



**Excerpt from Draft Report Number 456 of the Executive Committee, June 17, 2013**

**Items 2(d), 2(e) and 14(a)**

- 2(d) Agreement for the Student Commons at 230 College Street**
- 2(e) Capital Project: Report of the Project Planning Committee for the Student Commons at 230 College Street**
- 14(a) Student Commons Capital Project at 230 College Street – Sources of Funding and Total Project Cost**

Professor Hodnett reported on the Academic Board's deliberations on the Agreement for the Student Commons at 230 College Street. She reminded members that, in 2011, the University of Toronto Students' Union (UTSU) and the University had agreed that the 230 College Street location would be better than the site originally proposed for the Student Commons on Devonshire Place, and discussions proceeded for the new site. The site would provide for an expanded range of high-quality spaces for student-led activities. At the Board meeting, Professor Misak had introduced the Agreement, noting that it was the outcome of many years' work on the part of both the students and the University. She had explained that the Agreement took into account a number of scenarios, including allowances for termination of the Agreement in the event that the Students' Administrative Council (SAC / UTSU) either no longer existed or was no longer the representative of full-time undergraduate students on the St. George campus. Professor Misak had spoken to the referenda in which some student societies voted to divert their fees away from UTSU. She briefly outlined the most recent disputes among some student societies and had expressed her hope that there would be an agreement amongst the student societies about the issues. Following the discussion, the Board had accepted the recommendation of the Planning and Budget Committee and recommended approval of the agreement.

Professor Misak briefed the Committee on the discussion, facilitated by Professor Brian Langille from the Faculty of Law, between the student groups that had occurred on June 6, 2013. [The student groups were UTSU, the Engineering Society (EngSoc), Trinity College Meeting (TCM) and Victoria University Students' Administrative Council (VUSAC).] Although the parties had failed to come to an agreement, there had been some progress toward clarifying the issues. As a result, the administration, with the agreement of the students, would be putting in place a process whereby members of the administration would be more involved in guiding the process toward a resolution of the questions raised by the fee diversion referenda and the longstanding concerns about electoral reform within UTSU.

At the meetings of the Planning and Budget Committee and of the Academic and University Affairs Boards members had inquired about the implications of proceeding with approval of the capital project and the operating agreement at this time, given the ongoing dispute among UTSU, EngSoc, TCM and VUSAC. Those concerns had been echoed by governors at the information session held on June 10<sup>th</sup> at which the Provost and representatives from the student groups had presented their perspectives on the fee

diversion referenda. The Chair invited the Provost to clarify the implications of approving the operating agreement in light of these circumstances.

Professor Misak explained that the management agreement was predicated on the existence of a single representative body for all undergraduate students on the St. George campus. Modelled on the University's agreement with the Scarborough College Students' Union (SCSU), the 50-year management agreement had taken seven years to negotiate. In the present context, it was not unreasonable to query the viability of the current single representative – SAC / UTSU – especially in considering approval of such a long-term commitment. She emphasized, however, that the student groups had asserted their shared commitment to working with her office towards a resolution. In her view, the process could result in various outcomes, two of which might be: a recommendation to revise the existing *Policy on Compulsory Non-academic Incidental Fees* or significant reforms within UTSU. The former would require negotiating a new management agreement; the latter would mean that proposed agreement could be proceed.

In discussion, Executive Committee members noted the support of the Planning and Budget Committee and that of the Academic and University Affairs Boards for the capital project, but expressed reservations about recommending approval of the management agreement in the absence of a resolution to, or further clarity regarding, the questions arising from the continuing discussion of UTSU's democratic reform and divisional societies' fee diversion referenda. In considering its decision, the Executive Committee sought legal advice regarding the interpretation of the proposed Agreement, and regarding the potential intersection of disputes among the student societies with structure of the Agreement.

In light of all of the above, members expressed the view that to put the items forward to Governing Council for consideration at its next meeting would be premature, and that it would be more prudent to defer consideration to a future cycle once the disputes have been resolved or constructively dealt with through the deliberations to be facilitated by the Provost. Members emphasized, however, that this was an important initiative that should ultimately receive support once the current uncertainties were resolved or clarified

On a motion duly moved, seconded and carried,

YOUR COMMITTEE APPROVED

THAT the proposed Student Commons Agreement, as outlined in the memorandum dated May 1, 2013 from the Vice-President and Provost, and the Project Planning Committee Report for the Student Commons at 230 College Street, dated April 16, 2013, be brought back to the Executive Committee for consideration for inclusion on a Governing Council meeting agenda within a reasonable time during which issues among the Students' Administrative Council (SAC / UTSU) and various divisional student societies, which may impinge on aspects of the Student Commons Agreement, may be further discussed and satisfactorily resolved or constructively dealt with by the societies and the Administration.