

UNIVERSITY OF TORONTO

THE GOVERNING COUNCIL

REPORT NUMBER 195 OF

THE UNIVERSITY AFFAIRS BOARD

May 25, 2016

To the Governing Council,
University of Toronto

Your Board reports that it met on Wednesday, May 25, 2016 at 4:30 p.m. in the Council Chamber, Simcoe Hall, with the following members present:

Mr. Andrew Szende, Chair
Ms. Catherine Riddell, Vice-Chair
Professor Meric S. Gertler, President
Professor Sandy Welsh, Vice-Provost,
Students
Mr. Vikram Sainadh Chadalawada
Ms Lucy Fromowitz, Assistant Vice-
President, Student Life
Ms. Susan Froom
Ms Sandra Hudson
Ms Jenna Leigh Jacobson
Professor Gretchen Kerr
Mr. Nykolaj F. Kuryluk
Dr. Joseph Leydon, (Chair, Campus
Affairs Committee, UTM)
Professor Jan K. Mahrt-Smith
Mr. John F. Monahan
Mr. Mark Henry Rowswell
Professor Elizabeth Smyth

Non-Voting Assessors:

Professor Cheryl Regehr, Vice-President and
Provost
Professor Angela Hildyard, Vice-President,
Human Resources and Equity
Ms Anne Macdonald, Director, Ancillary
Services
Mr. Mark Overton, Dean of Student Affairs,
University of Toronto Mississauga (UTM)
Mr. Desmond Pouyat, Dean of Student Affairs,
University of Toronto Scarborough (UTSC)
Ms. Meredith Strong, Director, Office of the
Vice-Provost, Students and Student Policy
Advisor

Secretariat:

Ms Sheree Drummond, Secretary of the
Governing Council
Mr. Patrick McNeill, Secretary

Regrets:

Ms. Erin Cicinelli
Mr. Kawin Ethayarajh
Ms. Sue Graham-Nutter
Mr. Paul Kutasi

Mr. Rhain Louis
Ms. Sylvia Mwangi
Mr. Ridwan Olow
Professor Nicholas Terpstra

In Attendance:

Mr. Raiyyan Khan, Member of the Governing Council
Ms Caitlin Campisi, former Member of the Governing Council
Ms Nour Alideeb, President, University of Toronto Mississauga Students' Union (UTMSU)
Ms Emma Arppe-Roberston, Executive Assistant to the Warden, Hart House
Ms Maleeha Baig, Vice-President Equity, UTMSU
Mr. Roger Bulgin, Chief Administrative Officer, Woodsworth College

In Attendance continued:

Dr. Allison Burgess, Sexual & Gender Diversity Officer
Ms Andrea Carter, Director, High Risk and AODAMs Sandra Carnegie-Douglas, Anti-Racism & Cultural Diversity Officer
Ms Sandra Carnegie-Douglas, Anti-Racism and Cultural Diversity Officer
Mr. Sam D'Angelo, Associate Director, Campus Police Services (St. George)
Mr. Adam Fox, Senior Advancement Research Officer, Arts and Science
Mr. Paul Fraumeni, Executive Director, Digital Creative Services
Ms Jennifer Galley, Student Life Officer, Campus Clubs and Organizations
Ms. Tracey Gameiro, Associate Director, Appeals, Discipline and Faculty Grievances
Ms Cheryl Gibbs, Executive Assistant to the Vice-Provost, Academic Programs
Mr. Tony Gray, Director of Strategic Research, President's Office
Ms Joan Griffin, Assistant Director, Office of the Vice-Provost, Students
Ms Shannon Howes, Manager, Student Policy Initiatives & High Risk
Ms Mala Kashyap, VP Equity, Association of Part-time Undergraduate Students (APUS)
Ms Heather Kelly, Senior Director, Student Success
Mr. Walied Khogali, University of Toronto Mississauga Students' Union (UTMSU)
Mr. Adam Kuhn, Director, Student and Campus Community Development
Mr. Chris Lang, Director, Appeals, Discipline and Faculty Grievances
Mr. Mike LeSage, Coordinator, Student Policy Initiatives, Office of the Vice-Provost, Students
Mr. Tom McIlhone, UTSC Campus Police Manager
Mr. Rob Messacar, UTM Campus Police
Mr. Steve Moate, Senior Counsel, President's Office
Mr. Mike Munroe, Campus Police Services (St. George)
Mr. David Newman, Senior Director of Student Experience, Office of Student Life
Mr. Richie Pyne, Vice-President External, Association of Part-Time Undergraduate Students (APUS)
Ms Danielle Sandhu, Executive Director, Association of Part-Time Undergraduate Students (APUS)
Ms Archana Sridhar, Assistant Provost
Ms Sitharsana Srithas, Vice-President External, Scarborough Campus Students' Union (SCSU)
Mr. Tyrell Subban, Vice-President Campus Life, UTMSU
Ms Kristen Wallace, Student Life Coordinator, Student and Campus Community Development

ITEM 1 IS REPORTED FOR RECOMMENDATION; ITEMS 3 AND 15 ARE REPORTED FOR APPROVAL; AND, ALL OTHER ITEMS ARE REPORTED FOR INFORMATION.

The Chair welcomed members and guests to the meeting, including student leaders, the President and the Provost.

The Chair stated that the Secretariat had received speaking requests which he had granted from four non-members and one Governing Council member who was not a member of the Board – all speaking requests pertained to the proposed *Policy on Open, Accessible and Democratic Autonomous Student Organizations*.

1. New Policy on Open, Accessible and Democratic Autonomous Student Organizations

The Chair stated that the Board was responsible for consideration of policy of a non-academic nature and matters that directly concerned the quality of student and campus life; and, had the mandate for monitoring matters within its area of responsibility. The Board's *Terms of Reference* also stated that it was responsible for policy concerning University-wide student societies and campus organizations and representative student groups, St. George student societies and St. George campus organizations.

Professor Welsh provided some background on the proposed *Policy* and explained that in 2014, the Provost had recommended the development of two policies in response to the *Report of the Student Societies Summit* – this was the first policy to be presented. She noted that over the years, complaints had been received by the Vice-President and Provost on election issues, fee increases or implementation issues, and potential non-compliance with some society by-laws. The new *Policy* would provide greater clarity on the terms “open, accessible and democratic,” as used in the *Policy for Compulsory Non-Academic Incidental Fees* and had included the creation of a dispute resolution mechanism for members of a student society when a complaint had not been satisfactorily resolved by the student society.

Professor Welsh stated that the proposed *Policy* had been developed to address several objectives:

- to affirm the rights of student organizations to operate independently and without interference from the University in their day-to-day operations;
- to provide guidance to Recognized Campus Groups on open, accessible and democratic functioning of their organizations;
- to provide further guidance to student societies on the terms open, accessible and democratic as stated in the *Policy for Compulsory Non-Academic Incidental Fees*;
- to provide opportunities to students to resolve complaints without the involvement of the Provost; and where resolution of an issue was not achieved, to provide recommendations pertaining to the Provost's assessment to withhold fees; and,
- to provide a repository of complaints made and the outcome for both the members and future executives of the student societies

Professor Welsh stated that the proposed *Policy* would not provide any additional power to the Vice-President and Provost; the authority to withhold fees would remain unchanged, as per the current practice.

Professor Welsh stated that consultation with student societies about the proposed policy had been built on the consultation work since 2012-13 and began in early 2015 with a document outlining principles and factors to be considered for a “*Proposed Policy on Open, Democratic and Accessible Operation of Student Organizations*” – it had been distributed broadly and had formed the basis for initial discussions regarding the new *Policy* with Student Societies.

Professor Welsh reported that a student consultation website was created to solicit feedback more broadly in February 2016. All student societies and recognized campus groups had received information regarding the website and the information was posted more broadly including on Blackboard and information screens across the University. The proposed *Policy* was also discussed in a number of meetings, including meetings of the Provost's Undergraduate Student Advisory Group.

1. New Policy on Open, Accessible and Democratic Autonomous Student Organizations (continued)

Professor Welsh noted that although her office was not always able to schedule dedicated time with individual societies, representatives of the larger societies had attended various meetings where the *Policy* was discussed. Based on feedback, changes were made to the *Policy*, such as membership of the Council, the creation of a pool of students appointed by each Student Society and a change in the way in which the Chair is appointed. Professor Welsh commented that some student representatives had indicated they were in agreement with the principles and the creation of the Complaint and Resolution Council for Student Societies (CRCSS). Other student representatives had indicated that the proposed *Policy* encroached on the autonomy of their organizations and had signalled that they would not support such a policy.

In response to a written question, Professor Welsh stated that since the Spring of 2008, 12 allegations had been formally reviewed by the Office of the Vice-Provost, Students (OVPS). Over the last 2 years, over 10 issues had been brought to the attention of OVPS, but referred back to the relevant society so that the society could first address the complaint. Other complaints related to proposed fee increases had been dealt with through existing provisions in the *Policy for Compulsory Non-Academic Incidental Fees*. In addition, some complaints were related to the lack of a society's internal process to deal with a complaint. Professor Welsh indicated that the concern is regarding the magnitude of the complaints and the reoccurrence of similar issues within a society that last beyond a single administration. Ultimately, it is preferable if all complaints were resolved at the level of the society.

With the consensus of the Board, the Chair invited the requested speakers in attendance to present – these included representatives from UTMSU, APUS and SCSU; and a Governing Council member.

The student representatives (UTMSU, APUS and SCSU) expressed their concern and non-support of the proposed *Policy*. Highlights of the concerns included the following:

- lack of information, transparency and data;
- lack of consultation with some stakeholders;
- the lack of authority of the Governing Council to create the Council;
- non-support of *The Summit* and related discussions and outcomes; and
- intrusion of autonomy and non-binding issues associated with incorporated entities.

In the discussion that followed, Professor Welsh provided some clarification on the following:

- Societies had been invited to discuss the proposed *Policy* as part of the consultation process;
- students would be appointed by each Student Society to serve, as required, on the CRCSS panel – such appointments would reflect the diversity of the complaint(s) and the type the responding student society;
- in the current process, the Provost reviews complaints after all other dispute/complaint resolution processes had been exhausted by the student societies. In the proposed policy, the Council would review complaints after all other dispute/complaint resolution processes within the student society had been exhausted.
- the proposed *Policy* would not provide any additional power to the Vice-President and Provost; the authority to withhold fees would remain unchanged, as per the current practice;
- it was not intended that the proposed *Policy* would create a “quasi-judicial” process;
- the Provost would support a report-back in 2 years to the Board regarding the implementation of the *Policy* and results.

1. New Policy on Open, Accessible and Democratic Autonomous Student Organizations
(continued)

On motion duly moved, seconded and carried

YOUR BOARD RECOMMENDED

THAT the proposed Policy on Open, Accessible and Democratic Autonomous Student Organizations, be approved, effective immediately, subject to approval of the revisions of the *Terms of Reference* of the University Affairs Board.

2. Revision to University Affairs Board *Terms of Reference*

The Chair referred members to the proposed revision of the UAB's *Terms of Reference* noting that it was connected to the successful adoption of the *Policy* by the Governing Council – it was provided for information. This revision would enter the governance stream at the Executive Committee level and would be presented for approval by the Governing Council at its meeting on June 23, 2016.

Professor Welsh stated that the Board's Terms of Reference would need to be revised in order to reflect the provision in the proposed *Policy* to appoint the Chair of the proposed *Complaint and Resolution Council for Student Societies (CRCSS)*.

Ms Sheree Drummond, Secretary of the Governing Council, advised that a motion to recommend approval of the proposed revision might be appropriate¹.

3. Amendment to Constitution of the Board of Stewards of Hart House

The Chair stated that the Board had approved the Constitution of Hart House and was responsible to approve any further revisions to it. He noted that the proposed amendments had been approved by Hart House Board of Stewards.

Professor Welsh reported that the proposed amendments to the Constitution of the Board of Stewards of Hart House expanded the definition of "Senior Members" of Hart House (i.e. those members aged 18 or over, who are not U of T Student Members, and who have paid the requisite membership fees) to include those who were not alumni of a recognized university.

Mr. Monahan confirmed that the revisions were intended to expand Hart House's membership, promote principles of equity, and enhance the diversity of membership to build and strengthen community.

¹ SECRETARY'S NOTE: A subsequent review following the meeting confirmed that the governance path as outlined on the Cover Sheet for Item No. 2 was appropriate, namely the Governance Path is as follows: 1. *University Affairs Board [for information] (May 25, 2016)*; 2. *Executive Committee [for endorsement and forwarding] (June 14, 2016)*; and 3. *Governing Council [for approval] (June 23, 2016)*.

3. Amendment to Constitution of the Board of Stewards of Hart House (continued)

On motion duly moved, seconded and carried

IT WAS RESOLVED

THAT the amended Hart House Constitution of the Board of Stewards, which was approved by the Board of Stewards on April 7, 2016, be approved.

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

The Chair reminded the Board that compulsory non-academic incidental fees for representative student committees and divisional Student Societies, including UTM, were approved by the Campus Council on the recommendation of its Campus Affairs Committee.

Professor Welsh stated that the student society fee had been approved by UTM's Campus Council, and was being brought forward to UAB for information.

5. Annual Report: Recognized Campus Groups

The Chair stated that under the *Policy on the Recognition of Campus Groups*, the administration was responsible for the granting, denying or withdrawing of recognition for campus groups. The University Affairs Board received for information an annual report of such administrative decisions for the St. George campus. The Board also received, for information, the reports presented to each of the respective Campus Affairs Committees at UTM and UTSC.

a) University of Toronto Mississauga

The Chair stated that the annual report for recognized campus groups at UTM had been received by the UTM Campus Affairs Committee – it was provided to the University Affairs Board for information.

Members of the University Affairs Board had no questions about the report.

b) University of Toronto Scarborough

The Chair stated that the annual report for recognized campus groups at UTSC had been received by the Campus Affairs Committee – it was provided to the University Affairs Board for information.

Members of the University Affairs Board had no questions about the report.

5. Annual Report: Recognized Campus Groups (continued)**c) University of Toronto, St. George**

Professor Welsh informed members that the Office of Student Life had recognized 734 groups on the St. George campus for the 2015-16 academic year. One group was denied recognition. Recognition had not been withdrawn from any groups.

Professor Welsh commented that the list of recognized campus groups was a reflection of the wide diversity of ways that students had chosen to become involved in campus life. In addition to the 1,068 recognized campus groups across the three campuses listed in the reports, there were hundreds of additional clubs and many athletics and recreation activities, which had added significantly to the educational, intellectual, recreational, social and cultural life of the U of T community. As well, many students had been involved in student governments, college and faculty student societies, course unions, and departmental student associations.

Members of the University Affairs Board had no questions about the report.

6. Annual Report: Police Services

The Chair stated that the University Affairs Board received for information an annual on campus police services for the St. George campus. The Board also received, for information, the reports that had been previously presented to each of the respective Campus Affairs Committees at UTM and UTSC.

a) University of Toronto Mississauga

Professor Welsh stated that the annual report on Campus Police Services at UTM had been received by the Campus Affairs Committee.

Members of the University Affairs Board had no questions on the report.

b) University of Toronto Scarborough

Professor Welsh stated that the annual report on Campus Police Services at UTSC had been received by the Campus Affairs Committee.

Members of the University Affairs Board had no questions on the report.

6. Annual Report: Police Services (continued)**c) University of Toronto, St. George**

Professor Welsh stated that the St. George campus report was presented to the Board for information.

Professor Welsh introduced Mr. Sam D'Angelo, Associate Director, Campus Police Services (St. George Campus).

Mr. D'Angelo commented on the success of the Pan Am and Parapan Am Games at UTSC and St. George – he noted the high level of cooperation with local police services.

Members of the University Affairs Board had no questions on the report.

7. Annual Report: Code of Conduct for Trademark Licensees

The Chair stated that the University Affairs Board's areas of responsibility included the use of the University of Toronto name. The University of Toronto Trademark Licensing Policy charged the Board with receiving annual reports on the operation of and issues connected with the trademark licensing program. The report was received by the Board for information.

Professor Welsh introduced Ms Anne Macdonald, Director, Ancillary Services. Ms Macdonald stated that the Trademark Licensing Office was a self-funded unit within the department of Ancillary Services and had one full-time employee.

Members of the University Affairs Board had no questions on the report.

8. Annual Report: 2016 Annual Report of Equity, Diversity and Excellence

The Chair stated that the University Affairs Board had responsibility for equity issues and initiatives and that it received an annual report from Human Resources and Equity for information.

Professor Hildyard presented the annual report. She noted the University's ongoing commitment to address equity and diversity issues through the creation of dedicated offices and roles to support the university community.

Highlights of Professor Hildyard's report included:

- the main focus of Human Resources and Equity was to raise awareness and provide opportunities for all university members;
- U of T had been named as one of "*Canada's Best Diversity Employers*" and "*Canada's Top Family Friendly Employers*";
- U of T had also been named as one of "*Canada's Top 10 Employers*" for 2015 and one of "*Greater Toronto's Top Employers*" for 2015;
- the University had successfully welcomed the world and hosted a number of Pan Am and Parapan Am events at the St. George and Scarborough campuses. The Games had led to a number of impressive infrastructure additions, including the Pan Am Sports Centre at UTSC;
- the website supporting the Accessibility for Ontarians with Disabilities Act (AODA) Office was re-organized to provide a clearer path for accessing available materials and new resources on accessible web design were added;

8. Annual Report: 2016 Annual Report of Equity, Diversity and Excellence (continued)

- key changes to the structure of the employment equity survey had been underway and would include updated references to Indigenous/Aboriginal people, Racialized Persons from visible minorities; and LGBTQ from sexual minorities.

Members commended Professor Hildyard on the admirable initiatives and progressive changes that had been underway with respect to collecting information. A member asked if the collection of data extended to Teaching Assistants (TAs).

Professor Hildyard confirmed that TAs were included in the survey group.

9. Annual Report: Code of Student Conduct Statistics

The Chair stated that the Board received, annually from its assessors, reports on matters within its areas of responsibility, including non-academic discipline. He added that Section 5 of the *Memorandum on the Maintenance and Use of Records of Non-Academic Discipline Proceedings* provided that: *Decisions of the Hearing Officer, including the name of the respondent, the offence and the sanction, shall be reported to the Vice-President & Provost, who shall convey the information, anonymously and in statistical form, annually to the University Affairs Board.* The Report was presented for information.

Professor Welsh reported that one case proceeded to a Hearing in 2014-2015 – information regarding the outcome of the Hearing was included in the *Report*. She commented that in October 2009, the Vice-Provost's office, in partnership with the Appeals, Discipline and Faculty Grievances office, had undertaken a process review of the *Code of Student Conduct* to consider administrative and procedural issues, including University-wide consistency of approach and application where appropriate. The review had prompted the development of a more robust structure in order to support the *Policy*. It also included the implementation of annual training on the *Code* for Division Heads, Investigating Officers and Hearing Officers.

Professor Welsh stated that the *Report* provided statistics regarding concluded Code cases sorted by types of offence, division, statistical, and hearing information; and included data for the 2015-16 academic year as of April 30, 2016. The information would be updated to reflect the entire 2015-16 academic year and would be submitted to the University Affairs Board annually.

Members of the University Affairs Board had no questions about the report.

CONSENT AGENDA

On motion duly moved, seconded, and carried

YOUR BOARD APPROVED

THAT the consent agenda be adopted and items on it approved.

10. Report of the Previous Meeting: Report Number 194, April 28, 2016

Report number 194, from the meeting of April 28, 2016 was approved.

11. Business Arising from the Report of the Previous Meeting

In response to a question at the previous meeting, Professor Welsh provided clarification of Audit Reports as being “*qualified*” or “*non-qualified*”. She stated that nine student societies had received an “unqualified Audit Opinion” and seventeen student societies had received a “Qualified Audit Opinion”.

12. Date of Next Meeting: Wednesday, October 5, 2016 at 4:30 p.m.

The Chair informed members that the next meeting was scheduled for Wednesday, October 5, 2016 at 4:30 p.m.

13. Report of the Senior AssessorResponse to Sexual Violence

Professor Welsh reported that the membership of the Expert Panels to Guide the University's Response to Sexual Violence had been announced. This information was available on the Provost's website (<http://memos.provost.utoronto.ca/>).

Professor Welsh expressed her thanks for the service and diligence of University Affairs Board members over the 2015-2016 year.

14. Other Business**a) Board Evaluation Survey**

The Chair had encouraged members to complete the on-line Board Evaluation Survey that would be distributed by the Secretary and noted that the input helped governance leadership and the Secretariat in their annual meeting planning.

b) Appreciation

The Chair thanked all the members of the Board for their service over the past year; and Ms Riddell, the Vice-Chair, for her support.

The Chair extended thanks to Professor Welsh and to the other Assessors for their contributions to the Board. He recognized and thanked the staff who had played a key role in coordinating the flow of business for the Board: Professor Regehr, Professor Hildyard, Ms Fromowitz, Ms MacDonald, Mr. Overton, Mr. Pouyat, Mr. Lesage, Ms Howes and Ms Strong.

The Chair also acknowledged the work of the Secretariat for their support of the Board.

The Committee Moved *In Camera*.

15. Annual Report: Striking Committee – University Affairs BoardUniversity Affairs Board

On a motion duly moved, seconded and carried

IT WAS APPROVED

THAT the following be appointed to the University Affairs Board for a one-year term from July 1, 2016 to June 30, 2017.

Administrative Staff

Mr. Vikram Chadalawada
Ms Sandy Chang
Mr. Adam Fox

Students

Mr. Nathan Chan
Ms Katharine Dunlop
Mr. Modele Kuforiji
Ms Sylvia Mwangi
Ms Sherice Robertson

Membership of the Discipline Appeals Board

On a motion duly moved, seconded and carried

IT WAS APPROVED

THAT the following be appointed to the Discipline Appeals Board for a one-year term from July 1, 2016 to June 30, 2017.

Staff Members

Professor Joel Kirsh
Ms Cheryl Shook

Student Members:

Ms Caitlin Campisi
Ms Aislin Flynn
Ms Susan Froom
Ms Sylvia Mwangi

The Committee returned to open session.

The meeting adjourned at 6:29 p.m.

Secretary

Chair

June 7, 2016