

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

**REPORT NUMBER 23 OF THE ELECTIONS COMMITTEE**

**May 14, 2001**

To the University Affairs Board,  
University of Toronto.

Your Committee reports that it met on Monday, May 14, 2001 at 12 noon in the Falconer Room, Simcoe Hall, with the following members present:

Ms Wendy Talfourd-Jones (In the Chair)  
Professor Brian Corman  
Mr. Josh Koziembrocki  
Ms Karen Lewis  
Mrs. Susan Scace

Secretariat  
Ms Cristina Oke

In Attendance: Mr. Muhammad Basil Ahmad, member, Governing Council  
Mr. Elan Ohayon, member, Governing Council  
Mr. Louis R. Charpentier, Secretary, Governing Council  
Ms Susan Girard, Chief Returning Officer, Governing Council Elections  
Ms Sangeeta Kerai, Secretary, Association of Part-time Undergraduate Students (APUS)  
Mr. Andrew Lefoley, APUS  
Mr. David Melville, Treasurer, APUS  
Ms Carmel O'Sullivan, President, APUS  
Mr. Chris Ramsaroop, student  
Ms Emily Sadowski, Vice-President, APUS  
Mr. Justin Saunders, past University Affairs Commissioner, Students' Administrative Council (SAC)  
Ms Karel Swift, University Registrar  
Mr. Paul Tsang, Executive Director, APUS

In this report, Item 3 is reported to the University Affairs Board for approval.

**1. Report of the Previous Meeting**

Report Number 22, dated February 9, 2001 was approved.

**2. Business Arising from the Previous Meeting**

There was no business arising.

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### 3. Special Students: Advice from the University Registrar

At the request of the Chair, the Secretary of the Governing Council reminded the Committee that the University Registrar had been asked to provide advice on whether or not any group or subset of special students could be identified as being in a designated program, and therefore meet the definition of 'student' under the *University of Toronto Act*. The *Act* provided no other option for including these individuals as members of a student constituency.

The Chair introduced the University Registrar, who was in attendance. The University Registrar advised the Committee that there was no identifiable subset of 'special students' pursuing a consistent / coherent program which the Governing Council could feasibly designate as a program of post-secondary study. A student who was registered as a 'special student' at the University of Toronto was one who was not pursuing an institutionally-defined program. 'Special students' were individuals who were attending the University of Toronto and pursuing a particular course or combination of courses for a self-defined outcome. Included in this group were visiting students, exchange students, cross-faculty students, post-baccalaureate students and students doing a make-up year. In 2000-01, 1,689 special students were registered at the University

The Chair invited Ms Carmel O'Sullivan, President of the Association of Part-time Undergraduate Students (APUS) to speak. Ms O'Sullivan stated the view of APUS that all students who had the same responsibilities, paid the same fees and were governed by the same university policies should have the same voting and representational rights. She requested, on behalf of APUS, that a review of special students be undertaken. The written submission of APUS is attached to this Report as Appendix "A".

The Chair invited Mr. Justin Saunders, past University Affairs Commissioner of the Students' Administrative Council (SAC) to speak. Mr. Saunders expressed the concern of SAC that a population of students was being denied the opportunity to participate in the governance of the University.

The following issues were raised in discussion:

- In response to a question on whether the number of special students was increasing, the University Registrar replied that it was her impression that the number had remained static for some time.
- Approximately one-third of special students were visiting students from other institutions. A member of the Committee suggested that visiting students should not be eligible to be candidates in an election.
- Special students were admitted under different policies for a different outcome than students who were proceeding to obtain a degree, certificate or diploma. The definition of special students was the same on all campuses. It was also a common registrarial term used across the university system.
- It was suggested that, in future, all full-time and part-time fee-paying students be allowed to be candidates in the elections for the Governing Council, with the caveat that they remain in their constituency for the year in which they serve.

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### 3. Special Students: Advice from the University Registrar (cont'd)

Invited to address the Committee, a member of the Governing Council argued that special students were, in his view, in programs. He referred to the fact that special students had a program designator (NDEG) on the Repository of Student Information (ROSI). He stressed further that they paid fees and that the University received government funding for them. In the opinion of the member of the Governing Council, the most vulnerable students were being excluded from governance, which was sending the wrong message to students.

It was noted that, although special students paid fees, including academic and ancillary fees, and, as a result, were entitled to receive all of the benefits, academic and other (e.g. library privileges, students services, access to athletic facilities) for which they paid, it did not follow that they met the criteria within the meaning of the *Act*. A parallel situation would be that of landed immigrants in Canada who pay taxes and are entitled to receive social benefits but who may not vote in federal or provincial elections.

Whereas your Committee has received and considered the advice of the University Registrar that there was no identifiable subset of 'special students' pursuing a consistent / coherent program which the Governing Council could feasibly designate as a program of post-secondary study,

And

Whereas the *University of Toronto Act* provides no other option for including these individuals as members of a student constituency and, as such, eligible to participate in the Governing Council elections,

On a motion duly moved and seconded,

YOUR COMMITTEE RECOMMENDS

THAT no action be taken on the matter of special students.

The motion was carried.

### 4. Other Business

#### (a) Part-time Undergraduate Student representative on the Governing Council

At the invitation of the Chair, the Secretary of the Governing Council reported that one of the part-time undergraduate students who had been acclaimed under the Elections Guidelines 2001 had withdrawn. No action could be taken until the results of both the leave to appeal the judicial review decision and any appeal had been received.

#### (b) Survey of Web-based Voting

The Chief Returning Officer reported that a survey on the web-based undergraduate student elections had been conducted by the Hitachi group at the University of Toronto at Mississauga. Results were expected prior to the June meeting of the University Affairs Board, and would be reported to the Board; they would also be distributed to members of the Elections Committee.

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**4. Other Business (cont'd)**

**(c) Thank you to Committee Members and Guests**

The Chair thanked members of the Committee for their work during the past year. The Chair also thanked the guests who were in attendance.

**(d) Address by Non-Member**

With the agreement of the Committee, the Chair invited Mr. David Melville to speak. Mr. Melville thanked the Committee for giving him the opportunity to express his views. He suggested that the Committee examine the issue of special students, and cross-faculty students: in his view, the eligibility of these students to participate in the elections process would be a recurring issue resulting from the diversity of the student body. In his opinion, such a study would be analogous to the survey of web-based voting that had been commissioned by the Committee to assess the impact of its decision to conduct the elections in that way.

The meeting adjourned at 4:05 pm.

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Secretary

May 16, 2001

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Chair