

UNIVERSITY OF TORONTO  
THE GOVERNING COUNCIL  
**REPORT NUMBER 355 OF**  
**THE EXECUTIVE COMMITTEE**

**Monday, December 2, 2002**

To the Governing Council,  
University of Toronto.

Your Committee reports that it held a meeting on Monday, December 2, 2002 at 5:00 p.m. in the Boardroom, Simcoe Hall, with the following members present:

Dr. Thomas Simpson (In the Chair)  
Professor Robert J. Birgeneau, President  
Dr. Robert Bennett  
Mr. Brian Davis  
Ms Susan Eng  
Dr. Shari Graham Fell  
Professor David Jenkins  
Professor Brian Langille  
Professor Ian McDonald  
Mr. David Melville  
Mr. Sean Mullin  
Ms Rose Patten

Dr. Joseph Rotman  
Mrs. Susan M. Scace \*

**Non-Voting Member:**

Mr. Louis R. Charpentier

**Secretariat:**

Ms Cristina Oke

**In Attendance:**

Professor W. Raymond Cummins, Chair, Academic Board  
Dr. John Nestor, Chair, University Affairs Board  
Mr. Felix Chee, Vice-President, Business Affairs  
Dr. Beata FitzPatrick, Assistant Vice-President and Director, Office of the President  
Professor Vivek Goel, Vice-Provost, Faculty and Acting Provost

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 and 2 take place *in camera*, with the Board Chairs, Mr. Chee, Dr. FitzPatrick, and Professor Goel, admitted to the meeting to facilitate the work of the Committee.

**Vary the Agenda**

On motion duly moved and seconded, the agenda was varied to consider agenda item 2 before item 1.

The Chair reported that items 3 and 4 on the Agenda had been withdrawn.

\* not present for Agenda Item 1.

**Vary the Agenda (cont'd)**

The Chair indicated that he would report on two matters of business arising from the *in camera* portion of the October 18, 2002 meeting prior to the President's Report.

**1. Committee for Honorary Degrees: Report**

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendations contained in Report Number 45 of the Committee for Honorary Degrees.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

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

**2. Board and Committee Assignments**

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 November 22, 2002.

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. Business Arising from the Meeting of October 18, 2002**

The Chair reported on two matters of business arising from the *in camera* portion of the meeting of October 18, 2002.

THE COMMITTEE MOVED INTO CLOSED SESSION.

#### **4. Report of the President**

##### **(a) Federal Government Relations**

The President reported on the National Innovation Summit and other recent meetings with senior government officials. The President remained reasonably certain that the federal budget expected in February 2003 would address requests made by universities for funding for indirect research costs.

##### **(b) Provincial Government Relations**

The President indicated that the province had not yet announced additional SuperBuild funding.

The President informed members about ITER, a consortium for fusion energy. Canada, France and Japan were competing to host the International Thermal Nuclear Reactor (ITER). The provincial government had committed \$300 million for research funding using the reactor. If Canada were chosen as host, the reactor would be located at Darlington in southern Ontario. The presence of this facility in Canada would provide the opportunity for Canada to have a significant involvement in science at an international level.

##### **(c) Local Community Relations**

The President informed members of a demonstration concerning the St. George Medical Arts Building that had been held on December 1, 2002. The President reminded members that the University had purchased the building in order to help meet its requirements to accommodate expanded enrolment.

##### **(d) Maclean's Rankings**

The President expressed his pleasure that the University of Toronto had again ranked first in the 2002 rankings, noting, in particular, that the University had ranked first in the innovation measure. He commented on his request for indicators that would more accurately reflect the achievements of medical/doctoral universities. Only one other university had indicated its support for such a change.

##### **(e) University of Toronto Faculty Association (UTFA)**

The President reported that an arbitration hearing was expected to take place sometime in December.

##### **(f) Search for Vice-President, Research and Associate Provost**

The President informed members that the Report of the Review Committee would be released shortly. He noted that the title of the Vice-President, Research position had been modified to signal the close working relationship between the Provost and the Vice-President, Research. It was not a new position but the designation reflected the fact that research and education were inseparable. The position had been advertised in various publications, and, in preliminary discussions, the Advisory Committee had identified a number of names for possible consideration.

**4. Report of the President (cont'd)**

**(g) Report to Governing Council on December 12 2002**

The President indicated that his report to the Governing Council at its next meeting would focus on the Provost's Green Paper on the characteristics of the best public research universities and on academic planning.

**(h) Questions**

A member asked whether the green paper on the characteristics of the public research university would be available prior to the Governing Council meeting on December 12, so that members could read it in advance of the meeting. The President replied that the green papers were scheduled to be released to the University community on December 13, 2002, and that following the release there would be a number of opportunities for discussion.<sup>1</sup>

A member asked whether the location of the University of Ontario Institute of Technology (UOIT) was a factor in the competition for hosting the reactor. The President replied that the UOIT would not have expertise in the required fields. He noted that there were a number of Canadians in the field of physics, but that many of them had left Canada because of the lack of opportunities in the field; this could be an opportunity to attract scientists to return to Canada. The member asked whether this was a field in which the University of Toronto should be hiring faculty. The President indicated that there were no plans to hire faculty in this field at this time.

A member asked if there was a target date for the hiring of the Vice-President, Research and Associate Provost. The President said that no target date had been set. A member asked where international relations activities would be situated, since that reference had been removed from the position title. The President replied that the Vice-President, Research and Associate Provost would continue to co-ordinate activities in the area of international relations.

A member asked whether the designation of 'Associate Provost' meant that only academics would be considered for the position. The President replied that non-academics could also be considered.

**5. Reports of the Previous Meetings**

Report Numbers 353 and 354 of the Executive Committee meetings held on October 18, 2002 and October 31, 2002 were approved.

**6. Business Arising from the Reports of the Previous Meetings**

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

A member asked how the methodology for the Provost's study on accessibility and career choice in the Faculty of Law was flowing through governance. The Chair replied that the Committee on Academic Policy and Programs had decided to endorse the methodology at its meeting of November 27, 2002, and that the report of the Committee would go forward to the Academic Board. The member asked how the methodology would be considered by the

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<sup>1</sup> The green papers became available on the website on December 10, 2002 ( <http://www.utoronto.ca/plan2003/>). Also listed on that website are the town hall meetings which are being held to discuss these papers.

**6. Business Arising from the Reports of the Previous Meetings (cont'd)**

**(a) Provost's Accessibility and Career Choice Study in the Faculty of Law (cont'd)**

Governing Council. At the request of the Chair, the Secretary explained that 'consider' did not mean 'approve', but was a general term. The agenda planning group had decided on the disposition of the matter. The member referred to the Calendar of Business which indicated that the methodology would flow through the governance cycle to Governing Council in February 2003.<sup>2</sup> The Chair replied that it was hoped that the results of the study would be available in February 2003. The member suggested that, since the Governing Council had requested that the study be undertaken, some action might be necessary to provide members with an opportunity to comment on the methodology.<sup>3</sup> The member asked that Report of the meeting of the Committee on Academic Policy and Programs held on November 27 be made available to members of the Governing Council as soon as it became available.

A member asked for clarification of the term 'endorse' and asked when it was used. At the request of the Chair, the Secretary replied that the term 'endorse' had been used at various times to express support for the direction which the administration proposed. A member asked whether endorsement of the methodology meant approval of the methodology. Professor Goel replied that the Provost had received excellent feedback at the meeting of the Committee on Academic Policy and Programs, and was revising the methodology based on discussion at the meeting. He noted that, in research in the social sciences, methodology was adjusted during the course of the research. It would be difficult to approve research methodology at a specific point in time. The President emphasized that this study on accessibility and career choice was a social sciences research study.

A member remarked that a lot of time had been spent on this matter, and that an additional meeting with the Provost might be necessary to ensure that all members of the Governing Council have had an opportunity to review and support the methodology for the study. Professor Goel stated that the revised methodology would be circulated and that the Provost was always willing to meet with members of the Council. The Chair reminded the Committee that members of the Governing Council would have access to the further information on the methodology.

A member asked how the report of the study would proceed through governance. At the request of the Chair, the Secretary replied that the content of the report of the study would determine how it would be handled. If the report provided information only, it would be received for information. If the report contained recommendations for action from the administration, the nature of the recommendations would determine the entry-level Board or Committee. The member commented that the onus was on the administration to show that tuition increases had not affected career choice and accessibility, and asked what the criteria would be for determining whether the Governing Council was satisfied on that point. The Chair replied that the report would be considered before the tuition fee schedule was approved, and that members' satisfaction would be reflected by their vote on tuition for 2003-04.

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<sup>2</sup> The Calendar of Business shows dates for the Committee on Academic Policy and Programs, (December 4 rescheduled to November 27) Academic Board (January 16), Executive Committee (February 3) and Governing Council (February 14) with 'Review and Action as Appropriate'.

<sup>3</sup> Members of the Governing Council were informed by email on November 11, 2002 of the rescheduled date of the meeting of the Committee on Academic Policy and Programs. Several members of the Council were in attendance at the Committee meeting.

**6. Business Arising from the Reports of the Previous Meetings (cont'd)**

**(b) Videotaping of Governing Council Meetings**

A member raised the matter of videotaping of Governing Council meetings. The Chair indicated that this item would be discussed under Other Business.

**7. Minutes of the Governing Council Meeting held on October 31, 2002**

Members received for information copies of the minutes of the Governing Council meeting held on October 31, 2002.

**8. Business Arising from the Governing Council Meeting**

**(a) Notices of Motion**

- (i) Whereas the Governing Council of the University of Toronto recognizes the importance of a quality and universally accessible elementary and secondary education system,

Whereas the Toronto District School Board has been taken over by the province of Ontario due to an inability to meet demanding budgetary restraints due to provincial cuts and downloading

BE IT RESOLVED THAT the Governing Council of the University of Toronto direct the administration of the University of Toronto to undertake a study on the impact provincial budgetary cuts have had on admissions to the University of Toronto.

This study would examine the impact budgetary restrictions have had on admissions of students who are from Toronto and the surrounding areas diverse, multicultural, and multilingual communities.

The Chair recommended that the resolution be referred to the Provost for advice. A member asked whether the matter was within the jurisdiction of the Governing Council to consider. The Chair replied that the point of referring the notice of motion to the Provost was to receive advice from the administration as to whether it would be appropriate to conduct such a study. Another member requested that the Provost provide advice on whether such a study was a sensible thing to do.

BE IT FURTHER RESOLVED THAT the Governing Council supports the free, democratic representation provided by elected trustees and invites these elected representatives of public education in the City of Toronto to participate in a coalition to preserve public education at the elementary, secondary and post-secondary levels.

The Chair stated that it would be inappropriate for the Governing Council to take a political position, and therefore no further action would be taken on this part of the resolution. The Committee agreed. A member asked whether it was the role of the Executive Committee to determine the disposition of a notice of motion. The Chair explained that the Executive Committee determined what was on the agenda of the Governing Council, and that the resolution was out of order.

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

**(a) Notices of Motion (cont'd)**

A member suggested that the words 'participate in' be removed from the motion. The Chair replied that the Toronto District School Board was outside the jurisdiction of the Governing Council of the University of Toronto. The member expressed his disagreement with this view.

- (ii) BE IT RESOLVED THAT the University of Toronto eliminate any rental disparity between colleges by creating a centralized fund to offset costs.

At the invitation of the Chair, Professor Goel stated that this matter came annually to the University Affairs Board, in the report from Service Ancillaries Review Group (SARG) that considered residence fees. The University of Toronto Advanced Planning for Students (UTAPS) also provided financial assistance which took rent costs into account.

- (iii) BE IT RESOLVED THAT the Governing Council of the University of Toronto review the sale of the St. George Medical Arts Building with a full and open process including consultation from the community on the future development of this site.

At the invitation of the Chair, Mr. Chee commented that the building had been on the market for two years prior to its purchase. Following the purchase, the University had been sensitive to the needs of the current tenants and had honoured fully all outstanding leases. While the medical offices in the building had filled a social responsibility to the community, the University also had a social responsibility to the students and staff in its community.

A member stated that he had been approached by a group of tenants and that he had referred the group to Mr. Chee. The member also commented that the services provided by the tenants in the building did not represent the current model of primary care delivery required by the health care system.

A member suggested that standards be created that would determine how often matters could be redebated within governance. The Chair commented that it was important for members to be aware of issues so that they could act as ambassadors for the University within the community.

A member asked how best to communicate the needs of the University to the broader community. The Chair requested that the article on the St. George Medical Arts building that had been prepared by the Director, Public Affairs and Advancement Communications be circulated to members of the Governing Council.

A member suggested that the University be more positive about the contributions being made to the community. Another member suggested that the University create a public image that was invitational, and take every opportunity to build stronger links to the surrounding community.

The Executive Committee agreed that the matter of the purchase of the St. George Medical Arts Building had been dealt with, and it would not support reopening the discussion.

**8. Business Arising from the Governing Council Meeting (cont'd)****(b) Requests for Information**

The Chair indicated that members who had made requests for information at the Governing Council meeting would be informed of the disposition of those requests.

**9. Ombudsperson: Annual Report and Administrative Response**

At the request of the Chair, the Secretary advised members that the report of the Ombudsperson and the Administrative Response were presented annually to the Governing Council for information and for comment. The Executive Committee was asked to endorse the Report and Response and to place them on the agenda of the next meeting. Ms Mary Ward, Ombudsperson, would be in attendance at the December 12 Council meeting to respond to questions on her Report.

On motion duly moved and seconded,

YOUR COMMITTEE APPROVED

THAT the Annual Report of the Ombudsperson and the Administrative Response be placed on the agenda of the December 12 meeting of the Governing Council.

**10. Items for Endorsement and Forwarding to the Governing Council****(a) University Infrastructure Investment Fund: Allocation – Renovation of 256 McCaul Street**

(Arising from Report Number 115 of the Academic Board (November 14, 2002))

Professor Cummins explained that this allocation was to renovate 256 McCaul Street for the Department of Family and Community Medicine. These would be temporary premises; the Department would eventually move to 155 College Street. There had been no questions at the Board.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

THAT an allocation not to exceed \$120,000 be made from the University Infrastructure Investment Fund to address the cost of the renovation at 256 McCaul Street that will house the Department of Family and Community Medicine.

**(b) University Infrastructure Investment Fund: Allocation – Decommissioning of the SLOWPOKE Reactor**

Professor Cummins informed members that this allocation was to cover the expenses of completing the decommissioning of the SLOWPOKE Reactor which had begun in January 2000. There had been no questions at the Board.

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

**(b) University Infrastructure Investment Fund: Allocation – Decommissioning of the SLOWPOKE Reactor (cont'd)**

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

THAT an allocation of \$285,562 from the University Infrastructure Investment Fund be approved to complete the decommissioning of the SLOWPOKE reactor.

**(c) Canada Research Chairs Fund: Allocation 2002-03**

Professor Cummins noted that this was the third allocation from the Fund and that it covered the costs of the chairs that had been approved in the competition held in September and December 2001. A question had been asked at the Academic Board about the relative numbers of chairs in the three main granting council categories and about gender balance.

A member recalled that the issue of allocation of overhead had been a sensitive one. The President indicated that the six percent charge for indirect costs on hospital-based Chairs had generated discussion but that the matter had been resolved in the recently-signed memorandum of agreement with the teaching hospitals.

A member asked for clarification of the 16 percent and 6 percent charges for indirect costs. The President replied that 16 percent was the rate charged for all Chairs within the University, while 6 percent was the cost associated with clinical appointments.

A member asked for clarification of the dispersal of the allocations for the Chairs, as current revenue appeared to be greater than current expenses in the Canada Research Chairs Fund. Professor Goel replied that the current model of funding for the Canada Research Chairs would not be self-sustaining in the long term, as the actual amount of financial support required for the program was greater than the amount provided in the model. The President indicated that changes were required to the funding model, as the program was being subsidized by operating funds, and that discussions were underway to develop another model.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

THAT \$2.6m be allocated from the Canada Research Chairs Fund to cover the salaries, benefits, research allowances and cluster support for thirteen Chairholders approved in the September 2001 and December 2001 CRC competitions.

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

**(c) Canada Research Chairs Fund: Allocation 2002-03 (cont'd)**

THAT \$.7m (\$.8m less \$77,000 indirect cost of 16% of salaries and benefits) be allocated to the Faculty of Medicine in support of seven campus-based Chairholders that were approved in the September 2001 competition.

THAT \$1.3m (\$1.4m less \$74,000 indirect cost of 6% of salaries and benefits) be allocated to the Faculty of Medicine in support of nine Chairholders based in Hospital and Research Institutes that were approved in the September 2001 competition.

**(d) Academic Priorities Fund: Allocation for Post-Doctoral Office**

Professor Cummins reported that this allocation would support the establishment of an office in the School of Graduate Studies to support the post-doctoral fellows (PDFs) at the University. One of the outcomes was expected to be better data on the numbers and placement of the PDFs. At the Academic Board meeting, a question had been asked about lobbying for OSAP debt relief for this group.

On motion duly moved and seconded,

YOUR COMMITTEE ENDORSED AND FORWARDED

to the Governing Council for consideration the recommendation:

THAT a base allocation of \$67,363 and an one-time-only allocation of \$10,300 be made from the Academic Priorities Fund for the establishment of a Post-Doctoral Office in the School of Graduate Studies.

It was agreed that the two allocations from the University Infrastructure Investment Fund and the allocation from the Academic Priorities Fund would be consent agenda items on the Governing Council agenda.

**11. Participation in Meetings via Audio or Video Conferencing**

The Chair noted that, as a result of the recent refurbishment of the Board Room and Council Chamber, the technology was now available to allow audio and video conference participation in board and committee meetings. Currently, *By-Law Number 2* made no specific provision for participation by audio or video conferencing. The Chair indicated his intention to have a discussion of this matter at the next meeting. He asked members to think about the possibility of amending the By-Law to permit participation by audio and/or video conferencing in board and committee meetings, and whether members would support such provisions only to board and committee meetings, rather than to Governing Council meetings themselves. The Chair encouraged members to contact the Secretary with their thoughts on this matter. Documentation would be prepared for a subsequent meeting.

### **11. Participation in Meetings via Audio or Video Conferencing (cont'd)**

A member asked whether all meetings of the Governing Council were being broadcast on the web. The Secretary replied that they were audiocast via the web. The member indicated that he was aware that some individuals had been unable to access the broadcast. The Secretary asked the member to provide details so that the matter could be investigated.

### **12. Performance Measures for Governance**

The Chair recalled that an initial discussion on this topic had taken place at the October meeting of the Committee. Information concerning the participation of members at the October 31 meeting of the Governing Council was distributed, and comments were invited.

A member expressed concern that the agenda of the Council meeting had been varied to allow a non-member to address the Council at the beginning of the meeting. The Chair reminded members that the Executive Committee set the agenda for the Governing Council meeting, and that the motion to vary the agenda had been proposed by a member of the Executive Committee. Another member indicated that he had supported the motion to vary the agenda in order to accommodate the schedule of the speaker, but had been upset when the speaker remained until the end of the Council meeting.

A member commented that speakers needed to understand that their concerns fit into a broader picture, and that the speakers should be placed at an appropriate point in the agenda – neither at the beginning nor at the end. The Chair reminded members that procedures for non-members to address the Council on items not on the agenda had been approved by the Governing Council in 1992, and revised in 1995. According to this procedure, non-members who wished to address the Council on items not on the Agenda would ordinarily be heard after the President's Report and the items coming forward for approval. A member recalled that a list of criteria for granting speaking requests had been discussed by the Executive Committee in previous years.

A member asked what the Executive Committee was seeking to achieve in considering performance measures for governance and suggested a discussion of objectives then possible measures.

A member said that he was encouraged that this matter was being discussed. He suggested that an information session be organized to discuss how issues could be brought into governance. The member also commented that, in his opinion, the reports of meetings sacrificed information for discretion, and asked if the topic of attributing remarks to members could be discussed.

A member asked if information on performance measures for governance could be provided to members by the Office of the Governing Council. Another member asked for information on evaluation of governance in an academic setting. The Secretary undertook to look into what literature was available.

The Chair asked members to decide on the initial focus for the discussion on performance measures.

### **13. Reports for Information:**

Members received for information the following reports:

- Report Number 115 of the Academic Board (November 14, 2002)
- Report Number 121 of the Business Board (November 11, 2002)
- Report Number 110 of the University Affairs Board (November 5, 2002)
- Report Number 111 of the University Affairs Board (November 19, 2002)

### **14. Date of the Next Meeting**

The Chair reminded members that the next meeting of the Executive Committee was scheduled for Monday, February 3, 2003 at 5:00 p.m.

### **15. Other Business**

#### **(a) Videotaping of Governing Council Meetings**

The Chair noted that a summary of the background and decisions made regarding the videotaping of Governing Council meetings had been placed on the table. This text would be distributed to members of the Governing Council and inserted into the Reference Manual.

#### **(b) Elections for the Governing Council and Academic Board**

The Chair reminded members that nominations for alumni governors opened on Monday January 6, 2003 and closed on Tuesday, February 25. Nominations for teaching staff, administrative staff, and student members of the Governing Council opened on Tuesday, January 28, 2003 and closed on Monday, February 10. He encouraged members to invite their colleagues to become involved in governance.

#### **(c) Canada Post-Secondary Education Act**

A member circulated copies of the Canada Post-Secondary Act which had been proposed by the Canadian Association of University Teachers, and gave the following notice of motion:

Be It Resolved that an ad hoc Governing Council committee including student governors and administrators be struck to examine CAUT's proposed Education Act, exploring the possibility of a spring forum.

The Chair noted that this matter had been raised at the November 27 meeting of the Committee on Academic Policy and Programs.<sup>4</sup>

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<sup>4</sup> Excerpt from draft Report Number 97 of the Committee on Academic Policy and Programs:

The member distributed a sheet to members which outlined the background of the Act and posed a number of questions. He asked for a response from the administration in writing, if possible. Dr. Levy explained some of the concerns with the CAUT document, including the lack of definition of terms used in the document such as access on a uniform basis, the exclusion of administrative staff from the governance process, and the suggestion that all universities be comprehensive, something that would be very difficult for the smaller universities to achieve. He believed that a comprehensive review of this document would be time consuming for very little gain and indicated at this time he would not undertake such a review.

**15. Other Business (cont'd)****(d) Request for Non-member to Address the Governing Council**

The Chair informed members that the President of the Arts and Science Students' Union (ASSU) had requested to speak to the Governing Council on the matter of diversity at the December 12 meeting. The Chair proposed that she be invited to speak for three minutes under Other Business.<sup>5</sup>

A member circulated a request from Chung Tang, Executive Director, Chinese Canadian National Council Toronto Chapter, to address the December 12 meeting of the Governing Council on the topic of diversity. The Chair suggested that this speaker also be invited to speak for three minutes under Other Business.

The meeting adjourned at 7:30 p.m.

Secretary

Chair

December 10, 2002

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<sup>5</sup> Secretary's Note: The President of ASSU subsequently withdrew her request to speak.