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OFFICE OF THE VICE-PROVOST, STUDENTS

TO: University Affairs Board

SPONSOR: David Farrar, Vice-Provost, Students
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DATE: March 16, 2004 for March 23, 2004

AGENDA ITEM: 10

ITEM IDENTIFICATION:

University of Toronto at Scarborough (UTSC) Referendum on Representation

JURISDICTIONAL INFORMATION:

The *University of Toronto Act* (1947) provides that the Governing Council “may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the [Governing Council], which shall be the recognized official student medium of communication on behalf of such students between them and the [Governing Council].”

The University Affairs Board is responsible for policy concerning representative student committees, student societies and campus organizations.

PREVIOUS ACTION TAKEN:

At present, there are three “representative student committees:” the Students’ Administrative Council (SAC; representing all full-time undergraduate students on all campuses), the Graduate Students’ Union (GSU; representing all graduate students on all campuses) and the Association of Part-time Undergraduate Students (APUS; representing all part-time undergraduate students on all campuses).

APUS became a representative student committee in the early 1970s. Prior to this, SAC represented all undergraduate students.

HIGHLIGHTS:

See the attached memorandum from Jim Delaney, Assistant Director, Student Affairs.

FINANCIAL AND/OR PLANNING IMPLICATIONS:

There are no implications for the University's operating budget.

RECOMMENDATION:

The report is presented for information only.



University of Toronto

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March 16, 2004

MEMORANDUM

TO: MEMBERS OF THE UNIVERSITY AFFAIRS BOARD

FROM: JIM DELANEY

SUBJECT: UNIVERSITY OF TORONTO AT SCARBOROUGH (UTSC) REPRESENTATION REFERENDUM

After many years of discussions concerning the representation of UTSC students, the Scarborough Campus Students' Union (SCSU) and the Students' Administrative Council (SAC) recently held a referendum among undergraduate students at UTSC to seek support to realign formal representation of students on the Scarborough campus and to realign the fees paid to SAC, SCSU and the Association of Part-time Undergraduate Students (APUS). At present, SAC and APUS are recognized by the Governing Council as the formal representatives of UTSC students as "representative student committees" pursuant to the *University of Toronto Act (1947)*.

The *Act* provides that the Governing Council "may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the [Governing Council], which shall be the recognized official student medium of communication on behalf of such students between them and the [Governing Council]."

The referendum, therefore, was designed to support a request to the Governing Council to designate SCSU as the formal representative of UTSC students and to realign fees charged by the University on behalf of SAC, APUS and SCSU. This memorandum addresses the issues related to the recognition of a new representative student committee pursuant to the *University of Toronto Act*. Issues related to the approval of student society fees pursuant to the *Policy for Compulsory Non-Academic Incidental Fees* will be addressed when other student society fee requests are considered.

The referendum questions for full-time and part-time undergraduate UTSC students are appended to this memorandum. The results of the referendum, which was held on January 20-21, 2004, are as follows:

FULL-TIME UNDERGRADUATE UTSC STUDENTS

YES	350	62.2%
NO	209	37.1%
Spoiled / Blank	<u>4</u>	0.7%
TOTAL	563	

Approximately 8% of full-time UTSC students (6,884)

PART-TIME UNDERGRADUATE UTSC STUDENTS

YES	8	14.0%
NO	47	82.5%
Spoiled / Blank	<u>2</u>	3.5%
TOTAL	57	

Approximately 8% of part-time UTSC students (671)

While the administration has no objections to the proposal in principle, we are not in a position at this time to make a recommendation to the University Affairs Board to approve the designation of a new formal representative of UTSC students. In order to make this recommendation, the administration is advised that there should be support from both segments of SCSU's membership.

In December, 2003 (prior to the referendum), advice was sought from the Office of the Governing Council on this matter. The substance of this advice is reprinted here:

The By-Law of SCSU (section 3.01) indicates that it represents all undergraduate students at UTSC. It is, in our view, imperative that this representation be acknowledged in the manner in which the proposed referendum is conducted, namely that both full-time and part-time undergraduate students be allowed to vote on the proposed restructuring of their representative organization. Limiting the vote to the full-time students only would be inappropriate and have the effect of disenfranchising a legitimate portion of the members of the organization.

We further advised that the referendum could be managed in two parts — with full-time students declaring on a question that determines whether there shall be a continued relationship between SCSU and SAC, and part-time students declaring on a similar question that determines whether there shall be a continued relationship between SCSU and the Association of Part-time Undergraduate Students (APUS).

Consistent with the University of Toronto Act (1947) which provides for recognition of representative committees of students, Governing Council would have to be asked to consider the outcome of the double referendum as the democratically stated will of the student body at UTSC. If that outcome were to direct that SCSU should be restructured to receive the student society compulsory non-academic incidental fees and to provide the

services currently offered by SCSU, SAC and APUS to UTSC students, the next step would be for the University Affairs Board, on behalf of the Governing Council, to consider a recommendation from the administration that:

- 1) All student society compulsory non-academic incidental fees collected from undergraduate students at UTSC, some of which are currently forwarded to SAC and APUS as the representative bodies of full-time or part-time undergraduates students at UTSC, shall henceforth be forwarded directly to UTSC as the recognized representative student society for all undergraduates at UTSC;*
- 2) SAC be de-recognized as the representative student society for full-time undergraduate students at UTSC; and*
- 3) APUS be de-recognized as the representative student society for part-time undergraduate students at UTSC.*

Finally, until such time as a new or revised Memorandum of Agreement between The University of Toronto, The Students' Administrative Council, The Graduate Students' Union and The Association of Part-time Undergraduate Students for a Long-Term Protocol on the Increase or Introduction of Compulsory Non-tuition Related Fees were negotiated between the University and the student societies it would be necessary for SAC and SCSU to enter into an agreement that, for the purposes of the Protocol, SAC would continue to be the signatory to the Protocol on behalf of itself and SCSU, with the Council on Student Services at UTSC continuing as the advisory body equivalent to the Council on Student Services at the St. George Campus.

The *Protocol* was negotiated pursuant to requirements established by the Ministry of Training, Colleges and Universities. The relevant Ministry guideline (from the *Ontario Operating Funds Distribution Manual*) is as follows:

5.2.7. Compulsory non-tuition-related ancillary fees (except as exempted in Section 5.2.8) which were in effect during the 1993-94 academic year can neither be increased above 1993-94 levels, nor expanded to include new fees, except through the implementation of a protocol which has been agreed to by representatives of the institution's administration and student government representatives ... and which has received approval from the institution's governing body. The protocol(s) will set out the means by which students will be involved in decisions to increase the existing compulsory non-tuition-related ancillary fees or to introduce new ones.

The term “student governments” is defined by the Ministry as “the minimum number of student organizations which have both elected leadership and by-laws setting out their methods of operation and which, when viewed in combination at an individual institution, represent all students who are eligible to vote for a student organization.”

Therefore, if UTSC students are no longer represented by any of the existing signatories to the agreement (i.e., SAC, APUS, and the GSU), the *Protocol* will no longer meet the requirements of the Ministry. If the *Protocol* does not meet these requirements, its provisions will no longer enable the Council on Student Services (COSS), the UTSC Council on Student Services (CSS), the UTM Quality Services to Students group (QSS) and the related mechanisms for fee increases.

Therefore, prior to any approval of a new representative student committee for UTSC students, there should either be a renegotiation of the *Protocol* (in order to include SCSU) or there should be a formal agreement between SCSU and SAC which would formally designate SAC as the representative of SCSU under the *Protocol* for the explicit purposes of meeting the requirements of the Ministry of Training, Colleges and Universities.

Notwithstanding all of the foregoing, **the administration has accepted the results of the referendum as an indication that full-time undergraduate students at the University of Toronto at Scarborough would like to be formally represented by the Scarborough Campus Students' Union instead of the Students' Administrative Council.** As such, the administration intends to honor this result (for the purposes of a future recommendation to the Governing Council concerning representation) until such time as a relevant proposal to the contrary is approved by referendum among full-time UTSC students.

In the future, if and when part-time undergraduate UTSC students approve an appropriate parallel proposal by referendum, the administration will be in a position to make appropriate recommendations to the University Affairs Board to recognize SCSU as the representative student committee for all UTSC students, to de-recognize SAC as the representative student committee of full-time UTSC students, and to de-recognized APUS as the representative student committee of part-time UTSC students.

At this time, the administration has no reason to believe that the results in the full-time undergraduate referendum cannot be used to support a request to the University Affairs Board to re-align the fees charged to full-time undergraduate students. The request to realign the fees will be considered in due course and provided that there has been compliance with University's procedures pursuant to the *Policy for Compulsory Non-Academic Incidental Fees*, appropriate recommendations will be presented to the Board with other student society fee changes (anticipated for the April 28th meeting of the Board).

In addition to the implications for the charging of fees and the representation of UTSC students, the proposal also addresses the delivery of services by SAC and SCSU. The administration believes that much of what SCSU and SAC wishes to achieve with respect to this, can be addressed in a formal agreement between the organizations without the approval of the Governing Council.

cc. P. Viridi, Interim President, SCSU
A. Morton, President SAC

JD/

Referendum Question for Full-time Undergraduate UTSC Students

Preamble

At present, full-time undergraduate students registered at the University of Toronto at Scarborough (UTSC) are charged \$42.21 per session for the Scarborough Campus Students' Union (SCSU) and \$115.76 per session for the Students' Administrative Council (SAC). The SCSU fee is currently charged in all 3 academic sessions. The SAC fee is currently charged only in the Fall and Winter Sessions. Each of the fees currently include a number of designated portions (as described on the back of this ballot).

SCSU and SAC are jointly supporting the realignment of all SCSU and SAC services and representation into a single, restructured SCSU for a single fee of \$157.97 per session. The proposed fee for SCSU would be charged to all full-time UTSC undergraduate students registered in any academic session. If this proposal is accepted, UTSC students would no longer be charged a SAC fee and all of the current designated components of the SAC fee would be included in the new SCSU fee.

By voting in favour of the question below, you are indicating your support for the following:

- An increase in the SCSU fee charged to full-time undergraduate UTSC students from \$42.21 per session to \$157.97 per session including all designated components and relevant conditions applicable to the current SCSU and SAC-UTSC fees (plus cost of living and inflation increases – see below).
- Charging the new full-time undergraduate SCSU fee in each academic session (Fall, Winter, and Summer).
- The elimination of the SAC fee currently charged to full-time undergraduate UTSC students.
- The realignment of the services and representation currently provided by SCSU and SAC into a single restructured SCSU.
- Annual cost of living and inflation increases to the relevant designated portions of the fee (subject to the provisions and conditions noted on the back of this ballot) beginning with the Fall 2004 session.

Question

Are you in favour of restructuring SCSU, of an increase to the full-time undergraduate SCSU fee beginning with the Fall 2004 session, and of the elimination of the SAC-UTSC fee, as described in the preamble?

YES NO

Current SCSU Fee

Society (cost of living increases permitted without referendum)	10.28
Refugee Student Program (through 2007-08)	0.75
Student Centre (cost of living increases permitted without referendum)	31.18
TOTAL	\$42.21

Current SAC-UTSC Fee

Society (cost of living increases permitted without referendum)	10.92
Women's Centre – St. George (refundable)	0.50
Downtown Legal Services (refundable)	0.50
Orientation (refundable)	0.50
Blue Sky Solar Racing Car Team (refundable)	0.13
Day Care Subsidy (refundable)	0.50
Wheelchair Accessibility Projects	1.00
Refugee Student Fund – U of T	0.30
Health Initiatives in Developing Countries (refundable)	0.25
Foster Children Program	0.05
U of T Environmental Resource Network (refundable)	0.25
Accident & Prescription Drug Insurance Plan (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	41.58
Dental Plan (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	59.28
TOTAL	\$115.76

Proposed SCSU Fee (full-time undergraduate UTSC students only)

Society (cost of living increases permitted without referendum)	21.20
Refugee Student Program (through 2007-08)	0.75
Student Centre (cost of living increases permitted without referendum)	31.18
Women's Centre – St. George (refundable)	0.50
Downtown Legal Services (refundable)	0.50
Orientation (refundable)	0.50
Blue Sky Solar Racing Car Team (refundable)	0.13
Day Care Subsidy (refundable)	0.50
Wheelchair Accessibility Projects	1.00
Refugee Student Fund – U of T	0.30
Health Initiatives in Developing Countries (refundable)	0.25
Foster Children Program	0.05
U of T Environmental Resource Network (refundable)	0.25
Accident & Prescription Drug Insurance Plan (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	41.58
Dental Plan (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	59.28
TOTAL	\$157.97

Referendum Question for Part-time Undergraduate UTSC Students

Preamble

At present, part-time undergraduate students registered at the University of Toronto at Scarborough (UTSC) are charged \$10.76 per session for the Scarborough Campus Students' Union (SCSU) and \$32.14 per session for the Association of Part-time Undergraduate Students (APUS). Both the SCSU fee and the APUS fee are currently charged in all 3 academic sessions (note - the Accident & Prescription Drug Insurance Plan is not charged in the Summer Session, and the Ontario Public Interest Research Group is \$1.00 in the Summer Session). Each of the fees currently include a number of designated portions (as described on the back of this ballot).

SCSU is proposing the realignment of all SCSU and APUS services and representation into a restructured SCSU for a single fee of \$42.90 per session. The proposed fee for SCSU would be charged to all part-time UTSC undergraduate students registered in any academic session. If this proposal is accepted, UTSC students would no longer be charged an APUS fee and all of the current designated components of the APUS fee would be included in the new SCSU fee.

By voting in favour of the question below, you are indicating your support for the following:

- The elimination of the APUS fee currently charged to part-time undergraduate UTSC students.
- A corresponding increase in the SCSU fee charged to part-time undergraduate UTSC students from \$10.76 per session to \$42.90 per session including all designated components and relevant conditions applicable to the current SCSU and APUS-UTSC fees (plus cost of living and inflation increases – see below).
- Annual cost of living and inflation increases to the relevant designated portions of the fee (subject to the provisions and conditions noted on the back of this ballot) beginning with the Fall 2004 session.
- Charging the new part-time undergraduate SCSU fee in each academic session (Fall, Winter, and Summer).
- The realignment of the services and representation currently provided by SCSU and APUS into a restructured SCSU.

Question

Are you in favour of the elimination of the APUS-UTSC fee, a corresponding increase to the part-time undergraduate SCSU fee beginning with the Fall 2004 session, and the restructuring of SCSU as described in the preamble?

YES NO

Current SCSU Fee

Society (cost of living increases permitted without referendum)	1.16
Refugee Student Program (through 2007-08)	0.25
Student Centre (cost of living increases permitted without referendum)	9.35
TOTAL	\$10.76

Current APUS-UTSC Fee

Society	10.00
Ontario Public Interest Research Group – Fall/Winter Session (Summer Session = \$1.00) (refundable)	0.50
Accident & Prescription Drug Insurance Plan (not charged in the Summer Session) (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	21.64
TOTAL	\$32.14

Current combined fees for SCSU and APUS-UTSC (as described above) \$42.90

Proposed SCSU Fee (part-time undergraduate UTSC students only)

Society (cost of living increases permitted without referendum)	11.16
Refugee Student Program (through 2007-08)	0.25
Student Centre (cost of living increases permitted without referendum)	9.35
Ontario Public Interest Research Group – Fall/Winter Session (Summer Session = \$1.00) (refundable)	0.50
Accident & Prescription Drug Insurance Plan (refundable; increases up to 10% permitted without referendum; including provincial sales tax)	21.64
TOTAL	\$42.90