

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 97 OF THE UNIVERSITY AFFAIRS BOARD

March 27, 2001

To the Governing Council,
University of Toronto.

Your Board reports that it held a meeting on Tuesday March 27, 2001, at 5:00 p.m. in the Governing Council Chamber at which the following were present:

Mr. Brian C. Burchell (In the Chair)
Mr. Fayez Quereshy, Vice-Chair
Ms. Susan Addario, Director,
Student Affairs
Mr. Muhammad Basil Ahmad
Ms. Yvette Ali
Dr. Robert Bennett
Ms. Jennifer Carson
Ms. Susan Eng
Dr. Shari Graham Fell
Ms. Margaret Hancock
Ms. Naana Afua Jumah
Professor Bruce Kidd
Dr. Heather Lane

Mr. Darren R. Levstek
Ms. Karen Lewis
Mr. Paul McCann
Mrs. Susan M. Scace

Non-Voting Members:

Mr. Louis Charpentier, Secretary of the
Governing Council
Professor Paul Gooch, Vice-Provost

Secretariat:

Mrs. Beverley Stefureak

Regrets:

Professor Marion Bogo
The Honourable William G. Davis
Mr. Ljupco Gjorgjinski
Mr. Vivek Krishnamurthy
Professor Ian Orchard, Vice-Provost, Students

In Attendance:

Mr. Elan Ohayon, Member, Governing Council
Professor David Clandfield, Principal, New College
Professor Don Cormack, Vice-Dean, School of Graduate Studies
Mr. Jim Delaney, Assistant Director, Student Affairs
Mr. Ivan Gottlieb, Director, Facilities and Services
Mr. Glenn Greer, Manager, Graduate House
Ms. Manon LePaven, President, Association of Part-time Undergraduate Students
Professor David Rayside, Acting Principal, University College
Mr. Garry Spencer, Dean of Students, Innis College
Mr. Blair Szymczna, Treasurer, Graduate Students' Union

Ms. Pat Ash, Manager, Health Services, University of Toronto at Mississauga (UTM)
Mr. Ken Duncliffe, Director of Athletics, UTM
Ms. Joan McCurdy-Myers, Manager, Career Centre, UTM
Mr. Ian Hazelwood, President-elect of Athletic Council, UTM
Mr. Mark Overton, Acting Dean of Students, UTM
Mr. Glenn Walker, Chief Administrative Officer, UTM

Ms. Mary Campbell, Manager, Health and Wellness Centre, University of Toronto at Scarborough (UTSc)

In Attendance (cont'd)

Mr. Jim Dunsdon, Manager, Housing and Residence Life, UTSc

Mr. Jaan Laaniste, Director, Physical Education and Athletics, UTSc

Ms. Kim McLean, Associate Principal and Chief Administrative Officer, UTSc

Mr. Tom Nowers, Associate Principal, Student Affairs, UTSc

Ms. Carmela Pagnello, Accounting Analyst, UTSc

ALL ITEMS ARE REPORTED FOR INFORMATION.

The Chair welcomed Ms. Naana Jumah, a member of the Governing Council, to her first meeting. Ms. Jumah was appointed to replace Ms. Nancy Watson for the remainder of this year. He also introduced the new Secretary to the Board, Mrs. Beverley Stefureak.

1. Reports of Previous Meetings

The Reports of the meetings of November 7, 2000 (#94), December 13, 2000 (#95) and January 16, 2001 (#96) were approved.

2. Business Arising from the Reports of the Previous Meetings

2.1 COSS Recommendation re Distribution of *The Toronto Star* (Report Number 96)

Professor Paul Gooch, on behalf of Professor Orchard, recalled the concern of the Council on Student Services raised at the last meeting that free distribution of *The Toronto Star* would have a negative economic impact on the University press. He invited Mr. Delaney to report on some research done into this question.

Mr. Delaney said that he had gathered information regarding external newspapers on this campus and at other universities. He had learned that at the University of Toronto there were a significant number of external newspapers widely available on campus. *The Toronto Star* was available in four or five locations; the *Globe and Mail* in another two or three, and the *National Post* in some others. He had attempted to do a comprehensive survey among the editors of student newspapers. Only the *Varsity* and *The Independent Weekly* had responded. They believed there had been a negative effect but had no statistics on the scale of the effect. He had also received a response from the *Bulletin* which reported that they saw no effect.

Among the other institutions surveyed, many had free distribution of dailies or were thinking about doing so. Wilfrid Laurier University and Queen's had agreements with the *Star* and reported good experiences. Queen's would be reviewing their agreement within a year.

Mr. Delaney noted that he could find little research that supported one or the other position. York and Wilfrid Laurier reported anecdotally that they believed free distribution of dailies had a positive effect on the student population, perhaps increasing the readership of the student press. He had recently been informed by the staff at the *Independent* that Pennsylvania State had done relevant research. He concluded by saying that information gathering was ongoing and that monitoring would continue.

3. Operating Plans for Service Ancillaries

Professor Gooch reviewed Professor Orchard's memorandum of March 27 and the Executive Summary covering the operating plans for the service ancillaries at all three campuses. These came annually to the Board and described the services and programs

3. Operating Plans for Service Ancillaries (cont'd)

proposed to be offered within the financial parameters set by the operating budget and the financial policies set by the Business Board.

Professor Gooch highlighted the consultative process that developed these operating plans and student involvement at the divisional level, following which they were reviewed by the Financial Services Department. The Financial Services Department reviewed the plans against four financial objectives: to operate without a subsidy from the operating fund; to provide for all costs of capital renewal including deferred maintenance; to generate sufficient surplus to cover operating contingencies; and, to contribute net revenue to the university's operating budget. He noted that Schedule I had illustrated with a yes or no where objectives had been met by a particular ancillary. Although some residence and food/beverage ancillaries reported not reaching the objectives, overall most were fulfilling what they had set out to do with respect to their financial management.

A final advisory review was undertaken by the Service Ancillaries Review Group (SARG). Recommendations from SARG were incorporated in what finally came forward. Professor Gooch believed that the review and approval process was thorough, that it worked well, and that there was significant involvement of students at every stage.

Ms. Addario continued by introducing the guests from the University of Toronto at Scarborough, the University of Toronto at Mississauga and the St. George campuses who would be able to answer questions about the ancillaries operating plans and budgets.

A member noted a big increase in residence rates at Graduate House. She recalled that this residence had a significant cost overrun because of unpredicted construction costs and delays in opening, and it appeared that these had been downloaded to the students. Professor Cormack responded that the University had assisted Graduate House in effectively managing this unexpected debt load and the increased rates were not because of the overrun. They related, instead, to the dramatic increase in the cost of utilities in the first year of operation, on a base rate which had not increased since the original estimate of the cost per student several years ago.

At the invitation of Professor Gooch, Ms. Brown explained the variance between rate increases at Graduate House and other residences such as Innis. Ms. Brown said that determination of annual rates was done within the framework of the four financial objectives previously outlined by Professor Gooch, balanced with a respect for the quality of student life. She noted that each residence had a unique revenue profile, with factors like design and size of rooms, age of the residence building, operating costs of the building, etc. figuring into the cost per room. It was very unlikely that increases would be the same from residence to residence. Graduate House in particular was new and did not have the benefit that came from several years of operation and the ability to average out unexpected spikes in expenses.

Professor Cormack added that the proposed increase included an estimate of utilities costs over the upcoming year. If these turned out to be less than estimated, there was agreement with the students that there would be a rebate at the end of the year.

Referring to Schedule VI, a member asked about the difference in rates between first year and other years and was told that the higher rates applied only to incoming students. Students renewing from first to second year would go from \$3,600 per 8 months to

\$3,700. No one currently in residence would be facing the Year 2, 15.6% year-over-year increase.

3. Operating Plans for Service Ancillaries (cont'd)

Mr. Szymczna spoke to the Graduate House Operating Plans. He agreed that students felt they should pay their fair share of operating costs. He disagreed with the part of the report which stated that students were "almost unanimous in their concern that the required increase in fees might be approaching the limit of affordability for many students." The majority of the Graduate Students' Union and the Graduate House Council believed the rates were beyond affordability. In fact, he reported that Graduate House Council had met the previous evening and passed a motion which stated that a 7.6% increase in rates was beyond affordability.

A member asked if there was a student financial aid package to address the needs of graduate students. Professor Gooch noted that there were bursary programs for graduate students. Another member thought these were one-time only awards and that they were difficult to get. Professor Cormack said that the School of Graduate Studies had a bursary budget, and that applicants were considered individually based on need. They were awarded where students had financial problems and, although they were intended to be one-time-only, many were awarded more than once to the same individual. Another member expressed the thought that students should not need to rely on bursaries to pay rent.

A member referred to page 7 of the Executive Summary, asking for the rationale underlying no increase to the annual parking permit rate at Scarborough concurrent with a 42% to 50% proposed increase for the fall/winter permit. This seemed an unfair burden to students, who were the primary users of parking in fall/winter. She wondered if there were additional services to compensate for the additional cost. She further observed that public transportation to UTSc was not a good option.

In reply, Ms. McLean said that the increase might be misleading. Scarborough had undergone a restructuring of its parking rates in preparation for the building of a new residence next January on the outer perimeter and for the need to harmonize with Centennial College when the move was made to shared parking lots. UTSc had fallen behind the College and the adjacent hospital in annual parking rates and both other institutions charged for summer parking. Because of modest rates in the past, UTSc had built up no capital reserves and financing of the future growth could not be phased in. In addition, there was a deferred maintenance item of \$1 million because no repair had been undertaken on the parking lots for thirty years.

Mr. Nowers added that while planning proceeded to restructure parking, efforts had been undertaken to improve access to the campus by public transportation. The result has been the recent implementation of a new service by the TTC which ran every eight minutes, six days a week. He hoped this would provide a reasonable transportation alternative for students.

A member questioned what seemed to be a discrepancy of \$100,000 related to St. George campus parking between what was reported in the Executive Summary and what was reported in the Budget Report to the Planning and Budget Committee. Mr. Gottlieb noted that, though the numbers were similar, each referred to completely different items. The Executive Summary referred to a \$700,000 reduction in net profit because of increased costs of constructing the Bahen Centre for Information Technology parking garage. The Budget Report referred to an \$800,000 reduction in net profit because of decreased revenue from loss of parking in King's College Circle.

A member stated his view that there should be a change in the four objectives. The first, second and third should remain, but inserted between three and four there should be a new one stating that, notwithstanding the need to meet the above three objectives, annual

3. Operating Plans for Service Ancillaries (cont'd)

fee increases should be minimized to the primary users of the services. The Chair said that this would be a change to the policies set by the Business Board, adding that the senior assessors who initiated these recommendations would take this under advisement.

Another member questioned if the University Affairs Board could advise the Business Board to consider the addition of an objective to those stated in the Executive Summary. The Chair said that it could not, since the role of the University Affairs Board was to provide advice only to the Governing Council. An appropriate strategy would be for members of the University Affairs Board, who were also members of the Business Board, to take such concerns to that Board.

Ms. Addario reiterated sentiments of appreciation expressed earlier by Professor Gooch for all the time that had gone into the preparation of the operating plans and budgets. She also thanked the members of the Service Ancillaries Review Group, and particularly those members of this Board – Heather Lane, Karen Lewis and Fayezer Quereshy – who had spent a lot of time and effort in finalizing these plans.

On motion duly moved and seconded,

YOUR BOARD APPROVED

THE service ancillary operating plans for 2001-02 (with the exception of Hart House) outlined in the attachment to Professor Orchard's memorandum of March 27, 2001, including the service ancillary operating budgets, as summarized in Schedule II; the service ancillary capital budgets as summarized in Schedule V; and the rates and fees in Schedule VI.

The Chair reported that the motion had carried with 1 opposed and 4 abstentions .

4. Operating Plans, Student Services – University of Toronto at Mississauga

Professor Gooch referred to Professor Orchard's memorandum of March 17 and the attached 2001-02 operating plans for student services at the University of Toronto at Mississauga (UTM). These had been developed through a consultative process and they had been fully vetted with the Quality Service to Students' Group (QSS) at the UTM campus.

A member questioned the proposed new \$4.75 fee in the Bus Budget for non-UTM users. Mr. Walker explained that formerly there had been a \$76,000 transfer from Student Services St. George to UTM for bus service designed to transport students from UTM to the St. George campus for classes, athletics, recreation, etc. This subsidy had been discontinued for 2001-02 and it was proposed that the equivalent amount would be recovered through the increased fee to non-UTM users. The service was widely used both by UTM and non-UTM students. The former were already supporting the service through a general subsidy in their student services fee at UTM and it seemed reasonable that they should not be subsidizing those non-UTM students who found the service useful for commuting. The alternative to the increased fee, which was to maintain the subsidy by St. George Student Services, was an equally unfair use of the student fees of those downtown students who never used the service.

Ms. Addario added that graduate students who are primarily involved with UTM were issued with identification cards which permitted them to travel at the lower fare. Also those teaching assistants who were required to travel between campuses received transit

4. Operating Plans, Student Services – University of Toronto at Mississauga
(cont'd)

tickets under the terms of the Canadian Union of Public Employees (CUPE) contract. A small number of St. George students (about 200) who attended some classes at UTM would not now qualify for the lower rates.

A member asked about the approximately \$106,000 for the St. George Campus Career Centre. Ms. Van Norman said that this amount represents UTM's contribution to the tri-campus service located in the St. George office. The member also asked about the \$6,500 cost in the Health Services budget and was told that this was cost for space. He suggested that this was a cost which should be distributed among the users by appropriately increasing the full-time user fee.

On motion duly moved and seconded,

YOUR BOARD APPROVED

THE annual Operating Plans for Student Services – University of Toronto at Mississauga and the annual Operating Budgets, as summarized in the attachments to Professor Ian Orchard's memorandum of March 17, 2001; and,

THAT beginning in the 2001-02 Winter Session the full-time Health Service fee remain at \$35.00, the full-time Student Services Fee increase from \$148.00 to \$153.30, and the full-time Athletics fee increase from \$83.00 to \$95.00.

The Chair reported that the motion had been carried unanimously.

5. Operating Plans, Student Services – University of Toronto at Scarborough

Professor Gooch introduced the Operating Plans for Student Services for the University of Toronto at Scarborough and said that the Plans had been approved by the Scarborough Council on Student Services (CSS) on March 8th. Mr. Nowers spoke to the details, noting in particular that these Operating Plans followed three years of intensive start-up activity for a department that was established in 1998. None of the fee increases proposed in the Plans exceeded 2%. All had been scrutinized and accepted by CSS.

A member asked for an explanation of the significant differences between last year's and next year's budgeted amounts for equipment, professional development and educational supplies in the Summary of Health and Wellness Centre revenue and expenses.

Ms. Campbell explained that the purchase of additional equipment was a one-time expense to accommodate a new counselor who had been hired this year. Professional Development expenses were significantly higher last year because of staff turnover and the concurrent need to advertise. Educational Supplies related to the purchase of a three-year supply of marketing and advertising supplies, with the logo, for orientation.

In response to a member's question about the difference between annual fees and compulsory fees, Mr. Laaniste explained that annual fees were those paid by community members, e.g. alumni, staff, faculty, and compulsory fees were those paid by students.

A member asked for clarification of monitoring. Mr. Nowers said that this included the supervision of events where liquor was sold, responsibility for liquor licenses, ensuring compliance of venues with capacities, age restrictions, and limits on sales and appropriate

referrals to counseling in the event of alcohol infractions. He believed this would become increasingly important as younger students were admitted to the University.

**5. Operating Plans, Student Services – University of Toronto at Scarborough
(cont'd)**

Responding to a follow-up question, Mr. Nowers said that there was 100% participation in the monitoring program because the pub was university-owned rather than student-owned. A member added that the quality of the program was impressive and had been of huge benefit to the University.

A member thanked the University of Toronto at Scarborough for a very thorough report.

On a motion duly moved and seconded,

YOUR BOARD APPROVED

THE annual Operating Plans for the Student Services, University of Toronto at Scarborough and the annual Operating Budgets, as summarized in the attachments to the memorandum from Professor Ian Orchard, dated March 17, 2001 be approved; and that, beginning in the 2001-02 Winter Session, the full-time Health and Wellness Centre fee increase from \$47.00 to \$47.94, the full-time Physical Education and Athletics fee increase from \$144.33 to \$147.68, and the full-time Student Services fee increase from \$129.18 to \$131.77.

The Chair reported that the motion had been carried unanimously.

6. Hart House: Constitution of the Board of Stewards, Minor Revision

Professor Gooch reported that the Board of Stewards had proposed minor revisions to the Constitution of the Board of Stewards, Hart House. These had been approved at their meeting of January 20 by a two-thirds majority. The amendments were needed to accommodate the integration of the Hart House Theatre into Hart House. Ms. Hancock, speaking as Warden of Hart House, added that the proposed revisions were to recognize in the Constitution the establishment of a Theatre Standing Committee effective May 1, 2001, as recommended by the Hart House Advisory Group.

On motion duly moved and seconded,

YOUR BOARD APPROVED

THE following revisions to the Constitution of Hart House:

1. Item 11: include “and within such regulations as may be enacted by the Board of Stewards”
Item 11: “The Board of Stewards upon the recommendation of the Warden shall appoint a person to be Chair for the Board of Stewards meetings subject to terms and conditions to be agreed with the person, *and within such regulations as may be enacted by the Board of Stewards.* This Chairperson must be a member of Hart House but shall not be a chair or secretary of any Hart House club or committee. When no such Chair is in place, the Warden or a Steward shall chair.”
2. Item 9, Subsection (j) include the Theatre Standing Committee to the list of Standing Committees.

Item 9 (j): “The Student Secretaries (ex-officio) of the Art, Debates, Farm, House, Library, Music, Recreational Athletics, U of T at

6. Hart House: Constitution of the Board of Stewards, Minor Revision (cont’d)

Scarborough and *Theatre* Committees, and any other Standing Committees as may be constituted by the Board of Stewards (to be elected by and from the membership of their respective committees).”

3. Item 19: include the Theatre Standing Committee in the list of Standing Committees.

Item 19: “The Board of Stewards may appoint Standing Committee for areas including but not limited to Art, Debates Farm, House, Library, Music, Recreational Athletics, U of T at Scarborough and *Theatre*. The Board may also abolish Standing Committees.”

The Chair reported that the motion had been carried unanimously.

7. Report Number 22 of the Elections Committee

The Report of the Elections Committee had been circulated for information. In response to an invitation from the Chair, Mr. Charpentier provided an update of the elections. He said that four out of five elections for teaching staff had been successfully completed. Both graduate students had been elected and the elections for full-time undergraduate representatives had been completed. The web-based elections had gone well with no disruptions on the ROSI system. The election process for the part-time undergraduate representative had been suspended, pending the outcome of judicial proceedings. The Governing Council had decided this morning to seek leave to appeal. The election would not be moving forward until the appeal was finally resolved.

Further, Mr. Charpentier informed the Board that the Executive Committee had considered the issue of the definition of “special” student. The matter had been referred to the administration for information and advice. He noted that this was a complex issue that had implications for student representativeness on the Governing Council. For example, the eligibility of thousands of students who were registered in courses for professional upgrading in, for example, Medicine, Law, Education and Business, to represent the undergraduate student body would need to be considered, as would eligibility of students in non-credit continuing education courses. The Elections Committee would receive a report from the administration and would prepare its recommendations for consideration by the Board in due course.

A member hoped that the special student issue would be dealt with more expeditiously so as to avoid a second judicial review and asked if the Board should be formulating a policy. Mr. Charpentier responded that the Elections Committee was the appropriate forum from which the recommendation on elections policy should come. He said, too, that this was a significant issue that would not be effectively handled if the policy were recommended in response to a single situation, without full information on the implications for all students.

A member thought that the Elections Committee could have postponed the Governing Council full-time undergraduate student elections to coincide with the Students’ Administrative Council’s elections. Both human and other resources could have been saved and participation would have been increased. Mr. Charpentier agreed that this would have been optimal but said that technical staff at Student Information Systems had cautioned against running the SAC and the Governing Council elections concurrently, in

the first year of the former's experience with web-based voting. However, he noted that students could vote from any terminal whether at home or at the various Information Commons sites on all campuses and at the colleges (including three specifically

7. Report Number 22 of the Elections Committee (cont'd)

designated electoral terminals on campus). He did not agree that web-based voting in itself was a factor in participation levels.

Another member agreed with Mr. Charpentier about the effect on participation. However, the Board had expressed concerns during discussions about moving to full web-based elections. He was disheartened that the arguments put forward in support of the move to this election format were now the reasons why there were problems. He hoped a discussion of the problems would be part of the Election Committee's report to the Board in November.

A member asked who set the terms of reference for the Elections Committee in reviewing the guidelines. Mr. Charpentier responded that the Committee had the mandate to review and develop the election guidelines. He believed the Committee would be able to identify the issues and that pre-emptive action or direction on the part of the Board would not be useful. One element of the review would be an analysis of the survey to be undertaken next week by the Chief Returning Officer on web-based voting.

In response to further concern about timeliness, Mr. Charpentier urged the Board to allow the judicial process to unfold. Any intervention on the part of the Elections Committee would send a mixed message and would jeopardize the status of the appeal.

There was further discussion about the request of some members that the Elections Committee be asked to bring a report on the question of special student status to the next meeting of the Board. A member reiterated Mr. Charpentier's comment that this was a very important matter. It was not something on which the Elections Committee should rush the formulation of its recommendations.

A member of the Governing Council was granted time to address the Board. He reiterated concern with the absence of an avenue of appeal within the electoral system for Governing Council with respect to technical invalidation, with the delay in dealing with this issue and that special students were considered 'students' in every other sense but in their eligibility for election.

The Chair noted that the Governing Council, the Elections Committee and the Executive Committee had been seized of this issue. He thought it wise to trust to process and await advice through the appropriate channels.

8. Special Committee to Review the Code of Student Conduct: Status Report

Mr. Ahmad, Co-Chair of the Special Committee, reported that it had received numerous submissions in writing and in person, including one from the Students Administrative Council. The Graduate Students' Union had declined to submit comments to the Committee and the Association of Part-time Undergraduate Students' had indicated an inability to do so within the timelines. Information gathering was expected to conclude within a few weeks. The deadline for written submissions had been extended from February 28 to March 12 to allow more time for students to submit comments. Accordingly, the Committee would not be reporting back to the Board until the end of May.

Ms. Le Paven spoke briefly to indicate that the Association of Part-time Undergraduate Students had been unable to submit comments due to pressures of work and understaffing. A letter from the Graduate Students' Union had been placed on the table.

9. Report of the Administrative Assessors

9.1 Response to Question re Repeat Offenders

Professor Gooch referred to a discussion at an earlier Board meeting which had led to a request for an administrative response to the handling of repeat offenders on campus. He said that there was administrative tracking of disruptive activity. When there was a disregard of policy or code and public safety was threatened, prior offences were taken into account by the appropriate administrative officer. Repeat offenses were dealt with by increasingly more severe sanctions.

9.2 Student Services' Fees: Calculation of University of Toronto Index

Professor Gooch said that in response to a member's question at the last meeting about calculation of compulsory non-tuition related fees, the Memorandum of Understanding had been provided for the perusal of members. The Chair encouraged all members to read the Memorandum of Understanding to gain an understanding of the process by which these fees were determined.

10. Next Meeting – April 18, 2001, 5:00 – 7:00 p.m., Croft Chapter House

The Chair reminded members that the next meeting, which was a special meeting, was scheduled for Wednesday, April 18, 2001 from 5:00 to 7:00 p.m. in Croft Chapter House.

11. Other Business

A member re-introduced the issue of the elections and the definition of a special student, asking to add to the Agenda a motion of direction to the Elections Committee. The motion would request that the Elections Committee strike a committee to look into the issue. The Chair indicated that this could not be now brought before the meeting since the Board had dealt with the matter as item 7 on which discussion was now closed. Item 11 was for "other" business and the Chair's ruling was that this meant business other than what had already been discussed.

Mr. Charpentier was asked to speak to the propriety of the proposal. He confirmed the Chair's ruling and repeated that the Executive Committee had considered the issue and had referred it to the administration for advice. An update on progress would be given to the UAB at its next regular meeting. The administration would consult with the Chair of UAB to ensure that concerns identified today were part of the discussion.

On a point of order, the Vice-Chair asked again to have the motion placed on the table. The Chair ruled that it was inappropriate to re-open discussion on a previous item. On motion, duly moved and seconded, the Chair's ruling was challenged. The challenge was defeated.

The meeting was adjourned at 7:05 p.m.

Secretary

Chair

April 24, 2001