



TO: University Affairs Board

SPONSOR: Jill Matus, Vice-Provost, Students

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DATE: January 25, 2011 for February 1, 2011

AGENDA ITEM: 4 (b)

ITEM IDENTIFICATION:

Compulsory Non-Academic Incidental Fees – Student Society Fees: Student Society Proposals for Fee Increases

JURISDICTIONAL INFORMATION:

The terms of reference of the University Affairs Board provide that the Board approves the establishment of and changes to compulsory non-academic incidental fees including those collected on behalf of student societies.

The administrative procedures are outlined in the *Policy on Compulsory Non-Academic Incidental Fees* and the *Handbook for Student Societies* (published by the Office of the Vice-Provost, Students). Pursuant to the *Policy*, requests for increases to fees must be supported by due constitutional and fair processes within student societies.

Requests for increases are brought forward to the Board by the administration on the assurances of the student societies that due constitutional procedures have been followed.

Increases which are greater than the cost of living must be supported by a positive result in a recent referendum. Requests for increases which are less than or equal to the cost of living must be supported by a previous referendum approving annual increases by an established inflation factor. When such a provision is approved by referendum, annual increases, no greater than the Ontario Consumer Price Index of the previous December (or no greater than a specific inflation factor approved by referendum), may be requested upon approval of the board or council of the organization.

PREVIOUS ACTION TAKEN:

Requests for changes to existing fees and/or the establishment of new fees are brought forward to the Board on one or more occasions each year. This is the second request on behalf of student societies brought forward this year.

HIGHLIGHTS:

The following student societies have requested changes to fees charged on their behalf by the University:

Arts and Science Students Union (ASSU) – see page 3

University of Toronto Mississauga Students Union (UTMSU) – see page 4

Additional information is provided on the referenced pages in the attached memorandum from Jim Delaney, Director, Office of the Vice-Provost, Students.

The requests have been reviewed by the Office of the Vice-Provost, Students in light of the requirements of the *Policy for Compulsory Non-Academic Incidental Fees* and are found to be in compliance. Therefore, the requests are recommended for approval.

FINANCIAL AND/OR PLANNING IMPLICATIONS:

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

RECOMMENDATION:

It is recommended that the University Affairs Board approve the following:

THAT, beginning in the Summer 2011, the society portion of the Arts and Science Students' Union (ASSU) fee be increased by \$2.00 per session, for all full-time undergraduate Arts and Science students on the St. George Campus. If approved, the total ASSU fee will be \$9.50 per session.

THAT, beginning in the Fall 2011 session, the UTMSU fee be increased by \$16.18/session in the U-Pass portion of the fee. If approved the total UTMSU fee will be increased to \$98.27, charged to all full-time fall/winter U of T Mississauga students.

THAT, beginning in the Summer 2011 session, a UTMSU full-time fee be established at \$86.50/session for a Summer U-Pass fee. If approved, the total UTMSU fee will be increased to \$117.34 charged to all full-time U of T Mississauga undergraduate.

THAT, beginning in the Summer 2011 session, a UTMSU part-time fee be established at \$86.50/session, entirely for Summer U-Pass service. If approved the UTMSU summer fee will be charge to all part-time undergraduate U of T Mississauga students.



MEMORANDUM

To: **Members of the University Affairs Board**

From: Jim Delaney

Date: January 25, 2011

Subject: **Student Society Proposals for Fee Increases**

Requests from the Arts and Science' Union (ASSU) and the Erindale College Students' Union, operating as University of Toronto Mississauga Students' Union (UTMSU), for the fee changes listed below have been received by the Office of the Vice-Provost, Students. The application has been reviewed in light of the requirements of the *Policy for Compulsory Non-Academic Incidental Fees*, and is found to be in compliance with these requirements, and is recommended for approval.

Requests for fee increases from student societies must meet a number of requirements. Section 2 of the *Policy for Compulsory Non-Academic Incidental Fees* outlines the University's general expectations:

Requests to change the fee collected on behalf of a student society and requests for new fees shall be approved only when evidence has been presented that the request has been authorized by due constitutional process in the organization.

Where the amount of an increase in the fee charged is not greater than the year-over-year change in consumer prices for Ontario as measured by Statistics Canada (December-over-December) as of December 31 of the previous year, the request must be supported by the results of a previous referendum approving the principle of a cost-of-living adjustment. Where the amount of an increase in the fee charged is greater than the year-over-year change in consumer prices, the request must be supported by the majority of the society's members voting in a recent referendum.

The procedures for handling fee change requests (from the *Handbook for Student Societies* published by this office) also provide that requests for a fee increase must be supplied with the following:

Evidence that the request to change the existing fee (or to institute a new charge) has been authorized by due constitutional process of the organization. This evidence should include a copy of or specific reference to the section of the society's

constitution which relates to the mechanism for fee changes, minutes of the meeting at which the resolution to request the change was passed, details and results of any referenda related to the subject which may have been held within the division, and publicity given the matter to ensure that those who may be affected by the change are aware of the proposal, including size and purpose of the increase, and have had the opportunity to make their views known.

Normally, the administration intersects with these processes at two points. Initially, we ask student societies to seek advice from this office on the wording of referendum questions (with respect to clarity and technical language). The second point occurs after the referendum when the student society makes the formal request for a fee increase. The recommendation for approval is derived from the assessment of whether or not the society has met the requirements established in the *Policy* and the relevant procedures.

Occasionally, the Office is asked to look into complaints about referendum procedures and compliance with relevant portions of the society's constitution and/or by-laws. The results of these investigations play a significant role in the assessment of the request and the recommendation for approval.

The assessment of requests for fee increases is normally based upon the following expectations:

- 1) The student society must make the request in a manner consistent with the *Policy for Compulsory Non-Academic Incidental Fees* and the University's procedures for increases to student society fees;
- 2) When required, there must be a positive result in a referendum for a fee increase (special conditions established by the society, such as quorum, must also be met);
- 3) The referendum question itself should be clear and provide enough information to students in order to gain a full understanding of the implications of the question and proposed fee for them;
- 4) The referendum must be held in a fair manner, advertised and promoted in a reasonable manner, and the members of each organization should be given a reasonable opportunity to vote; and
- 5) Each organization must comply with the provisions of its own by-laws, rules of procedure, and specific policies and procedures approved by the society's board or council.

It is important to note that when dealing with a student society request for a fee change, it is the society's own constitution, by-laws or established policies that set the standards for acceptable results in referenda. In some cases, society constitutions establish a minimum voter turnout in order to consider a referendum result to be valid. The University has not established additional criteria with respect to valid referendum voter turnout.

Arts and Science Students' Union (ASSU)

Background

The Arts and Science Students' Union (ASSU) fee has been \$7.50 per session since the fall 2005 session. This fee is charged to all full-time undergraduate Arts and Science students on the St. George Campus.

Requests

- 1) A \$2.00 increase to the society portion of the Arts and Science Student Union fee.

A referendum was held on November 3-4, 2010, in which full-time undergraduate Arts and Science student on the St. George campus were asked to support a \$2.00 per session increase to the ASSU fee. The wording of the question is as follows:

“The Arts and Science Students' Union (ASSU) is the largest academic student union in Canada. ASSU currently has one of the lowest student society levies at U of T. ASSU produces the ASSU ANTI-CALENDAR which provides student opinions on over 1,800 courses in the Faculty and the SUMMER ANTI-CALENDAR, and both are free for all students. ASSU also funds Student Course Unions in departments and programs (which have risen steadily over the last few years), grants over \$15,450 in bursaries and awards, and provides volunteer tutoring opportunities for students through Project: Universal Minds.

ASSU also handles all academic concerns in our Faculty, both broad based (ASSU successfully achieved 24-hour study space in Robarts, extension of the refund schedule, reduction in outstanding interest on tuition and eliminating and reducing Faculty fees, etc.) and individually (advising on personal academic problems, fighting for your rights, etc.)

Your academic Student Union is requesting a \$2.00 increase per session to the ASSU fee so that we can continue our existing projects, including the ASSU ANTI-CALENDAR, and support more Course Unions and their work. Unlike many student societies, ASSU does not adjust its fees for annual inflation.”

Do you approve a \$2.00 increase, from \$7.50 to \$9.50 per session, in the ASSU direct levy on full-time Arts and Science undergraduate students on the St. George campus, commencing in Summer 2011. Yes /No

The results of the referendum are as follows:

YES	413	75.3%	Approximate Number of Eligible Voters	23,000	
NO	88		Voter Turnout	548	2.2%
SPOILED	16		Difference between YES and NO	325	59%
TOTAL	548				

At its meeting on November 15, 2010, the ASSU Council accepted the referendum results and requests the increase.

In the course of considering this request, the Office of the Vice-Provost, Students has not received any complaints concerning the process leading up to the request.

Recommendation

THAT, beginning in the Summer 2011, the society portion of the Arts and Science Students' Union (ASSU) fee be increased by \$2.00 per session, for all full-time undergraduate Arts and Science students on the St. George Campus. If approved, the total ASSU fee will be \$9.50 per session.

University of Toronto at Mississauga Students' Union (UTMSU)

Background

The UTMSU fee has been \$82.09 per session for all full-time undergraduate students at the Mississauga Campus. The fee includes \$49.57 per session (fall/winter only) for the Mississauga Transit U-Pass.

A previous referendum approved in spring 2007 gave consent for annual increases in the U-Pass fee of up to 8% without an additional referendum.

In November 2010, UTMSU held a referendum seeking an increase to the fall /winter U-Pass fee of greater than 8%, as well as the addition of a fee for Summer U-Pass coverage, not currently offered to any students at UTM.

In a concurrent referendum, UTMSU also sought approval for a U-Pass fee applicable to part-time undergraduate students enrolled at UTM campus during the summer session. UTMSU sought legal advice regarding the implementation of this fee, as a decision from a previous court proceeding involving the Association of Part-Time Undergraduate Students (APUS) and UTMS, ostensibly prevented the society from collecting fees from

part-time undergraduate students enrolled at U of T Mississauga. UTMSU's legal opinion provides that "... the court order obtained by APUS in August 2008 does not prevent the collection of the U-Pass fee from summer part-time students at UTM"¹. UTMSU has shared this letter with the Office of the Vice-Provost, Students.

Requests

1. A \$16.18 increase to the UTMSU U-Pass portion of the fee. Further, students were asked to approve the implementation of an \$86.50 per session fee for the summer term for all full-time undergraduate students at the Mississauga campus.

A referendum was held on November 23-25, 2010, in which full-time undergraduate UTM students were asked to support a \$16.18 per session increase to the fee and an \$86.50 fee for the implementation of a summer session U-Pass. The wording of the question is as follows:

Preamble:

The 8-month Universal Pass (U-Pass) is an unlimited bus pass for all Mississauga Transit routes starting September 1st – April 30th inclusive. The 4-month Summer Universal Pass (Summer U-Pass) is an unlimited bus pass for all Mississauga Transit routes starting May 1st – August 31st inclusive. It applies to all full-time undergraduates at the University of Toronto Mississauga as defined by the University of Toronto Office of the Registrar.

The cost of the 8-month U-Pass (fall-winter) is \$130.00 (September 1st, 2011–April 30th, 2012 inclusive, increased from \$99.14) and the cost of the 4-month Summer U-Pass (May 1st, 2011- August 31st, 2011) is \$85.00. There will be an additional administrative fee of \$1.50 per pass; the administrative fee supports the local costs of U-Pass distribution, such as student wages and technology costs. The cost of the U-Pass will not increase by more than 9% annually without a referendum.

The University of Toronto Mississauga Students' Union will supervise administration and distribution of the full-time undergraduate 8-month and 4-month U-Pass.

¹Letter indicating a Legal Opinion provided by Davis, LLP to UTMSU on January 2011

Question: Are you in favor of a mandatory dedicated increase to the UTMSU fee for an 8-month universal bus pass (U-Pass) as described in the preamble? Y/N

Question: Are you in favor of a mandatory dedicated increase to the UTMSU fee for a 4-month Summer universal bus pass (U-Pass), applicable only to summer school students, as described in the preamble? Y/N

The results of the referendum are as follows:

Fall/Winter U-Pass Results

YES	5028	92%	Approximate Number of Eligible Voters	10640	
NO	313		Voter Turnout	5350	50.2%
SPOILED	9		Difference between YES and NO	4715	
TOTAL	5350				

Student Summer U-Pass Results (Full-Time Students):

YES	4971	92%	Approximate Number of Eligible Voters	10640	
NO	355		Voter Turnout	5392	50%
SPOILED	66		Difference between YES and NO	4616	
TOTAL	5392				

2. The wording of the Part-Time fee question is as follows:

Preamble:

The 4-month Universal Pass (Summer U-Pass) is an unlimited bus pass for all Mississauga Transit routes starting May 1st – August 30th, 2011 inclusive. It applies to all part-time students at the University of Toronto Mississauga as defined by the University of Toronto.

The cost of the 4-month U-Pass (May 1st to August 31st, 2011) is \$85.00. There will be an additional administrative fee of \$1.50; the administrative fee supports the local costs of U-Pass distribution, such as student wages and technology costs. The cost of the 4-month Summer U-Pass will not increase by more than 9% annually without a referendum.

The University of Toronto Mississauga Students' Union will supervise administration and distribution of the part-time undergraduate 4-month U-Pass.

Question: are you in favor of a mandatory dedicated increase to the UTMSU fee for a 4-month Summer universal bus pass (U-Pass), applicable to only part-time students registered in the summer session, as described in the preamble? Y/N

Part-Time Summer Student U-Pass Results

YES	75	92%	Approximate Number of Eligible Voters	884	
NO	9		Voter Turnout	84	9.5%
SPOILED	0		Difference between YES and NO	66	
TOTAL	84				

At its meeting on January 19, 2011, the UTMSU Board approved a resolution to accept the results of the referenda and requests the increases.

In the course of considering this request, the Office of the Vice-Provost, Students has not received any complaints concerning the process leading up to the request. However, the Elections and Referenda Committee (ERC) of UTMSU received three complaints. The complaints were investigated by UTMSU but ultimately did not have a bearing on the final results.

Recommendation

THAT, beginning in the Fall 2011 session, the UTMSU fee be increased by \$16.18/session in the U-Pass portion of the fee. If approved the total UTMSU fee will be increased to \$98.27, charged to all full-time fall/winter U of T Mississauga students.

THAT, beginning in the Summer 2011 session, a UTMSU full-time fee be established at \$86.50/session for a Summer U-Pass fee. If approved, the total UTMSU fee will be increased to \$117.34 charged to all full-time U of T Mississauga undergraduate.

THAT, beginning in the Summer 2011 session, a UTMSU part-time fee be established at \$86.50/session, entirely for Summer U-Pass service. If approved the UTMSU summer fee will be charge to all part-time undergraduate U of T Mississauga students.