

GLEN A. JONES, THERESA SHANAHAN AND PAUL GOYAN

UNIVERSITY GOVERNANCE IN CANADIAN HIGHER EDUCATION

ABSTRACT. In this paper we review the major historical developments in the evolution of Canadian university governance arrangements and synthesise data from two important national studies in order to provide an overview of university governance in Canadian higher education. We provide an analysis of university governance structures and arrangements, and conclude by reviewing a number of important contemporary issues.

INTRODUCTION

In Canada, as in many countries, one can observe a growing interest in the governance of institutions of higher education. Although university governance has been a recurring issue in Canadian higher education, recent trends have presented new challenges to traditional higher education institutional decision-making processes and structures. In part these challenges can be attributed to the relationship between government and higher education institutions, and also to changes in government higher education policy. But they can only be fully understood by considering a larger social context. Canadian universities are facing a multitude of demands surrounding issues of quality and accountability, and emanating from a knowledge-based economy, new technologies and heightened interest in globalisation and internationalisation. Taken together these forces have renewed discussions about institutional decision-making as universities across Canada attempt to fashion their individual responses to current social and economic forces rapidly reshaping their world.

This paper presents a current snapshot of university governing boards and senates in Canada placed within the historical context of their evolution in Canadian universities. The objective of this paper is to describe and analyse university governance in Canada by reviewing the evolution of university governance arrangements and synthesising the findings of two recent national studies that involved the collection of empirical data on university governing boards and senates. We conclude by reviewing a number of important contemporary issues in Canadian university governance.

UNIVERSITY GOVERNANCE IN CANADA

Canadian universities are autonomous, non-profit corporations created by provincial Acts or charters. Following a long period of experimentation with internal governance mechanisms and university-government relations, a number of Canadian universities, including Dalhousie, McGill and Queen's, adopted structures involving two legislative bodies, known as bicameralism. It was the Flavelle Commission of 1906 which clearly articulated the rationale and framework for bicameralism (University of Toronto 1906). The Commission, which reviewed the issue of governance at the University of Toronto, argued that the process by which universities make decisions should be autonomous from the political whims of government.¹ The public interest in this internal decision making process should be delegated to a corporate board composed of government-appointed citizens, and this board should assume responsibility for administrative policy. Academic matters would be the responsibility of a senate, composed primarily of members of the university community. Bicameralism can therefore be seen as an attempt to balance public and academic interests within the formal, corporate governance structures of the university.

The draft University of Toronto Act prepared by the Commission, which incorporated these basic notions, was quickly passed into legislation. The governance structure created under the new University of Toronto Act became a model for other universities, especially the new universities emerging in Western Canada. While there were differences by institution in terms of the composition and operation of the two governing bodies, by the mid-1960s almost every Canadian university had adopted some form of bicameral governance structure.

Perhaps the most intensive debates, and dramatic changes, associated with university governance in Canada took place in the late 60s and early 70s. The changes which occurred during this period represented significant modifications to the commonly accepted structure of bicameralism which had emerged in the early years of the twentieth century (Cameron 1991; Jones 1996). The emergence of bicameralism as the dominant governance model in Canadian universities historically can be seen as an attempt to clarify the relationship between the university and the state by establishing external accountability through the delegation of state interests to a corporate board composed of lay-members. By contrast the governance reform movement of the 1960s can be viewed as an attempt to shift the balance of governance arrangements in order to increase accountability to internal constituencies. Faculty and student constituencies argued that their interests were not being appropriately considered or represented in the

university governance process. The governing board was viewed by these constituencies as isolated from the ethos of academic work since it was composed largely of businessmen. The governance process was viewed as secretive, since board and senate meetings were seldom open to the public, and dominated by business or corporate interests, rather than the interests of faculty or students. Demands for more transparent governance processes and greater faculty and student participation were heard across the country. In an effort to provide helpful input to institutional discussions of governance reform, the Association of Universities and Colleges of Canada and the Canadian Association of University Teachers jointly sponsored a national review of university governance conducted by Sir James Duff and Robert O. Berdahl.

A central theme of the Duff-Berdahl Commission (1966) was that universities could address many of the concerns raised by internal constituencies by modifying, rather than replacing, bicameral governance structures. Based on the findings of a national research tour and the review of dozens of submissions, Duff and Berdahl encouraged universities to create more open, transparent governance arrangements, include faculty participation on the university governing board, and reform the academic senate so that it would be a smaller, stronger decision making body. The impact of Duff and Berdahl's final report is difficult to measure, though many of the principles they articulated played a role in university governance reform even if many institutions actually moved much farther in terms of increasing levels of faculty and student participation than the Commission envisioned. By the early 1970s, almost every Canadian university had reviewed and reformed its governance arrangements.²

Most universities increased the level of student and faculty participation on governing boards. In 1955, only 9% of university boards included faculty members and there were no student members (Rowat 1955). By 1975, 92% of university boards included faculty members and 78% included student members (Houwing & Kristjanson 1975). The proportion of student members on university senates, based on aggregate data, increased from less than 1% of total membership of senates in 1965 to 14% in 1975 (Houwing & Michaud 1972; Houwing & Kristjanson 1975). Faculty participation on senates, as a proportion of total membership, remained relatively constant between 1965 and 1975, while the proportion of senate members from external constituencies declined.

The basic principles which had supported increased faculty and student participation on boards and senates were often extended to support reform at other levels of decision-making. New advisory committees were created in order to allow for increased input from members of the university

community, and the terms of reference for standing committees were often revised to allow for greater student and faculty participation. Student leaders, however, were generally unsuccessful in obtaining acceptance of the principle of student-faculty parity on internal committees, and many institutions continued to exclude or severely limit student participation on faculty selection, promotion and tenure committees.

Changes in the search process for university presidents typified the modifications to institutional governance that were taking place. Before the late 1960s, the process of selecting a university president was left to the discretion of the governing board. By the early 1970s, presidential searches were often conducted by 'search committees' which included representation from a variety of internal and external constituencies and the role of the board in the selection process was shifted to one of making decisions based on the advice of the committee. Association of Universities and Colleges of Canada guidelines published in 1970 encouraged institutions to use search committees as part of the process of appointing all senior academic and non-academic administrators.

Governance reform also resulted in more open, transparent decision making structures. Cameron reports that not one Canadian university had open senate or board meetings in 1967. By 1969, more than half of these institutions were allowing non-members to attend senate meetings and a parallel, though somewhat more gradual and limited, change was taking place in terms of governing board policy (Cameron 1991).

Most universities did not adopt the recommendations of the Duff-Berdahl report concerning the strengthening of the university senate. While Duff and Berdahl had linked senate size with effectiveness, the size of university senates frequently increased to allow for greater student participation while retaining strong faculty representation. On the other hand, some steps were taken at some institutions to expand the role of the senate from a narrow focus on specific academic decisions to one of providing the governing board with advice on a wide range of issues.

Generally speaking, the governance reform process of the 1960s led to the creation of governance arrangements that were more participatory, complex and decentralised. Critics of the reform process argued that while the new arrangements dramatically strengthened academic self-government, they also weakened what Cameron refers to as 'corporate autonomy' and in doing so decreased the powers and autonomy of the university president (Cameron 1992). J.A. Corry concluded that:

'Much of the substance of power has been taken out of the president's office and away from the board of governors. The members of the academic staff now have what has been taken out, and they have nearly a veto on the use of what is left (Corry 1970, p 111).'

J.B. Macdonald suggested that the pendulum had swung so far in one direction that there might come a day when the Association of Universities and Colleges of Canada might want 'to establish a commission on administrative participation in university government' (1966, pp 81–82).

Aside from the governance reform process of the 60s, there have been at least two other important changes in the institutional context that have had an impact on Canadian university governance. One was the strengthened administrative capacity of universities in response to the increasing complexity of internal decision making. With the mammoth expansion of enrolment, many Canadian universities had become 'multiversities,' in Clark Kerr's sense of the term (1982), with an increasing network of full-time administrators, institutional researchers and planners employed to manage university activities and provide advice on institutional policy. While some university administrators were concerned that governance reform had shifted power away from the administrative offices, some faculty became concerned about the growth in university administration. A study team appointed by the Canadian Association of University Teachers warned of the possible excessive growth of administration in the university environment (Independent Study Group, 1993).

The second important change was the emergence and growth of faculty unionisation. While the 1960s had been characterised by a substantive growth in public investment in higher education, government priorities shifted in the 1970s in the context of a major recession. Provincial governments continued to provide substantial financial support to universities, but they began to limit the growth of allocations to postsecondary education. Universities, in turn, began to look for ways of decreasing the growth of the single largest area of expenditure: faculty salaries. For some faculty at many Canadian universities, faculty unionisation and collective bargaining represented a possible mechanism for ensuring that faculty rights and interests were protected. With support from the Canadian Association of University Teachers (Savage 1994), several faculty unions had emerged by the mid-70s in the provinces of Manitoba and Quebec. Twenty-two university faculty associations had obtained union status by 1980 and the number of faculty unions continued to increase through the 90s in response to recent financial restraint and job security concerns. A large majority of all Canadian university faculty are now members of institution-based faculty unions.

Unionisation undoubtedly shifted power and authority relationships within universities (Tudivor 1999). Many areas of university policy that had once been left in the hands of university administration or university governing bodies became subject to collective bargaining, including

faculty salaries, procedures for appointment, tenure and promotion, and job security. Even in universities where there is no faculty union, it is not uncommon to find policies and procedures in areas related to faculty work that closely parallel those that have emerged through collective bargaining in unionised environments (Anderson & Jones 1998; Ponak & Thompson 1984). While the impact of faculty unionisation on university governance varied by institution, one might assume that unionisation shifted the balance of participatory decisions-making that had emerged during the reform of university governance in the 60s in favour of the professoriate. Unionisation also provided faculty with a strengthened forum for negotiating and defining a range of issues associated with faculty work, a shift in relationships that may have weakened the role of the academic senate in university governance (Jones 1996).

CANADIAN GOVERNING BOARDS AND SENATES

In order to provide more detailed information on current governance arrangements, this section of the paper presents data from two recent national studies on university governance in Canada. The first study, entitled 'Governing Boards in Canadian Universities' and conducted by Glen Jones and Michael Skolnik in 1995 (1997), involved two components: a national survey of governing board secretaries to collect data on board composition and structure, and a second survey of the individual board members focussing on the work of the board members, their perceptions of the role of the members and the role of the board. A total of 45 institutions participated in this study (75% of provincial government-supported universities in Canada). The response rate on the survey of governing board members was 49% (583 of a population of 1191).

The second study, focusing on university senates and conducted by the authors of this paper in 1999, flows from the first study on governing boards and follows a similar methodological approach. The first phase of the senate study involved a survey of senate secretaries in order to obtain data on composition, organisation and role of the university senates. Surveys were distributed to 67 independent degree-granting universities in Canada. A total of 42 institutions responded, a response rate of 63%. The second phase of the study involved a survey of all senate members at the institutions that agreed to participate in the first component of the study. A response rate of 40% was achieved (with 890 survey responses). The second phase focussed on senate members (constituency, age, gender, educational, background, occupation, etc), their perception of the role of the senate, and their role as members of the senate.

Structure and composition

Bicameralism continues to be the dominant model of governance in Canadian universities. Of the 45 institutions that participated in the 1995 governing board study, 39 described the institutional governance arrangements as bicameral, 5 indicated that they have a unicameral governance structure with a single governing body responsible for all areas of university policy, and one institution described a hybrid governance structure that might be described as tricameral. We use the term governing board to refer to the senior administrative decision-making body created by the university charter in both bicameral and unicameral governance arrangements. We use the term senate to refer to the senior academic decision-making body. Given that most universities operate under a unique charter, it was not surprising to find that there were substantive differences in governance structures and arrangements by institution, though in this paper we focus on some common issues and themes that emerged from the analysis of aggregate survey data.

Aggregate data on university board and senate composition are presented in Table I. While governing boards continue to include a large number of lay-members (50%), they all include student members and most include faculty and alumni representatives. Approximately 17% of all board members are faculty and 9% are students. Senates are dominated by internal representation with the largest categories of members describing themselves as faculty, students or staff (92.5%). Faculty represent the largest component of the senate membership (44%) followed by students (17%). Students can now be found on all university senates in Canada.

The average size of university governing boards was 27 members, and the average size of the academic senate was 58 members. There is considerable variation in the size of university senates, ranging from less than twenty members to several hundred. Both boards and senates have a subcommittee structure. Both bodies frequently have some form of executive committee that assists in coordinating the work of other committees and determining the agenda for board and senate meetings.

While only one university reported that all governing board meetings are open to the public, approximately two-thirds indicated that meetings are open but that certain types of business (for example, personnel issues) are conducted in closed session. Approximately 33% of respondent universities indicated that all senate meetings are open to the public, and an additional 50% indicated that most meetings are open but that some matters may be dealt with in closed session.

TABLE I
Governing board and senate membership by category of appointment¹

Category ²	Percentage of all Governing Board members	Percentage of all Senate members	Percentage of Governing Boards reporting members in this category	Percentage of Senates reporting members in this category
Lay-members and others ³	50	3	100	23
Faculty	17	44	93	100
Students	9	17	100	100
Alumni	9	2	90	40
Senior university Administrators ⁴	6	22	38	85
University president	3	2	100	90
Support staff	3	5	52	53
University chancellor	3	1	83	40
Representatives of the Governing Board	0	3	0	50
Representatives of affiliated colleges	0	2	0	33

¹Governing board membership data was obtained from a 1995 survey conducted by Jones and Skolnik (1997). Senate membership data was obtained from a 1998 survey conducted by the authors.

²Categories were created by compiling information on membership from an open-ended question and then collapsing data to obtain broad categories. The categories should not be viewed as mutually exclusive.

³The vast majority of governing board members in this category are appointed by government or by the board, but this category also includes members appointed or elected by external organizations. In terms of senate membership, the category includes the 1% of all senate members that were appointed by government and 1.8% of members who did not fall into other categories in the table.

⁴Approximately 11.2% of all senate members are vice presidents or deans and 10.9% hold other senior positions (such as registrars, directors, etc).

The work of board and senate members

The findings suggest that both board and senate members are reasonably satisfied with their work as members of these governing bodies. The majority of members perceive themselves as active, informed and knowledgeable about the structure and organisation of the university. Moreover,

both board and senate members felt they influenced decision-making within their respective decision-making bodies.

Most members of university boards and senates do not receive any form of financial remuneration for this service activity; only two universities reported that they provide honoraria to governing board members, and in one of these just to student members. On average, board members reported spending approximately 10 hours per month on board business; senate members reported spending approximately 6.5 hours per month on senate work.

The role of boards and senates

As already noted, bicameral governance arrangements are based on the assumption that boards and senates play complementary roles within university decision-making, and the findings of these studies reinforce these differences. Most board members operating within a bicameral governance arrangement indicated that the governing board confines itself mainly to financial and administrative matters, and only a minority of members indicated that the governing board acts as the final authority for approving academic policies. Most senate members indicated that the senate is the final authority for matters of academic policy, though we noted substantive differences by institution in terms of how the role of the senate is described in charter legislation.

At the same time, there were some important differences between what senate members believed the senate should be doing and what they believed was actually occurring. Senate members indicated that the senate should play a stronger role in the university budget process, and yet most reported that this is not currently taking place. There were also areas of policy that some might categorise as naturally falling under the purview of the senate where there were major differences between what senate members believed 'should' and 'does' happen in terms of the role of the senate. For example, 56% of senate members indicated that the senate should play a role in determining priorities for fundraising and development, but 65% indicated that the senate does not play a role in this policy area. In terms of determining the future direction of the university, 89% of senate members responding to the survey indicated that the senate should play a role, while only 43% indicated that the senate does play a role in institutional planning. There was considerable agreement that the senate is often asked to approve decisions made elsewhere in the university. The locus of control of some important areas of academic decision-making may be shifting from the senate to other locations such as the governing board and the university administration.

KEY ISSUES AND TRENDS

Canadian higher education has been characterised by high levels of university autonomy for most of this century (Jones 1996, 1997; McDaniel 1996). While there is little doubt that some provincial governments are increasingly attempting to steer institutional activities, most governments continue to respect, or at least tolerate, high levels of institutional autonomy. In some respects institutional autonomy has been reinforced by government policies which have simply delegated the twin concerns of reducing government expenditures while maintaining or increasing enrolment down to the level of the individual institution. Provincial government policy initiatives have tended to reinforce the importance of university governance structures as the mechanisms for institutional change, but they have also placed considerable pressure on institutional governance arrangements in terms of making difficult financial decisions, finding innovative approaches to difficult problems, and generally adding to the complexity of institutional decision-making.

Given these increasing pressures, it was interesting to note that most board and senate members characterised themselves as active participants in university governance, who believe that they are able to influence decisions and that they have the information necessary to fulfill their responsibilities. Generally speaking, these studies suggest that senate and board members believe that they have the capacity to make the difficult decisions associated with institutional governance in an increasing complex environment. The findings of these studies do not suggest that existing university governance arrangements are in crisis, though they do suggest that there may be room for improvement.

One issue of concern that emerged from both the senate and board studies related to the orientation of new members. Given the central role of university governance in Canadian higher education, one might argue that it is extremely important for both board and senate members to fully understand the role of these decision-making bodies. While some Canadian universities provide extensive orientation programmes for new board members, many do not, and few universities provide anything in the way of an orientation programme for new members of senate. Both board and senate members indicated concerns with orientation programming. It was also interesting to note that while both boards and senates review the performance of the university in their respective areas of policy authority, there was a suggestion that these bodies should devote more attention to reviewing their own performance. There was little indication that these bodies regularly review their work on an ongoing basis in order

to see whether there were ways of improving or strengthening governance arrangements.

Both of these issues reinforce the importance of ensuring that participants in university governance understand the essential role they are playing in institutional decision making and their roles and responsibilities as institutional governors. Given the current challenges that universities are facing, it may be important for board and senate members to actively review the work and effectiveness of university governance arrangements in order to ensure that these institutions continue to have the capacity for self-government.

The bicameral model of university governance found in most Canadian universities is based on the notion that authority within the institution should be divided between a corporate board and an academic senate. The governance arrangements became more participatory, complex and decentralised as a result of reforms adopted in the 60s and early 70s. Our analysis of data on Canadian university senates suggests that the locus of control over certain types of academic decisions may be shifting.

A Canadian Association of University Teachers report noted that:

'wisely managed and cognizant of the strengths and limitations of a deliberative body, a university senate, more than any other structure we can imagine should be able to meet the needs of the day and not compromise the principles of the academy' (Independent Study Group 1993, p 12).

While some might argue that the basic problem of many academic senates relates to the size of these deliberative bodies, our findings suggest that there are other possible difficulties, including a limited role in providing the governing board with advice on financial priorities. While it is commonly argued that the senate should play a significant role in academic decision-making, our findings suggest that some university senates do not play a major role in terms of research policy, establishing fundraising and development priorities or long-range institutional planning. Approximately 64% of senate members responding in this study indicated that the senate is an important forum for discussing issues, but less than half of respondents indicated that the senate is an 'effective' decision-making body. As Birnbaum (1989) has suggested, the academic senate may be associated with a number of latent functions that serve to justify its existence regardless of its effectiveness as a decision-making body, but in the context of bicameral governance and given the importance of ensuring that the academic interests of the institution are appropriately represented, a strong argument can be made for taking steps to ensure that these bodies have the capacity to fulfill their explicitly assigned roles within university governance.

While the focus of this paper has been on presenting a broad, national picture of university governance in Canada, it is important to recognise that there are substantive differences in organisational arrangements by institution. There were also substantive differences in terms of how board and senate members characterised the nature of decision-making by institution. Our sense is that while university governance arrangements are working well at many institutions, at least in terms of how they are perceived by board and senate members, there are problems with these arrangements at some universities. The next step in our ongoing research on university governance is to develop detailed case studies on the governance arrangements of a small number of institutions in order to pay particular attention to differences between institutions and increase our understanding of why certain types of governance arrangements are perceived to be more successful than others. Broad discussions of university governance can help us understand the different arrangements and assumptions that underscore these institutional decision making structures, but university policy is made within the unique social, cultural and political environment of the institution. In order to more fully understand the nuances of university decision-making it will become important to focus on institutional decision-making and attempt to learn from the complex power and authority relationships associated with university governance.

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NOTES

1. Prior to 1906 it was not uncommon for the provincial government of Ontario to directly interfere in the internal affairs of the University, in fact political patronage played a role in some university appointments. The Flavelle Commission noted that “despite the zealous efforts of statemen and educationists the University became on many occasions in the past the sport of acrimonious party disputes. Its interests were inextricably confused in the popular mind with party politics, although these it had, in reality, little concern” (University of Toronto, 1906, pp. 275–276).
2. While most universities retained bicameral governance arrangements, in 1971 the University of Toronto abandoned bicameralism in favour of a single legislative body, the Governing Council. This ‘unicameral experiment’ has been the subject of some debate within the University of Toronto community and the governance process at this institution has evolved over time. The current arrangement involved three boards: the Academic Affairs Board, which resembles a senate both in terms of composition and

function; the University Affairs Board, which deals with student service and university community matters; and the Business Board. The boards report to the Governing Council, which includes government appointees, alumni, faculty, students, staff and administrative members.

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Higher Education Group
Department of Theory and Policy Studies in Education
Ontario Institute for Studies in Education
University of Toronto
252 Bloor Street West
Toronto, ON M5S 1V6
Canada
E-mail: gjones@oise.utoronto.ca