



TO: University Affairs Board

SPONSOR: Jill Matus, Vice-Provost, Students

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DATE: March 7, 2012 for March 13, 2012

AGENDA ITEM: 7

**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 first request on behalf of student societies brought forward this year. These requests are brought forward at this time because the societies are making requests for increases effective the summer 2012 session.

**HIGHLIGHTS:**

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

**Association of Erindale Part-time Undergraduate Students (EPUS)** – see page 6

**Erindale College Student Union** (operating as the University of Toronto Mississauga Students' Union, UTMSU) – see page 9

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

The request has 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 is found to be in compliance. Therefore, the request is 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, on the condition that members of the Association of Erindale Part-time Undergraduate Students (EPUS) support the proposals for a Mississauga Transit U-Pass fee by referendum March 6-8, 2012, the University Affairs Board approve the following:

THAT, beginning in the Summer 2012 session the Association of Erindale Part-time Undergraduate Students (EPUS) fee be increased as follows: (a) an increase \$88.20 per session (summer session only) for a Mississauga Transit U-Pass; and (b) an increase of \$71.60 per session (fall and winter sessions only) for a Mississauga Transit U-Pass. If approved, the total EPUS fee will be \$93.95 per session in the summer session and \$76.35 in the fall and winter sessions, charged to all part-time undergraduate UTM students.

Note: Further requests for increases to the EPUS fee, to be implemented beginning in the fall of 2012, may be brought forward by the administration at a subsequent meeting.

THAT beginning in the summer 2012 session, the Erindale College Student Union (operating as the University of Toronto Mississauga Students' Union, UTMSU) fee be increased as follows: (a) an increase \$7.78 per session (summer session only) in the Mississauga Transit U-Pass portion of the fee; and (b) an increase of \$5.92 per session (fall and winter sessions only) in the Mississauga Transit U-Pass portion of the fee. If approved, the total UTMSU fee will be \$126.03 per session in the summer session and \$104.99 in the fall and winter sessions, charged to all full-time undergraduate UTM students.

Note: Further requests for increases to the UTMSU fee, to be implemented beginning in the fall of 2012, may be brought forward by the administration at a subsequent meeting.

## MEMORANDUM

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

From: Jim Delaney

Date: March 7, 2012

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

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Request from two student societies for the fee changes listed below has been received by the Office of the Vice-Provost, Students. The applications have been reviewed in light of the requirements of the *Policy for Compulsory Non-Academic Incidental Fees*, are found to be in compliance with these requirements, and are 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.

Societies which have previously received approval (by referendum) from their members for an annual cost of living increase in the society's portion of the fee may request increases, upon approval by the society's board or council, of up to the previous Ontario December to December cost of living increase (consumer price index) calculated by Statistics Canada. The December 2011 consumer price index for Ontario was 2.0%.

Where members of a society have given consent (through a previous referendum) to the concept of inflationary increases according to a specific inflation factor or measure, this factor or measure may be used in place of CPI.

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.

In addition, the administration relies heavily on the assurances of student societies that due constitutional and fair procedures have been followed.

### ***Association of Erindale Part-time Undergraduate Students (EPUS)***

#### **Reinstatement of EPUS Society Fee (For Information)**

On April 22, 2009, the University Affairs Board was advised that EPUS had failed to submit audited financial statements for the fiscal years 2002-03, 2003-04, 2004-05, 2005-06, 2006-07 and 2007-08. In addition, the administration was advised that EPUS had not been active in 2008-09 and that the society had not elected officers for that fiscal year.

The *Policy for Compulsory Non-Academic Incidental Fees* provides the following requirements:

The University shall continue to collect fees on behalf of student societies only so long as the individual societies operate in an open, accessible and democratic fashion, following the terms of their constitutions, and submit evidence, in the form of an annual report from an independent auditor licensed under the Public Accountancy Act, that adequate financial records are being maintained and that funds collected are being properly accounted for.

Accordingly, in consideration of the fact that audited financial statements had not been submitted for six years, and the fact that the society had been inactive since spring 2008, the administration suspended collection of the EPUS society fee (\$1.00 per session in fall/winter; \$2.00 per session in summer) beginning with the summer 2009 session.

Beginning in the summer of 2011, part-time students at UTM began the process of re-establishing and re-constituting EPUS. Ultimately, the organization provided documentation to the office of the Dean of Student Affairs at UTM and the Office of the Vice-Provost, Students which detailed the society's unsuccessful attempts to generate financial reporting for the missing years, its plans for this academic year, and the society's commitment to comply with the *Policy for Compulsory Non-Academic Incidental Fees*. The Dean of Student Affairs and I are satisfied that the society has been diligent in attempts to find the missing records and re-establish itself. Therefore, the administration has reinstated the EPUS society fee beginning in the summer 2012 session. Fees withheld from the society are being released to the organization (50% in winter 2012 and 50% in fall 2012).

#### **Background**

At present, the EPUS fee includes a portion for the society of \$1.00 per session (\$2.00 per session in summer) and \$3.75 per session (all sessions) for the UTM student centre, for all part-time undergraduate University of Toronto Mississauga students.

## Requests

- 1) The establishment of Mississauga Transit U-Pass fee of \$86.70 per session in the summer session and \$70.85 per session in fall/winter academic period.

Referenda will be held on March 6-8, 2012 in which part-time undergraduate UTM students will be asked to support the proposal. The wording of the referendum questions are as follows:

### Question 1 – Summer U-Pass:

#### *Preamble*

*The 4-month Universal Pass (Summer U-Pass) is an unlimited bus pass for all Mississauga Transit routes that takes effect on May 1st and ends after August 31st annually.*

*The cost of the Summer U-Pass is \$86.70 (May 1st, 2012 – August 31st, 2012). There will be an additional administrative fee of \$1.50, which 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.*

*Full-time students currently have access to the Summer U-Pass at the above price and terms. However, part-time students do not have access to this service. The definitions for “full-time student” and “part-time student” at the University of Toronto Mississauga are provided by the University of Toronto Office of the Registrar.*

*If this referendum is successful, all undergraduate students – both part-time and full-time – will have access to the Summer U-Pass service.*

#### *Question:*

*Are you in favour of a mandatory dedicated increase to the EPUS fee for a 4-month Summer universal bus pass (U-Pass) as described in the preamble? YES / NO*

### Question 1 – Fall/Winter U-Pass:

*The 8-month Universal Pass (U-Pass) is an unlimited bus pass for all Mississauga Transit routes that takes effect on September 1st and ends after April 30th annually.*

*The cost of the 8-month U-Pass is \$141.70 (September 1st, 2012 – April 30th, 2013). There will be an additional administrative fee of \$1.50 per pass, which 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.*

*Full-time students currently have access to the 8-month U-Pass at the above price and terms. However, part-time students do not have access to this service. The definitions for “full-time*

*Student Society Proposals for Fee Increases*

*student” and “part-time student” at the University of Toronto Mississauga are provided by the University of Toronto Office of the Registrar.*

*The Association of Erindale Part-time Undergraduate Students (EPUS) is in the process of negotiating the inclusion of part-time students into the 8-month U-Pass. Although the 8-month U-Pass is not yet guaranteed to part-time students, by voting in favour of this question, you will empower EPUS to negotiate more effectively with the City of Mississauga and Mississauga Transit. If this referendum is successful, and if a contract is agreed upon, the mandate received from this referendum would allow EPUS to implement the 8-month U-Pass service for part-time students.*

*Question:*

*Are you in favour of a mandatory dedicated increase to the EPUS fee for an 8-month universal bus pass (U-Pass) as described in the preamble?*

*YES / NO*

The results of the referenda will be reported to the University Affairs Board prior to consideration of the recommendation below.

In 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.

## **Summary of Changes**

See Schedule 1: Student Society Fees (attached).

## **Recommendation**

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

THAT, on the condition that members of the Association of Erindale Part-time Undergraduate Students (EPUS) support the proposals for a Mississauga Transit U-Pass fee by referendum March 6-8, 2012, the University Affairs Board approve the following:

THAT, beginning in the Summer 2012 session the Association of Erindale Part-time Undergraduate Students (EPUS) fee be increased as follows: (a) an increase \$88.20 per session (summer session only) for a Mississauga Transit U-Pass; and (b) an increase of \$71.60 per session (fall and winter sessions only) for a Mississauga Transit U-Pass. If approved, the total EPUS fee will be \$93.95 per session in the summer session and \$76.35 in the fall and winter sessions, charged to all part-time undergraduate UTM students.

Note: Further requests for increases to the EPUS fee, to be implemented beginning in the fall of 2012, may be brought forward by the administration at a subsequent meeting.



***Erindale College Student Union (operating as the University of Toronto Mississauga Students' Union; UTMSU)***

**Background**

At present, the UTMSU fee includes \$86.50 per session in the summer, and \$65.75 per session in the fall and winter sessions, for a Mississauga Transit U-Pass.

In accordance with the original referendum question, the UTMSU may request increases to the Mississauga Transit U-Pass portion of the fee of up to 9.0% upon approval of a resolution by the Board of Directors of UTMSU.

**Requests**

- 1) An inflationary increase in the Mississauga Transit U-Pass portions of the fee.

At its meeting held on February 17, 2012, the UTMSU Board approved two resolutions to request inflationary increases to the Mississauga Transit U-Pass portions of the fee.

In 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.

**Summary of Changes**

See Schedule 1: Student Society Fees (attached).

**Recommendation**

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

THAT beginning in the summer 2012 session, the Erindale College Student Union (operating as the University of Toronto Mississauga Students' Union, UTMSU) fee be increased as follows: (a) an increase \$7.78 per session (summer session only) in the Mississauga Transit U-Pass portion of the fee; and (b) an increase of \$5.92 per session (fall and winter sessions only) in the Mississauga Transit U-Pass portion of the fee. If approved, the total UTMSU fee will be \$126.03 per session in the summer session and \$104.99 in the fall and winter sessions, charged to all full-time undergraduate UTM students.

Note: Further requests for increases to the UTMSU fee, to be implemented beginning in the fall of 2012, may be brought forward by the administration at a subsequent meeting.