

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

FEBRUARY 17, 2011

MINUTES OF THE MEETING OF THE GOVERNING COUNCIL held on February 17, 2011
at 4:30 p.m. in the Council Chamber, Simcoe Hall, University of Toronto.

Present:

Mr. John F. (Jack) Petch (In the Chair)
Mr. Richard Nunn (Vice-Chair)
Professor C. David Naylor, President
Ms Diana A.R. Alli
Professor Robert L. Baker
Mr. Brent S. Belzberg
Professor Philip H. Byer
Mr. P. C. Choo
Mr. William Crothers
Professor William Gough
Ms Joeita Gupta
Mr. Steve (Suresh) Gupta
Professor Christina E. Kramer
Mr. Kent Kuran
Mr. Nykolaj Kuryluk
Professor Louise Lemieux-Charles
Mr. Joseph Mapa
Professor Emeritus Michael Marrus
Ms Natalie Melton
Professor Cheryl Misak
Mr. Gary P. Mooney
Mr. James Yong Kyun Park
Mr. Jeff Peters
Professor Arthur S. Ripstein
Professor Andrea Sass-Kortsak
Mr. Howard Shearer
Professor Elizabeth M. Smyth
Miss Maureen J. Somerville
Mr. Olivier Sorin
Mr. W. John Switzer
Ms Rita Tsang
Professor Franco J. Vaccarino
Dr. Sarita Verma
Ms B. Elizabeth Vosburgh
Mr. Greg West
Mr. W. David Wilson

Secretariat:

Mr. Louis R. Charpentier
Mr. Anwar Kazimi
Mr. Henry Mulhall

Regrets:

The Honourable David R. Peterson, Chancellor
Professor Varouj Aivazian
Ms Judith Goldring
Dr. Gerald Halbert
Professor Ellen Hodnett
Ms Shirley Hoy
Ms Florence Minz
Mr. George E. Myhal
Mr. Tim Reid
Ms Melinda Rogers
Ms Priatharsini Sivananthajothy
Professor Janice Gross Stein

In Attendance:

Professor Angela Hildyard, Vice-President, Human Resources and Equity
Ms Lucy Fromowitz, Assistant Vice-President, Student Life
Ms Christina Sass-Kortsak, Assistant Vice-President, Human Resources
Mr. William Simmons, Assistant Vice-President, University Development
Ms Elizabeth Sisam, Assistant Vice-President, Campus and Facilities Planning
Dr. Tim McTiernan, Assistant Vice-President, Government, Institutional and Community Relations
Ms Gillian Morrison, Assistant Vice-President, Divisional Relations and Campaigns
Professor Edith Hillan, Vice-Provost, Faculty and Academic Life
Professor Jill Matus, Vice-Provost, Students
Professor Cheryl Regehr, Vice-Provost, Academic Programs
Mr. Andrew Arifuzzaman, Chief Strategy Officer, University of Toronto at Scarborough (UTSC)
Mr. John Aruldason, President, Scarborough Campus Students' Union (SCSU)
Ms Sheree Drummond, Assistant Provost
Mr. Sagar Dugani, IMAGINE student group
Ms Nora Gillespie, Legal Counsel, Office of the Vice-President and Provost, Office of the Vice-President Human Resources and Equity
Prof. Rick Halpern, Dean and Vice-Principal (Academic) University of Toronto at Scarborough (UTSC)
Ms Kate Hilton, Assistant Dean, Alumni and Development
Dr. Anthony Gray, Special Advisor to the President
Mr. Christopher Lang, Director, Appeals, Discipline and Faculty Grievances
Mr. Ryan McGuire, IMAGINE student group
Ms Kim McLean, Assistant Principal (Business and Administration) and Chief Administrative Officer, University of Toronto at Scarborough (UTSC)
Mr. Steve Moate, Senior Legal Counsel, Office of the President
Mr. Desmond Pouyat, Dean of Student Affairs, University of Toronto at Scarborough (UTSC)

IN ACCORDANCE WITH A DETERMINATION BY THE EXECUTIVE COMMITTEE PURSUANT TO SECTIONS 38 AND 44 OF BY-LAW NUMBER 2 OF THE GOVERNING COUNCIL, ITEM 12 AGENDA WAS CONSIDERED BY THE GOVERNING *IN CAMERA*

1. Chair's Remarks

Welcome

The Chair welcomed the members and guests to the meeting. The Chair welcomed three new members to the Council - Mr. Belzberg, Mr. Gupta and Mr. Shearer. *The Lieutenant Governor had issued the order that Mr. Shearer be appointed to the University of Toronto Governing Council for a period of three years, effective the 9th day of February, 2011.*

The Chair explained the presence of uniformed officers of the Campus Community Police at the entrance of Simcoe Hall, and two non-uniformed officers within the Council Chamber. The Chair said that this decision had been taken in response to a rally that was taking place outside the building. This was a precautionary measure in light of the disruptive action of some guests at the Council's meeting held on October 28, 201, which had caused some members to express concern for their safety. It was hoped that this would only be a temporary measure.

The Chair announced that Mr. Nunn and Mr. Wilson had been nominated in an election for the Chair of the Governing Council.

2. Minutes of the Previous Meetings of October 28, 2010 and December 16, 2010

The members had received copies of the revised minutes of the October 28, 2010 meeting and the minutes of the December 16, 2010 meeting.

The Chair reminded members that the approval of the minutes of the October 28, 2010 meeting had been deferred to this meeting in order to consider a member's request for changes, some of which had incorporated in the revised minutes. Revisions had been made to item 5 – Report of the University Ombudsperson (July 1, 2009 – June 30, 2010) and Administrative Response, and item 6(a) Report of the *Task Force on Governance* and *Chair's Response* to the Report.

A member moved a motion to have further revisions made to the revised minutes of the October 28, 2010 meeting. The motion was seconded and defeated.

Two motions to approve the revised minutes of October 28, 2010 and the minutes of December 16, 2010 were seconded and approved.

3. Business Arising from the Minutes of the Previous Meeting

The Chair said that during the Question Period, a member had enquired about the repatriation process of artifacts belonging to an indigenous community. The member had been provided an update from the administration on this matter by the Secretary.

4. Report of the President (cont'd)

(a) Student Presentation – IMAGINE (cont'd)

The President began his address by introducing the members to a student group - IMAGINE (Interprofessional Medical and Allied Groups for Improving Neighbourhood Environments). The President welcomed Mr. Sagar Dugani (third year M.D./Ph.D. – Faculty of Medicine) and Mr. Ryan McGuire (fourth year, Bachelor of Science in Pharmacy – Leslie Dan Faculty of Pharmacy).

Mr. Dugani explained to Council that the vision of IMAGINE was to foster partnerships between students and marginalized communities to promote the delivery of healthcare. To this end, IMAGINE collaborated with several community agencies to create educational workshops and a student-run clinic using an interprofessional approach to health and wellbeing. Some of IMAGINE's goals were the promotion of interprofessional education; fostering social accountability and civil engagement; serving marginalized communities; and functioning as a global model for student-run clinics worldwide.

The program had begun in the summer of 2007 as a collaborative effort with Community Affairs and Student Affairs at the Faculty of Medicine. Mr. Dugani acknowledged the efforts of Ms Diana Alli and the then Associate Dean Professor Jarvis.

Mr. McGuire informed members that students from nine professional program faculties had been incorporated in the group's Executive. The three important pillars of the program were health promotion, community awareness, and a clinic for underserved and marginalized communities. The health promotion initiative had been started at St. Christopher House in the City's west end. Students engaged with the homeless population and assisted individuals in making more informed health decisions. Feedback received from the members of the community informed the initiation of programs.

Community awareness included a lecture series aimed at increasing awareness of the issues facing homeless populations. Leading experts had been invited to deliver open lectures in homeless healthcare in an effort to engage a wider student and public audience.

The collaborative efforts had led to the opening of the IMAGINE clinic in October 2010. Students, each supervised by a preceptor, formed the interprofessional core team at the clinic. The clinic provided care to some sixty patients, nearly half of whom had no other medical coverage for a variety of reasons. Thirty two students had volunteered at the clinic since its inception. Growth in the clientele had prompted the initiative to be expanded to other parts of the city.

The group had shared its experiences with schools globally at conferences, and the IMAGINE initiative had been ranked as number one in the public health category at a conference held in Berlin. The work of the group had been presented in a manuscript to relevant journals. Students participating in the program had opportunities to work with other students in different professional health care programs, and to work with those most in need in the community

Support to expand the program had come from the University and the City. Mr. Dugani concluded the presentation by acknowledging the efforts of the students, faculty and staff at the University.

4. Report of the President (cont'd)

(a) Student Presentation – IMAGINE (cont'd)

In the discussion that followed, several members commended the work of the IMAGINE, noting that this was an excellent demonstration of student leadership. The President thanked the students and commended the efforts of Ms Alli in this initiative.

At this point, non-members in the Council Chamber began to speak loudly, preventing the members of Council from conducting their business. The Chair asked the disruptive guests to desist, reiterating that they were interfering with the meeting. However the non-members continued to obstruct the meeting by shouting, so that members could not be heard.

In view of the behaviour of unruly individuals, the Chair declared a recess consistent with his authority under section 47 of By-Law Number 2.

The recess was called at approximately 4:55 p.m.

The meeting reconvened at 5:05 p.m.

The Chair called the meeting to order and invited the President to continue his report.

(b) Awards and Honours

The President drew the members' attention to the Awards and Honours list that was included in the agenda package.

- Professor Avrum Gotlieb (Faculty of Medicine) the Chair, Planning and Budget Committee, had been awarded the American Society for Investigative Pathology's 2011 Robbins Distinguished Education Award for several years of education leadership in pathobiology.
- Professor Aaron Hertzmann (Department of Computer Science) had won the 2010 Steacie Prize for natural sciences. A University of Toronto scientist had won this award for the second consecutive year.
- Professor Geoffrey Hinton (Department of Computer Science) had been awarded the 2010 Gerhard Herzberg Canada Gold Medal for Science and Engineering.
- The President offered his congratulations to the swimming team, and to the Varsity Blues women's fencing team that had won its sixth OUA title in ten years.

(c) Philanthropy at the University of Toronto

In light of the events that had occurred earlier at the meeting, the President read a draft of an open letter on the subject of philanthropy that was to be released to the University community. A copy of the letter is appended to the [report](#).

A member stated, that while she supported philanthropy, she was opposed to gifts that, in her opinion, came with strings attached. She understood that in the instance of the donation received

4. Report of the President (cont'd)

(c) Philanthropy at the University of Toronto (cont'd)

from the Munk Foundation, the agreement in the contract included a provision for a separate and restricted entrance to the Munk School of Global Affairs at 315 Bloor Street. She asked who set the academic priorities of the University, and alleged that the University had accepted the donation from the Munk Foundation in November 2009 under summer executive authority.

The President responded by saying that the longstanding priority of establishing a school for international studies at the University was recognized even before the Governing Council had approved the renaming of Devonshire House to the Munk Centre for International Studies in October 1996. In May 2008, the School of International Studies was established, incorporating the Munk Centre for International Studies. The gifts received by the University were used to support the priorities approved by the Governing Council. The gift from the Munk Foundation was to be received in deferred payments and this was not unusual. A provision of the gift was an academic review of the School's self-directed priorities and plans by an external blue-ribbon panel. The review would inform the final decision for the release of funds. This process was in line with the universal practice of peer review in academia. With reference to use of the entrance to the building of the Munk School of Global Affairs, the President said he was of the opinion that there had been a drafting glitch in the agreement. The intention had been (and remains) to build a tower at the rear of the building; the entrance to the tower would serve as the main entrance to the School from Devonshire Place. The existing main entrance to the building from Bloor Street West was narrow and ill-suited to serve as the primary entrance for any future tower. In his view there had been a regrettable and willful misinterpretation of the gift in support of the Munk School in myriad respects.

A member said that the *Globe and Mail* had reported the story of Dr. Thakur, the director of the Balsillie School of International Affairs (BSIA) of the University of Waterloo and Wilfrid Laurier University. The school had been established through funding received from the Centre for International Governance Innovation (CIGI) created by Mr. Balsillie. The report had suggested that Dr. Thakur was removed from his position due to his differences with CIGI. Dr. Thakur's dismissal had been deemed by the Canadian Association of University Teachers (CAUT) as an attack on academic freedom. In the member's opinion, a precedent had been set for instances of similar interference at the University of Toronto by its donors.

The President replied that the arrangements between the CIGI and the BSIA, as outlined in the CAUT report, were unlike the arrangements in place for the Munk School of Global Affairs. The President reminded the member that in the same *Globe and Mail* report Dr. Thakur had referred to his conversations with Professor Stein and expressed his appreciation for the non-interference by the donor at the Munk School of International Affairs. Dr. Thakur had said he was envious of the arrangement at the Munk School and noted that it differed from the situation he faced at BSIA.

A member asked whether information related to donations could be disseminated to the Governing Council in a timely manner to minimize any rumours or misrepresentation of details. The President expressed sympathy with the sentiment. He noted that, from a practical perspective, many discussions on donations and gifts occurred over a sustained period of time. While it was often possible to share information about the general direction of gift agreements, details of ongoing negotiations could not be discussed in an open committee. He and the Provost would consider what alternative approaches might minimize misunderstandings. In the specific case of the gift received from the Munk Foundation, the University had provided the details of the gift agreement in a transparent manner and been taken aback by the interpretation of them.

5. Items for Governing Council Approval

(a) Academic Appeals Committee – Revision to the Terms of Reference
(Arising from Report Number 171 of the Academic Board [January 27, 2011] - Item 6)

Professor Sass-Kortsak summarized the proposal as it had been presented to the Academic Board at its meeting of January 27, 2011.¹ The revisions to the terms of reference of the Academic Appeals Committee were intended to simplify panel composition requirements in order to facilitate the scheduling of hearings and thereby avoid delays for students who had submitted academic appeals. Following extensive consultation, including with legal counsel, the proposal had been approved by the Academic Appeals Committee, and subsequently recommended for approval to the Governing Council by the Academic Board.

In response to a query on the scheduled review of the terms of reference of the Academic Appeals Committee in 2013, Mr. Lang said that any revisions would be brought forward to the Governing Council through the relevant governance bodies. A member said though he understood and supported the motion, he wanted to know the rationale that had led to two lay members to be on the Academic Appeals Committee to begin with. Professor Misak said that this had perhaps been done to provide a broader perspective. However, the proposed revisions would provide greater efficiency.

The Chair thanked Mr. Lang and Ms Hilton on behalf of the Governing Council.

On motion duly moved, seconded, and carried,

It was Resolved

THAT the proposed revised Terms of Reference of the Academic Appeals Committee (AAC) be approved, effective March 1, 2011; and

THAT a review of the composition change of the AAC, to be conducted by the Office of Appeals, Discipline, and Faculty Grievances by June 30, 2013, be approved.

Documentation is attached to Report Number 171 of the Academic Board as [Appendix “C”](#).

¹ See: Report Number 171 of the Academic Board (January 27, 2011), pages 7-8, at: <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=7517>.

5. Items for Governing Council Approval (cont'd)

(b) Infrastructure Project: Site Remediation for the North Campus at the University of Toronto at Scarborough

(Arising from Report Number 171 of the Academic Board [January 27, 2011] - Item 7)

Professor Sass-Kortsak outlined the nature and scope of the proposed capital project, as it had been presented to the Academic Board.² In order to allow necessary development of the northern sector of the University of Toronto at Scarborough (UTSC) campus, land that had formerly served as a municipal landfill needed to be remediated. The opportunity presented by the 2015 Pan American Games to enter into a partnership with the City of Toronto and the Province of Ontario had made possible the remediation of these lands at a far lower cost to the University than would have been possible were it to act independently. The total project cost was \$52 million, of which \$5 million would be funded by UTSC, and \$25 million would be obtained through borrowing. It was anticipated that the Provincial government would provide approximately \$20 million for a high performance sports facility at the St. George campus. If that occurred, the University would then use the borrowing capacity previously earmarked for the St. George campus high performance facility for the UTSC north campus remediation project. The City of Toronto's Executive Committee had approved the use of up to \$23 million for this jointly funded proposed project.³ The proposal had been discussed extensively at two meetings of the Planning and Budget Committee, as well as at the Academic Board meeting of January 27, 2011 where a number of questions regarding the project cost had been raised and addressed. Following discussion, the Academic Board had recommended Governing Council approval of the conditional motion.

Mr. Wilson reported that the Business Board had voted unanimously to authorize the University to participate in the City of Toronto's execution of the project. The Board's authorization had been subject to approval of the project in principle by the Governing Council. Members of the Business Board had raised two concerns. The first had concerned safety issues. A member had cited cases where methane gas, leaking from adjacent sites, had caused explosions and injury. The Board had been assured by the administration that all buried waste would be removed from the UTSC site, that the waste would also be removed from a buffer area on the adjacent City site where landfill would remain, and that a protective slurry wall would be constructed. Concerns had also been expressed regarding the need for the University to borrow \$25 million to fund much of its share of the costs of the project. It had been noted that the University was drawing near to its maximum borrowing capacity for capital projects. It was, however, anticipated that the Province of Ontario would provide approximately \$20 million of funding for a high performance sport facility on the St. George Campus, thereby freeing up borrowing capacity for the UTSC project. The Business Board's approval to execute the project had been conditional on the receipt of that funding and the freeing of borrowing capacity. A member of the Business Board added that he had been adequately satisfied that the project had met the safety requirements.

Invited to comment, Professor Vaccarino said that the remediation of the land on the north campus would help UTSC overcome a major barrier to its growth to the meet the space requirements of its students.

A member alleged that the administration had not provided information on the additional \$25 million that was to be borne by the University for the land remediation project. In her opinion, such a project ran the risk of going over-budget, and could incur other hidden costs.

² See: Report Number 171 of the Academic Board (January 27, 2011), pages 8-11, at: <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=7517>.

³ Ms Riggall noted that City Council, itself, had that day (February 7, 2011) also approved the project.

5. Items for Governing Council Approval (cont'd)

(b) Infrastructure Project: Site Remediation for the North Campus at the University of Toronto at Scarborough (cont'd)

Professor Misak said that the hosting of the Pan Am Games by the City of Toronto in 2015 had presented the University with an opportunity. In partnership with the City, the University would be able to remediate a large area of land that would enable UTSC to meet its growth needs in a fiscally constrained environment. The President added that the levy to fund the Sport and Recreation Centre at UTSC had been strongly supported by students at that campus through a referendum. The University was responding to the needs of the students. The President added that he had made a commitment to the students at UTSC that the University would cover the remediation cost overruns under the Pan-Am site itself. There had been multiple assessments of the cost of the remediation under the site and more generally on the UTSC land, and the University was confident that the estimated costs had been carefully identified.

On motion duly moved, seconded, and carried,

It was Resolved

Subject to all required government approvals and government funding, including government funding for high performance sport and subject to funding being in place prior to commencing construction:

1. THAT the recommendations identified in the "Report on Site Remediation for the North Campus of the University of Toronto Scarborough", dated January 6, 2011, be approved in principle; and
2. THAT subject to all other approvals and funding being in place prior to commencing the work, the University of Toronto contribution for the remediation, having a total project cost of \$52 Million (2010 dollars) comprise:
 - (i) \$5-Million of funding from the University of Toronto at Scarborough;
 - (ii) \$25-Million of borrowing, in part using \$20-Million of borrowing capacity created by anticipated Government funding for high-performance sport facilities, such borrowing to be repaid by the University of Toronto at Scarborough and/or the University of Toronto.

Documentation is attached to Report Number 171 of the Academic Board as [Appendix "D"](#).

(c) Capital Project: Project Planning Report for the University of Toronto at Scarborough Sport and Recreation Centre

(Arising from Report Number 171 of the Academic Board [January 27, 2011]- Item 8, and Report Number 161 of the University Affairs Board [February 1, 2011] – Item 3)

A detailed presentation regarding this proposed capital project had been provided at the Academic Board meeting,⁴ and Professor Hodnett summarized its main points concerning the nature and scope of the project, the need that it would meet on the UTSC campus, and the sources of funding that would be utilized both for its construction and its eventual operation. As a site partner for the

⁴ See: Report Number 171 of the Academic Board (January 27, 2011), pages 11-13, at: <http://www.governingcouncil.utoronto.ca/AssetFactory.aspx?did=7517>.

5. Items for Governing Council Approval (cont'd)

(c) Capital Project: Project Planning Report for the University of Toronto at Scarborough Sport and Recreation Centre (cont'd)

2015 Pan American Games, UTSC had the opportunity to become the joint owner and user of a world-class sport and recreation facility that would be much more extensive than would have been possible had it acted alone. The total project cost of \$170.5 million would be shared among the University, the Federal and Provincial Governments, and the City of Toronto, with the University's portion of \$37.51 million consisting of \$30 million acquired through a student levy, and \$7.51 million provided by UTSC/U of T Central (all figures in 2008 dollars). During the Board's thorough discussion, questions had been raised and addressed concerning the projected operating and project costs, and the extent of University access to the proposed facility. The Board had strongly recommended the project to the Governing Council for approval.

Ms Vosburgh noted that the University Affairs Board considered capital projects such as athletic facilities as part of its general responsibility for matters that directly concerned the quality of student and campus life. The Board had been informed that the project would do much to overcome a serious deficiency of athletic and other space on the rapidly growing UTSC campus. The Project Planning Report clearly reflected the needs and requests of students, and the resulting world-class facility would greatly enhance campus life. The Board had strongly concurred with the recommendation of the Academic Board for the approval of the project.

Mr. Wilson reported that the Business Board had voted unanimously to give conditional approval to University participation in the execution of the project by Infrastructure Ontario. The approval was subject to Governing Council approval of the project in principle, and subject to the timely completion of the associated land remediation. The Business Board's approval had included the updating of the costs, expressed in 2008 dollars, which had been used in the bid for the Pan-Am Games. The Business Board's approval had been for execution translated into 2014 dollars, which included the escalation of construction costs anticipated until the completion of the project. The Board had therefore approved the University's spending of \$54.8 million, an increase of \$17.3 million from the 2008 cost. That increase would be shared pro rata by the students of UTSC through the twenty-five year levy added to their fees and by the operating budgets of the University and UTSC. A significant concern, raised by two members of the Business Board, had been the cost of operating the facility when the Pan-Am Games were over, and in particular, the question of who would make up the difference if the City and the University were not able to earn the revenue projected from renting facilities to other users. The Board had been satisfied by a description of the careful and conservative work that had been completed on the revenue projections. One member, with a great deal of experience in such matters, did urge that the University do everything possible to negotiate the limitation of its responsibility for the cost of operating the joint City / University facility.

The Council discussed the following:

Agreement with the City

A member stated that the agreement with the City of Toronto had been made with the former mayor, Mr. David Miller. The current mayor, Mr. Rob Ford, had announced that there would be no funding for cost overruns. Even as these overruns could not be predicted, had the University any contingency plans in place to deal with such an eventuality?

Professor Misak said that there had been an enthusiastic response to the proposed project at City Hall. There had been no reason to believe that there would be any sudden change in the commitment made by the City towards the project. The matter of cost overruns would be discussed with all partners in the

5. Items for Governing Council Approval (cont'd)

(c) Capital Project: Project Planning Report for the University of Toronto at Scarborough Sport and Recreation Centre (cont'd)

projects. The President added that, if required, UTSC would work towards any renegotiations with the partners.

A member asked about the arrangements for the utilization of the facility by students, and whether this was related to the proportion of the financial input to be made by the University. Ms McLean said the allocation for students' use of the facility had been carefully planned. Detailed schedules had been prepared for the use of the facility by students. There would be multiple opportunities for the simultaneous use of the facilities, such as the swimming pools and field house. The schedules would be driven not by the budget, but rather by needs. Ms McLean said that she was confident the students would have adequate access to the facility. Students would also have access to the facilities during the City's drop-in time slots.

Student Perspective

A member alleged that there had been misinformation spread at the UTSC when students had voted in a referendum on the project. The member said that though she supported the project, she was opposed to the students being asked to pay for it.

The Chair invited Mr. Aruldason to address the Council. Mr. Aruldason said that students at UTSC had been made well aware of the costs associated with the project. The students at UTSC viewed the project as an opportunity that would be of benefit to them and for future students. The students at the campus had received enough information, and the result of the referendum was reflective of the support of the students at UTSC for the project.

A member thanked Mr. Aruldason for his input to the discussion. The member asked whether the proposed facility would provide opportunities for new programs for students, and whether it would address the future needs of the students. Ms McLean said that the expansion of UTSC had been at the forefront when the plans for the facility had been put in place. The University would build on the synergy and partnerships with other stakeholders in the project with regards to the future use and access to the facility by the students.

A member asked whether the methane gas under the site could be harnessed to meet the energy needs of the facility. Ms McLean said that environmental reports done at the site suggested that there was not enough methane to harness for the purposes of energy. However, the University would explore the possibility of the use of solar panels as an energy source to address some of the needs of the facility.

The Chair thanked the representatives from UTSC for their input to the discussions.

5. Items for Governing Council Approval (cont'd)

(c) Capital Project: Project Planning Report for the University of Toronto at Scarborough Sport and Recreation Centre (cont'd)

On motion duly moved, seconded, and carried,

It was Resolved

Subject to the availability of funding for the land remediation of the site

- (a) THAT the Project Planning Report for the University of Toronto at Scarborough (UTSC) Sport and Recreation Centre, as accommodated in the Pan American Aquatics Centre, Field House and Canadian Sport Institute Ontario to be built at the University of Toronto at Scarborough, dated January 7, 2011, be approved in principle;
- (b) THAT the site northeast of the corner of Military Trail and Morningside Avenue be assigned to the Pan American Aquatics Centre, Field House and Canadian Sport Institute Ontario Project;
- (c) THAT the total project cost for the UTSC portion be \$37.51 Million (2008 dollars) out of a total project cost of \$170.5 Million (2008 dollars) for all parts of the project; and
- (d) THAT the funding costs for the UTSC portion of \$37.51 Million (2008 dollars) comprise:
 - \$30 Million acquired through a student levy, and
 - \$7.51 Million from UTSC/U of T Central.

Documentation is attached to Report Number 171 of the Academic Board as [Appendix "E"](#).

6. Performance Indicators for Governance, 2010 – A Summary

The Chair thanked the President and the Provost for tabling the Performance Indicators report. However, this item was deferred to the meeting of April 7, 2011.

7. Reports for Information

Members received the following reports for information:

- (a) [Report Number 171 of the Academic Board \(January 27, 2011\)](#)
- (b) [Report Number 185 of the Business Board \(December 13, 2010\)](#)
- (c) [Report Number 435 of the Executive Committee \(February 7, 2011\)](#)

8. Report of the Implementation Committee for the Task Force on Governance

The Chair said that an open forum session would be scheduled for members of the University community to offer input to the Implementation Committee.

Mr. Nunn reported on the Committee's meeting held on January 24, 2011. The themes of that meeting were:

- Quality of Governors – Identification and Selection / Election of Governors
- Agenda Management – Revised Cover Documentation

Quality of Governors – Identification and Selection / Election of Governors

Nominating Committee for Alumni Governors (NC-AG) – Mr. Nunn said that the Secretary had met with the Council of Presidents of the University's alumni associations to brief them on the Task Force's recommendation and to seek their input. Further meetings were scheduled with the Executive Committee of the College of Electors for that Committee's input on an implementation plan – in terms of necessary constitutional revisions and changes to practice. The Implementation Committee's goal was to bring a proposal to the June meeting of the Governing Council.

Coordinated Election-related Communication – Mr. Nunn reported that a number of suggestions had been discussed for consideration by the Chief Returning Officer and the Elections Committee in preparing the *Election Guidelines* for 2012. Members had proposed that retiring faculty and administrative staff governors could address Divisional Councils, for example, on the importance and impact of serving in governance. Members also reiterated the importance of acknowledging the value of faculty and administrative governors' service. It was suggested that the Chair of the Governing Council send letters to the relevant head of departments regarding such members' service at the end of their terms.

Attributes Matrix – The Committee suggested that the matrix, currently framed for government appointees and alumni governors, be adapted for students and for administrative staff and faculty. The Committee had agreed to consider this further at its March 2011 meeting.

Education Opportunities – Mr. Nunn informed members that the Committee had agreed that all governors would be encouraged to attend the Governing Council Orientation. The Committee would consider ways in which the Orientation could complement, or link with, mentorship opportunities and constituency meetings.

Agenda Management – Revised Cover Documentation

Senior Assessor's Report – The Secretary and the Assessors' Liaison had been asked to draft a guide for agenda planning groups when those groups considered Assessors' Reports for particular meetings. The draft was intended to build on the existing good practices and to offer an opportunity to suggest minor modifications. The Secretary and the Assessors' Liaison would seek the Provost's advice on the draft.

Clarify Purpose of Reports for Information – The Implementation Committee had agreed that the "reports for information" received by each Committee and Board would be considered against the terms of reference of each governance body.

8. Report of the Implementation Committee for the Task Force on Governance (cont'd)

Revised Cover Sheet – The purpose was to focus the attention of the members of a particular governance body on issues they should consider in the context of the particular body's specific responsibility. Appendix 10 of the *Report of the Task Force on Governance* had been modified to include a heading for a "history of consultations." Feedback had been sought from the Senior Assessors.

Concluding his report, Mr. Nunn said that as an initial step in considering implementation of the recommendation for the campus affairs committee, the Implementation Committee had established a working group led by Professor Gough, including Mr. Switzer, Mr. West, and Ms Vosburgh.

A member asked whether the Implementation Committee had considered ways in which matters of strategic importance would be brought forward to the Governing Council, as had been recommended in the *Report*. Mr. Nunn replied that there had been preliminary discussions on organizing agendas on specific themes, as was the practice for the Business Board. The Committee would discuss this matter further.

9. Date of Next Meeting

The Chair reminded the members that the next meeting of the Governing Council was scheduled for Thursday, April 7, 2011 at 4:30 p.m.

10. Question Period

There were no questions asked by members.

11. Other Business

In response to a question from a member, Professor Regher said that the University had confirmed to the Huron-Wendat nation that it held remains and artifacts associated with that community's ancestors in trust, and that the University was committed to their repatriation. The University had been engaged diligently in confidential discussions with representatives of the Grand Chief Sioui to accomplish the repatriation in a culturally sensitive manner that also preserved opportunities for the enhancement of knowledge about the lives and culture of those first nations ancestors. The discussions had gone well and the University had supported aspects of the Huron-Wendat nation's own work to advance the project. The University was hopeful an agreement would be finalized by winter 2011, with a view to repatriation later in that year. Professor Regher added that as part of the repatriation project, a full and detailed listing of the remains and artifacts had been created and provided to the Huron-Wendat and would be available, in an appropriate time, for research and study with that community's permission.

11. Other Business (cont'd)

A member gave the following Notice of Motion:

Be it recommended to the Governing Council:

THAT Governing Council annul the Peter and Melanie Munk Charitable Foundation agreement signed on November 23rd 2009;

THAT the Governing Council strike a standing committee made up of students, faculty, staff and their representative organizations as well as relevant community members to vet the ethical questions around accepting future donations from corporate sources and to ensure that there are no strings attached. The committee will review this and future donations to determine, amongst other things:

1. If the source is ethical.
2. That the donor and any stipulations attached are fully disclosed to the public and that votes take place, in open, public meetings.
3. The University retains full decision-making powers on present and future use of the donation and donors have no say over academic decisions and programs.
4. The infusion of funds does not come at the expense of cuts to and under-funding of other departments.
5. That the name accurately reflect where the significant majority of the funds come from (i.e. in this case from the tax payers).

THAT in the case of the Munk donation, (if rescinding the agreement is not an option), the University task the aforementioned committee to renegotiate the contract devoid of the strings presently attached and taking into consideration the following non-exhaustive list of specific concerns:

The ethical concerns of accepting money from a mining corporation with vested interests in the School's area of focus;
The potential threats to academic freedoms;
The fair and equitable use of campus space;
The over-emphasis and rigorous funding of a Branding Strategy;
The non-consultative and opaque decision-making process which was engaged to obtain approval.

IN ACCORDANCE WITH A DETERMINATION BY THE EXECUTIVE COMMITTEE PURSUANT TO SECTION 38 OF BY-LAW NUMBER 2, ITEM 12 WAS CONSIDERED BY THE GOVERNING COUNCIL IN CAMERA.

12. Code of Behaviour on Academic Matters: Recommendations for Expulsion

On individual motions duly moved, seconded, and carried

It was Resolved

THAT the President's recommendations for expulsions, as outlined in the memoranda and supporting documentation from the Secretary of the Governing Council, dated February 8, 2011 for February 17, 2011, be confirmed.

The meeting adjourned at 6:45 p.m.

Secretary

Chair

March 15, 2011