Maureen Somerville, lay member

3. University Program Review Audit Committee (UPRAC): Report of the Auditors

The Chair reminded members that, under the *Framework for Accountability of Reviews of Academic Programs and Units*, the Agenda Committee was responsible for determining whether there were any issues of general academic importance arising from the reviews that should be discussed at the Academic Board. Members had received the *Report of the Auditors on Undergraduate Program Reviews, University of Toronto – 2001 (Report)*, and an excerpt of the Report of the meeting of the Committee on Academic Policy and Programs (AP&P) at which the report had been discussed.

Professor Goel informed members that the Report had been received in late fall, 2003. In February 2004, the UPRAC *Guidelines* had been changed, and universities had been given a deadline of December 2004 to be in compliance with the revised Guidelines. The *Policy for Assessment and Review of Academic Programs and Units* had been developed to codify practice in the University. This proposed Policy had been considered by AP&P in December, and would be going forward to the Academic Board in January.

A member noted that one of the recommendations in the *Report* was that the University require that its external reviewers to be at arm's length from the program under review, and state its interpretation of this requirement. Professor Goel observed that some of the departments in the University would find it very difficult to find reviewers who had never been involved with the University. One reason for this was that one-sixth of the doctoral graduates in Canada were graduates of the University of Toronto.

The Committee agreed that there were no issues in the *Report* that should be brought forward to the Academic Board.

4. Academic Board Agenda – January 13, 2005

(a) Business Arising from Meetings of the Academic Board: November 11 and December 9, 2004

(i) Questions raised concerning research to be conducted at the Centre for Biological Timing and Cognition

The Agenda Committee reviewed the following questions that had been raised by a member at the Academic Board meeting of November 11, and repeated at the meeting of December 9.

1. What connections had been made with the "Northern Communities" where the research is taking place?
2. How far the community had granted (ethical) approval for the research?
3. Who was doing the research?
4. How the outcome would benefit the Indigenous community.
5. Did the University have a protocol that was followed when research was undertaken within an aboriginal community.

Members reviewed the responses that had been provided to the member by the Acting Director of the Ethics Review Office and the Secretary of the Governing Council, copies of which are attached hereto as Appendix "A", and agreed with the principles outlined in the responses.

4. Academic Board Agenda – January 13, 2005 (cont'd)

(a) Business Arising from Meetings of the Academic Board: November 11 and December 9, 2004 (cont'd)

(i) Questions raised concerning research to be conducted at the Centre for Biological Timing and Cognition (cont'd)

The Provost noted that the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans included information about good practices in conducting research in aboriginal communities.¹ The University's Ethics Office was responsible for ensuring that each research project complied with the principles of the Tri-Council Policy Statement. All research projects were scrutinized carefully before funding was finalized.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

1. THAT discussion of the specifics of any research project was not appropriate at meetings of the Academic Board.
2. THAT questions regarding the policies and procedures under which research was conducted at the University of Toronto were an appropriate topic to be raised at the Board or Committee level.
3. THAT concerns about the policies and procedures which govern research at the University should be referred to the Committee on Academic Policy and Programs for consideration.

¹ TCPS: Section 6. Research Involving Aboriginal Peoples

B. Good Practices

Researchers and REBs involved with aboriginal communities should consider the following "good practices" which have been drawn from the documents referred to above:

To respect the culture, traditions and knowledge of the aboriginal group;

To conceptualize and conduct research with aboriginal group as a partnership;

To consult members of the group who have relevant expertise;

To involve the group in the design of the project;

To examine how the research may be shaped to address the needs and concerns of the group;

To make best efforts to ensure that the emphasis of the research, and the ways chosen to conduct it, respect the many viewpoints of different segments of the group in question;

To provide the group with information respecting the following:

- Protection of the aboriginal group's cultural estate and other property;
- The availability of a preliminary report for comment;
- The potential employment by researchers of members of the community appropriate and without prejudice;
- Researchers' willingness to cooperate with community institutions;
- Researchers' willingness to deposit data, working papers and related materials in an agreed-upon repository.

To acknowledge in the publication of the research results the various viewpoints of the community on the topics researched; and

To afford the community an opportunity to react and respond to the research findings before the completion of the final report, in the final report or even in all relevant publications (see Section 2 on information disclosure)

4. Academic Board Agenda – January 13, 2005 (cont'd)**(a) Business Arising from Meetings of the Academic Board: November 11 and December 9, 2004 (cont'd)****(ii) Documentation for Academic Administrative Appointments**

Professor Goel undertook to use a standard cover memo for academic administrative appointments, starting immediately. Included in the cover memo would be a reference to the policy on academic administrative appointments, a summary of previous action taken, and a statement that the documentation had been reviewed and that the process leading to the appointment complied with approved policies and procedures. Professor Goel also commented that he would discuss with Principals and Deans the development of a standard format for academic biographies for the purposes of academic administrative appointments.

(b) Review of Draft Agenda

Members reviewed the draft agenda for the January 13 meeting. It was agreed that the *Policy for Assessment and Review of Academic Programs and Units* and the *School of Graduate Studies: Proposed In-Program Master of Philosophy Degree (M.Phil)* items would be considered before the Capital Plan, Capital Projects and allocation items. A power point presentation would be used to introduce the Capital Plan agenda item. The Report of the COU Colleague would be deferred to a later meeting, to provide a context for the University's advocacy efforts following the report of the Rae Review.

5. Date of Next Meeting - Thursday February 10, 2005 at 2:00 p.m.**6. Other Business**

There was no other business.

The meeting was adjourned at 2:55 p.m.

Secretary

Chair

December 21, 2004

Mon, 13 Dec 2004

Dear Oriel Varga,

I am the Acting Director, Ethics Review Office, and in that capacity, have been asked to respond to your important questions. The Tri-Council Policy Statement: Ethical Conduct for Research Involving Human Subjects and a number of discussion papers including the Ownership, Control, Access, and Possession (OCAP) or Self-Determination Applied to Research are the result of the concern about the issues that you have raised in your inquiry.

The University policies and procedures for addressing these issues and requirements are implemented on a project by project basis, throughout the life cycle of research projects involving aboriginal community members as human subjects. This is done through the review of individual ethical protocol applications, and ongoing review activities regarding specific research being conducted with the participation of specific aboriginal communities. All five of the University research ethics boards comply with the Tri-Council Policy Statement.

Ethical protocols cannot be granted for the construction of a building that will house researchers who will conduct a wide range of research activities with a wide range of aboriginal communities, including some of research activities and aboriginal communities that might not have been identified during the construction phase.

Let me know if I have answered your questions, and if I can be of further assistance.

Regards,

Audrey Cheung

Wednesday, December 15, 2004

Dear Ms Varga,

I write in response to your questions regarding the Project Planning Report on the Centre for Biological Timing and Cognition. In particular, I would like to clarify the role of governance in the approval of a capital project in which research will be conducted.

Governance Approval of Capital Projects

As you know, the Policy on Capital Planning and Capital Projects requires Governing Council approval for the Project Planning Reports of individual capital projects with a projected cost of more than \$2 million. Governance is asked to consider specific factors in making its decision on capital projects, including the project scope, site, space program, total cost and sources of funding. As context, the Project Planning Report includes a statement of academic plan which serves to illustrate the fit of the capital project with academic priorities. The research that will be carried out in any facility is subject to the University's policies and procedures on research, and is not a matter for Governing Council approval.

The motion before the Governing Council on December 16 is for the approval in principle of the Project Planning Report for the Centre for Biological Timing and Cognition. This matter has been discussed at length at the Planning and Budget Committee and at the Academic Board. The information before the Council relates, appropriately, to the construction of the proposed facility and the resolution that the Council is asked to debate deals only with the proposed project.

University Policies Concerning Research

You have raised questions about the University's policies with respect to the conduct of research involving human subjects. In addition to the responses provided to you at the Academic Board meeting, I understand

that the Acting Director of the Ethics Review Office, Ms Audrey Cheung, has also provided you with information on the application of current policies and on the role of the University's research ethics boards. Under the University's Policy on Research Involving Human Subjects, consistent with the requirements of the Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans, all research projects involving humans undertaken at or under the auspices of the University are subject to ethical review.

Any additional questions you may have about the ethical review process may be pursued with the appropriate individuals in the administration outside of the meeting of the Governing Council.

Sincerely,

Louis Charpentier