

**FOR INFORMATION****PUBLIC****OPEN SESSION**

**TO:** University Affairs Board

**SPONSOR:** Professor Sandy Welsh, Vice-Provost, Students

**CONTACT INFO:** Phone (416) 978-3870/E-mail vp.students@utoronto.ca

**PRESENTER:** See Sponsor

**CONTACT INFO:**

**DATE:** May 18, 2016 for May 25, 2016

**AGENDA ITEM:** 4

**ITEM IDENTIFICATION:**

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

**JURISDICTIONAL INFORMATION:**

The Terms of Reference for the University Affairs Board provide that the Board is responsible for compulsory non-academic incidental fees for the University and for the St. George Campus.

Section 5.1 of the UTM Campus Affairs Committee Terms of Reference lists student societies and compulsory non-academic incidental fees among the Committee's areas of responsibility.

Sections 5.4.1 and 5.4.2 provide that compulsory non-academic incidental fees for representative student committees and divisional student societies "are approved by the UTM Council on the recommendation of the UTM Campus Affairs Committee."

Following approval by the UTM Campus Council, student society fee increases are brought forward to the University Affairs Board for information.

Student society fees are subject to the terms and conditions of the *Policy on Ancillary Fees* (Category 2.0, "Student organizations and services provided by such organizations," and Category 3.0, "Student levies for specific, limited projects"), and the *Policy for Compulsory Non-Academic Incidental Fees* (Preamble, Section A., and in particular, Section B). More information on these sections is appended in the attached memo from Mark Overton, Dean of Student Affairs.

Increases which are greater than the cost of living must be supported by referendum. Other increases must be supported by a previous referendum approving the concept of annual increases by the cost of living or an explicit inflation factor.

The administrative procedures are outlined in the *Handbook for Student Societies*, which is published by the Office of the Vice-Provost, Students (OVPS).

Requests for increases are brought forward to the Committee by the administration on the assurances of the student societies that due constitutional and fair procedures have been followed within the societies concerned. If a complaint is received about the process related to a fee request from a student society, the OVPS makes inquiries about the issue and, if necessary investigates the matter further as part of the assessment of the request.

### **GOVERNANCE PATH:**

1. UTM Campus Affairs Committee [For Recommendation] (April 25, 2016)
2. UTM Campus Council [For Approval] (May 24, 2016)
3. **University Affairs Board [For Information] (May 25, 2016)**
4. Executive Committee [For Confirmation] (June 14, 2016)

### **PREVIOUS ACTION TAKEN:**

The 2015-16 U-Pass for UTM affiliated graduate students was approved as part of the Operating Plans for UTM Student Services by the Campus Affairs Committee meeting held on February 12, 2015, and UTM Campus Council on March 5, 2015. It was presented for information to the University Affairs Board on March 17, 2015.

### **HIGHLIGHTS:**

At the February 11, 2016 meeting of the UTM Campus Affairs Committee, the administration withdrew a portion of a motion concerning the U-Pass fee for UTM-affiliated graduate students when considering the item *Operating Plans and Fees: UTM Student Services*.

Following the UTM Campus Affairs Committee meeting, and in consultation with the Dean of Student Affairs, the University of Toronto Mississauga Association of Graduate Students (UTMAGS) proposed to establish itself as a student society at the University, and to assume responsibility for the administration of the U-Pass fee (similar to the undergraduate model for the U-Pass with UTMSU).

A referendum was held from March 28, 2016 to April 4, 2016, in which UTM affiliated graduate students were asked to establish the University of Toronto Mississauga Association of Graduate Students as a formal student society. A separate referendum question asked UTM affiliated graduate students to support the collection of a designated portion of a student society fee for the purposes of administering the U-Pass. Both referenda were successful.

At present, there is no fee for the University of Toronto Mississauga Association of Graduate Students (UTMAGS). Most UTM-affiliated graduate students currently pay a fall/winter 2015/16 Campus Services Fee of \$92.81 for a Mississauga Transit U-Pass, and a fall/winter 2015/16 Campus Services Fee of \$57.65 for a Summer Mississauga Transit U-Pass.

The portion of the withdrawn February 11, 2016 Campus Affairs Committee motion concerning the U-Pass fee for UTM-affiliated graduate students contained proposals to increase two fees: (1) an increase to \$101.17 for the Mississauga Transit Fall-Winter U-Pass; and (2) an increase to \$62.84 for the Mississauga Transit Summer U-Pass (2017). The University of Toronto Mississauga Association of Graduate Students has included these amounts as part of their request for a fee increase.

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. The requests are presented to the University Affairs Board for information.

**FINANCIAL IMPLICATIONS:**

There are no net implications for the campus' operating budget.

**RECOMMENDATION:**

The documentation is presented for information.

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**DOCUMENTATION PROVIDED:**

Memo to UTM Campus Affairs Committee:  
Compulsory Non-Academic Incidental Fees – UTM Student Society Proposals for Fee Increases

**TO: Members of the Campus Affairs Committee**

**FROM: Mark Overton, Dean of Student Affairs**

**DATE: April 18, 2016**

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

Requests from one UTM student society for the fee changes listed below have been received by the Office of the Vice-Provost, Students (OVPS), which manages the University-wide administrative processes related to student society fee requests. OVPS works with my office as necessary and keeps me informed with respect to the fee requests received from UTM student societies.

The applications have been reviewed in light of the requirements of the *Policy for Compulsory Non-Academic Incidental Fees*. The requests below 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 B.4. 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. The procedures to request approval of a new fee or an increase to an existing fee shall be published in the Handbook for Student Societies.*

#### *Cost of Living Increases*

*(a) 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. In special circumstances (e.g., when a portion of a student society fee is designated for a health plan or capital project), other inflation indexes or predetermined inflation factors may be used, provided that the request is supported by the results of a previous referendum approving the use of the specific inflation index or predetermined inflation factor.*

## *Referendum Requirement*

- (b) *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 the OVPS) 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 related 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, student societies are asked to seek advice from the OVPS on the wording of the 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 relevant procedures.

Occasionally, the OVPS 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.

As outlined in the excerpt from the *Policy* above, 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 inflation factor may be used. For example, the University of Toronto Mississauga Students' Union may request increases in the Mississauga Transit UPass portion of their fee of up to 9%.

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, with respect to both requests for increases based upon the results of a referendum, and increases which require only the approval of the society's board or council, the administration relies on the assurances of student societies that due constitutional processes and fair procedures have been followed.

### ***University of Toronto Mississauga Association of Graduate Students (UTMAGS)***

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#### **Background:**

At present, there is no fee for the University of Toronto Mississauga Association of Graduate Students (UTMAGS). Most UTM-affiliated graduate students currently pay a fall/winter 2015-2016 Campus Services Fee of \$92.81 for a Mississauga Transit U-Pass, and a fall/winter 2015-16 Campus Services Fee of \$57.65 for a Summer Mississauga Transit U-Pass.<sup>1</sup>

#### **Requests:**

- i. *The establishment of two new designated portions of a fee for a new student society of the University of Toronto*

A referendum was held from March 28, 2016 to April 4, 2016, in which UTM-affiliated graduate students were asked to support the collection of a fee for the University of Toronto Mississauga Association of Graduate Students. The wording of the question is as follows:

#### ***PREAMBLE***

(sent to all eligible students via e-mail because of character limits on the UelecT system)

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<sup>1</sup> Students enrolled in either the Master of Management and Professional Accounting program or the Diploma in Investigative and Forensic Accounting program do not pay a Mississauga Transit U-Pass Campus Service Fee.

*The UTM Association of Graduate Students (UTMAGS) is seeking consent from all registered UTM-affiliated graduate students to establish as a new student society at the University of Toronto, and to establish a new compulsory non-academic incidental fee for the society.*

*Currently, UTMAGS does not receive compulsory fees from UTM-affiliated graduate students. UTM-affiliated graduate students do, however, contribute \$185.62 in total for an 8-month September through April U-Pass and \$115.30 in total for a 4-month May through August U-Pass\*, which allows for unlimited, fare-free transportation on Mississauga Transit through those periods.*

*To allow for continued participation in the U-Pass for Summer 2016<sup>[2]</sup> and Fall and Winter 2016-17 and beyond, the UTM Association of Graduate Students (UTMAGS) seeks to:*

- 1) - become a University-recognized student society to explicitly represent UTM-affiliated graduate students in local matters (such as U-Pass contract negotiations with Mississauga Transit and approval of U-Pass fees), while remaining a course union represented and serviced by the Graduate Students Union on university and external matters (such as supplemental health and dental insurance, emergency grants, and issues advocacy), and*
- 2) - Realign the current administration of the U-Pass Program and its fee collection as a Student Society Fee.*

*This realignment would permit the elected UTMAGS executive committee to propose annual fee changes consistent with the U-Pass contract negotiated from time to time with Mississauga Transit.*

*If approved, a student society fee per session will be charged to all UTM-affiliated graduate students, beginning in the summer 2016 session. The continued participation of UTM-affiliated graduate students in the U-Pass program will be determined by this referendum.*

## **QUESTIONS**

(included on the ballot using the UelecT system)

### **QUESTION 1**

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<sup>2</sup> A Campus Services fee for the Mississauga Transit Summer 2016 U-Pass was approved at the February 12, 2015 meeting of Campus Affairs Committee with an increase to \$57.65 per fall and winter sessions for the Mississauga Transit Summer U-Pass (2016).

*Do you agree with the establishment of UTMAGS as a distinct Student Society representing UTM-affiliated graduate students for the purposes of local services and related fees?*

*Yes / No / Abstain*

The results of the referendum question are as follows:

YES:	156 (89%)	Approx. Number of Eligible Voters:	591
NO:	14 (8%)	Voter turnout:	176 (30%)
ABSTAIN:	6 (3%)		
TOTAL:	176		

*QUESTION 2 (A),*

*Do you agree with the realignment of the current U-Pass program administration and fee to UTMAGS as a Student Society Fee?*

*Yes / No / Abstain*

The results of the referendum question are as follows:

YES:	132 (86%)	Approx. Number of Eligible Voters:	403
NO:	18 (12%)	Voter turnout:	153 (38%)
ABSTAIN:	3 (2%)		
TOTAL:	153		

*QUESTION 2 (B)*

*If you voted yes to question 2 (a) above, do you also agree to allow the UTMAGS executive to seek annual inflationary increases to the U-Pass program fee of up to 10%, in accordance with the inflationary increases established by Mississauga Transit?*

*\*The MMPA & DIFA programs are exempt from all U-Pass charges and participation by those groups' choice. The U-Pass program does not allow individuals to opt-in or opt-out, although exempt groups can consult with UTMAGS on future participation.*

The results of the referendum question are as follows:

YES:	100 (65%)	Approx. Number of Eligible Voters:	403
NO:	35 (%)	Voter turnout:	153 (38%)
ABSTAIN:	3 (2%)		
TOTAL:	153		



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.

## Summary of Changes

Student Societies	Summer 2016		Fall 2016		Winter 2017		Summer 2015		Fall 2015		Winter 2016	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
<b>U of T at Mississauga Association of Graduate Students</b>												
Mississauga U-Pass (established by referendum in 2016; increases up to 10% permitted without referendum - approved spring 2016) (See note 2.)			101.17		101.17							
Mississauga Summer U-Pass (established by referendum in 2016; increases up to 10% permitted without referendum - approved spring 2016.) (See note 2.)			62.84		62.84							
<b>TOTAL</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$164.01</b>	<b>\$0.00</b>	<b>\$164.01</b>	<b>\$0.00</b>						
Change From Previous Year			(new)		(new)							
<b>Notes:</b>												
1) Applied Science & Engineering (APSC) students engaged in the Professional Experience Year (PEY) program are charged a part-time student fee.												
2) At UTMAGS request, DIFA and MMPA students are not charged any U-Pass fees												

## Recommendations

Be it Recommended to the University of Toronto Mississauga Campus Affairs Committee:

THAT beginning in the Summer 2016 session, a new **University of Toronto Mississauga Association of Graduate Students** fee be established as follows: (a) the establishment of a new designated portion of the fee for the Summer 2017 U-Pass Program at \$62.84 per fall and winter session; and (b) the establishment of a new designated portion of the fee for the Fall and Winter U-Pass Program at \$101.17 per fall and winter session.<sup>3</sup>

If approved, the total Fall/Winter UTMAGS fee will be \$164.01 per fall and winter session, charged to all UTM-affiliated graduate students.

<sup>3</sup> Further to UTMAGS' request, U-Pass Program fees will not be charged to Master of Management and Professional Accounting (MMPA) or Diploma in Investigative and Forensic Accounting (DIFA) students. Similarly, MMPA and DIFA students were not eligible to vote in the referendum for questions 2 (a) and 2 (b) above.