

**MINUTES of the Faculty Council, Faculty of Law,  
held Wednesday, January 11, 2023, 12.30 p.m. (J250)**

Present: Dean Jutta Brunnée; Associate Deans Essert, L. Katz; Bedard Rubin, Borrows, Cossman, Fadel, Green, Iacobucci, Langille, Lee, Lemmens, Niblett, Prado, Ripstein, Shaffer; Chief Law Librarian Gian Medves; Assistant Dean Dimitrova.

Students: Meaza Damte (SLS President), Isabel Brisson, Julia Campbell, Matthew Chasmar, Naomi Chernos, Milana Grahovac, Caleb Rae Goff, Joshua Do Eon Lee, Akash Jain, Justin Kim, Ben Kitching, John Metzger, Jasween Singh Gujral (GLSA President).

Observers: Assistant Deans Faherty and Lancaster; Prasanna Balasundaram (DLS), Terry Gardiner, Annette Henry, Bernadette Mount, Michelle Rosenstock.

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**1. Chair's Welcome (Jutta Brunnée)**

Dean Brunnée welcomed everyone to Faculty Council and noted that this was an added session, meant to provide a budget update. Dean Brunnée commented that for several years Faculty Council has devoted a meeting to the faculty and the university budgets. Dean Brunnée welcomed Professor Scott Mabury, Vice President, Operations and Real Estate Partnerships, UofT, and Mr. Jeff Lennon, Assistant Vice-President, Planning & Budget who will provide members with a sense of the complexities of the budget planning process.

Dean Brunnée informed members that quorum was not reached at our November meeting for approval of the October 26<sup>th</sup> minutes and therefore, we have two sets of Minutes that needed approval.

**2. Approval of Minutes of October 26, 2022 (Jutta Brunnée)**

A motion was put forward to approve the Minutes of the October 26, 2022, meeting, and was seconded. All were in favour with one abstention. The motion was carried.

**3. Approval of Minutes of November 16, 2022 (Jutta Brunnée)**

A motion was put forward to approve the Minutes of the November 16, 2022, meeting, and was seconded. All were in favour with one abstention. The motion was carried.

**4. SLS President's Remarks (Meaza Damte)**

Dean Brunnée invited remarks from SLS President, Meaza Damte.

Meaza thanked the Dean and provided comments on behalf of the SLS and students at the Faculty. Meaza indicated that students' number one concern continues to be the cost of tuition. Meaza noted that, while tuition levels have been frozen for Ontario students, non-Ontario students were affected by a 3% increase. Students acknowledge that tuition freezes put the university in a difficult situation but recommended that law tuition should stay frozen even after the current freeze has been lifted by the government. Meaza stated that many students questioned whether the current cost of tuition was "worth it." She expressed concern that many promising students might not apply in view of tuition levels. She added that the Faculty's reputation and its Financial Aid Program were not enough to attract top applicants and ensure a diverse student body. Meaza asked that the Faculty justify the cost of tuition and provide more transparency regarding financial aid. Meaza expressed appreciation for the work of the Career Development Office but noted that other aspects of the student experience were lacking, notably in relation to availability of course choices. She closed by underscoring the SLS's willingness to work with the Faculty in working towards improvements.

## **5. GLSA President's Remarks (Jasween Gujral)**

Dean Brunnée invited remarks from GLSA President, Jasween Gujral.

Jasween updated members and advised that the GLSA has unanimously agreed to update and improve its website, work on that is now underway.

Jasween discussed the certificate program with Rotman's (JD/MBA) that is available to undergraduate students but not to graduate students, something he hoped could be changed. He shared other challenges encountered by graduate students, ranging from the organization of networking events, to wait lists for housing, to challenges with the GPLLM programs, such as deadlines for marks deadlines in the GPLLM program that students can provide to prospective employers.

Dean Brunnée thanked Jasween for the update and there were no questions.

Dean Brunnée responded to the SLS comments and noted that having a Faculty Council meeting devoted to budget is important to show what is in play with the University and Faculty budgets, thus providing context for the role of tuition. On out-of-province fees, Dean Brunnée noted that the province mandated a 10% tuition cut and then a 3-year freeze. Last year, given the budgetary situation, the University decided to proceed with the 3% fee increase for non-Ontario residents that the Ontario government had permitted. This increase applied to the law school. Dean Brunnée referred to last year's tuition roundtables as a response to student requests for transparency and engagement (e.g., on relations with the Ontario government, financial aid program, and the admissions process). A summary of the Roundtable discussions had been shared with students, staff, and faculty.

## **6. University Budget Presentation (Scott Mabury & Jeff Lennon)**

Dean Brunnée invited Professor Mabury and Mr. Lennon to provide the budget presentation.

Professor Mabury provided members with comments on the following:

### **The 2022-2023 balanced budget is \$3.23 Billion.**

Professor Mabury commented that tuition and government grants make up 68% of the University's revenues, plus 20% operating grants & 12% other revenue. Expenditures are as follows: 58% faculty and staff compensation; 14% other expenses; 10% student aid; 8% occupancy costs; 7% capital and equipment and 3% pension contingency.

### **Projected Revenue Growth Rates**

Professor Mabury noted that average revenue growth was decreasing from year to year, putting the University as well as the Faculty of Law in a challenging position in view of cost increases and inflation.

### **Changes in Sources of Revenue 2006-07 to 2026-27**

Professor Mabury commented on shifts in revenue sources over the years, noting that the University: (1) receives a much smaller proportion of government funding through its operating grant (from 45% in 06-07 to 20% in 22-23); (2) has experienced a decrease in the share of domestic tuition revenue (from 26% in 06-07 to 18% in 22-23); and (3) an increase in the share of international tuition revenue (from 7% in 06-07 to 43% in 22-23).

### **Provincial Tuition Fee Framework**

Professor Maybury remarked that the total impact of tuition constraints (i.e., cut and subsequent freezes) in 2022-23 equals a loss of \$167 million, a loss that is especially challenging in an inflationary environment.

### **The Budget Model**

Professor Mabury then outlined the University's budget model, which sees some transfers from the University to the divisions and, in turn, sees divisions pay a share of various University wide costs. Professor Mabury concluded his presentation and introduced Jeff Lennon.

### **Law 2022 – 2023 Revenue Resources**

Mr. Lennon noted that, under the budget model described by Professor Mabury, Law receives 18% from the University Fund and other transfers. A mere 11% of the Faculty's revenues come from operating grants, 9% from recoveries, 9% from endowments, and 50% from tuition.

### **Law 2022 – 2023 Expense Plan**

Mr. Lennon summarized the Faculty's expense categories as follows: 55% in compensation, 21% in university-wide costs / shared services (libraries, facilities, student supports, occupancy), 13% in financial aid (compared to 10% across the university), and 11% in other expenses (e.g., travel, photocopiers, supplies, events, services).

Mr. Lennon outlined the Faculty's structural deficit challenge, resulting from the anticipated average increase of expenditures (3.5%) outstripping the anticipated average increase in revenue (1.8%). He commented on the levers available to a division to avoid a deficit, such as: bringing in more students (enrolments); increasing international student enrolment; or not replacing staff and faculty. He advised that the university will be looking at rationalizing shared services in the future.

### **JD Tuition vs Financial Aid Since 2014-15**

Mr. Lennon noted that since 2014-15, JD domestic fees have increased by just 1.3% annually on average. Over the same period, financial aid for students has increased by 6.6% on average annually and 56% in total.

Tuition 2014-15:	\$30,230
Tuition 2021-22:	\$33,040
Financial Aid Budget 2014-15:	\$3.13 million
Financial Aid Budget 2021-22:	\$4.90 million

Mr. Lennon remarked that the Faculty of Law had put a lot of money into financial aid to address tuition costs, and that the Faculty has one of the highest levels of endowed financial aid per student.

### **Net JD Tuition 2014-15 vs. 2021-22**

As a result of the efforts to increase the financial aid budget, spearheaded by then Dean Edward Iacobucci, net tuition paid by students receiving financial aid has decreased by 26% since 2014-15:

#### **2014-15**

Tuition	\$30,230
Less average financial support	(\$9,209)
<b>Average net tuition, 2014-15</b>	<b>\$21,021</b>
Largest bursary:	\$15,523
Lowest net tuition:	\$14,707

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**2021-22**

Tuition	\$33,040
Less average financial support	(\$17,565)
<b>Average net tuition, 2021-22</b>	<b>\$15,475</b>
Largest bursary:	\$35,787
Lowest net tuition:	\$0

A short discussion ensued, with questions about the costs of faculty and staff compensation, the costs incurred by international students, and the plans of the university for rationalizing shared service and staff costs.

With no further questions or comments, Dean Brunnée thanked Professor Mabury and Mr. Lennon.

**7. Adjournment**

There being no further business, the meeting was adjourned at 1:56PM.