



FOR INFORMATION

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TO: Governing Council

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DATE: May 14, 2014 for May 22, 2014

AGENDA ITEM: 5

ITEM IDENTIFICATION:

Report on the University of Toronto Student Societies Summit

JURISDICTIONAL INFORMATION:

The Governing Council receives reports from the senior administration of the University as requested.

GOVERNANCE PATH

1. Executive Committee [For Information] (May 12, 2014)
2. **Governing Council [For Information] (May 22, 2014)**

PREVIOUS ACTION TAKEN:

At the June 27, 2013 Governing Council meeting¹, members were informed that the Executive Committee had resolved to defer consideration of the Student Commons Agreement until such time as disputes among the University of Toronto Students' Union (UTSU), the Engineering Society, the Trinity College Meeting and the Victoria University Students' Association "have been resolved or constructively dealt with through the deliberations to be facilitated by the Provost."

Accordingly, former Provost Cheryl Misak set up an Undergraduate Student Societies Summit. The Summit, including experts in democratic theory and practice, and student group representatives, considered and discussed the issues very extensively over the course of the 2013-14 academic year.

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<http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Boards+and+Committees/Governing+Council/2013-2014+Academic+Year/r0627.pdf>

HIGHLIGHTS:

The Report on the University of Toronto Student Societies Summit was received by the Provost's Office on April 14, 2014. The Report, written by Professors Don Ainslie, Joe Desloges, Graham White and Linda White, contained a number of recommendations emerging from regular meetings held with undergraduate student societies between October 2013 and March 2014. The Report is posted on the Provost's Office website.²

The Provost's Office will analyze the Report and the recommendations, and will assess policy options and implications. In the next few months, the Provost's Office, consulting with others, will work to prepare a formal administrative response to the Report to be presented to governors in the Fall.

FINANCIAL IMPLICATIONS:

Not applicable.

RECOMMENDATION:

This Report is brought forward for information prior to a forthcoming administrative response and potential future recommendations regarding policy changes.

DOCUMENTATION PROVIDED:

Report on the University of Toronto Student Societies Summit (April 14, 2014)

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<http://www.provost.utoronto.ca/Assets/Provost+Digital+Assets/Provost/Provost+Digital+Assets/Provost/Reports/summitreport.pdf>

Report

University of Toronto Student Societies Summit

**Prepared For: Professor Cheryl Regehr
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April 14, 2014

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i. Summary and Recommendations

1. That the Governing Council of the University of Toronto establish a robust policy for student societies that, while recognizing the autonomy of those societies, also reinforces their obligations to represent and benefit members and includes a process for creating or restructuring societies.
2. That the new policy for student societies require that every society use an arms-length Chief Returning Officer (CRO) who has been appropriately certified by the University.
3. That the new policy for student societies include the establishment of a university-wide Student Society Appeals Board that would serve as a court of final resort for all complaints about the conduct of particular student societies, including elections complaints.
4. That the new policy give the Appeals Board the power to issue binding directives to student societies, where nonconformity with such directives would be grounds for the Provost, on the basis of the “Policy for Compulsory Non-Academic Incidental Fees,” to withhold fees from a society for failing to operate in a “open, accessible and democratic” fashion.
5. That, to guide the deliberations of the new Appeals Board and to flesh out the requirement that student societies operate in an “open, accessible and democratic” fashion, the Office of the Vice-Provost Students develop governance guidelines, including guidelines for the conduct of elections.
6. That these guidelines address appropriate use of voting technologies, the role of slates in elections, rules for the involvement of non-society members in society elections, and the need for societies to ensure that all their constituencies are appropriately represented in their activities.
7. That these guidelines address how executives within societies can increase accountability to their membership.
8. That the new policy for student societies be implemented as soon as possible, following consultations with student societies which were not part of the Summit, campus groups and clubs, and other University stakeholders.

1. Rationale, Mandate, and Structure for the Student Societies Summit

On June 17th, 2013, the Executive Committee of Governing Council determined that, in light of the ongoing disputes between some of the divisional full-time undergraduate student societies regarding the distribution of student fees and democratic reform, it was best to defer further discussion on the proposed Student Commons Agreement and the Report of the Project Planning Committee for the Student Commons to a future cycle of Governing Council. Instead, the Executive Committee urged further discussion between the societies in the hope of a satisfactory resolution or another constructive solution.

In August of 2013, then-Provost Cheryl Misak launched the Undergraduate Student Societies Summit, a process that would bring together representatives from the relevant full-time undergraduate student societies who were at the centre of the disputes to engage in facilitated discussions around the central issues, attempt to resolve some or all of these outstanding disputes, and determine a clearer pathway on which to proceed that would make it possible to take the Student Commons motions forward to Governing Council. (Further details of the background to the student society disputes and the call and general mandate for the Summit can be found in Appendix A.)

The societies invited to participate in the Summit were those that represent full-time undergraduates on the St. George and Mississauga campuses of the University of Toronto where student membership is determined by registration in a Faculty, College, or Division and on whose behalf the University collects mandatory fees under the aegis of the “Policy on Compulsory Non-Academic Incidental Fees” (2003).

The Student Societies Summit was asked to consider:

- In a Policy environment in which there are currently four representative student governments (the University of Toronto Students’ Union [UTSU], the Scarborough Campus Students’ Union [SCSU], the Graduate Students’ Union [GSU], and the Association of Part-time Undergraduate Students [APUS]) recognized by Governing Council and supported by mandatory fee deductions from students in the relevant constituencies, how can the sometimes distinct interests of divisional societies be supported and respected in a democratic manner?
- What are the implications of these answers on the evolution of the democratic structures of the student governments or on fee support for the activities of the divisional societies?

The Summit participants were asked to explore these questions in the context of the issues raised by plebiscites on fee diversion that had been held by several student societies in 2012-13. It was anticipated that the discussion would include broader issues of principles for democratic governance and possible reforms to existing U of T practices. From the outset, it

was made clear that the Summit did not have the authority to make policy changes itself (only the Governing Council can do that) but that its outcomes and conclusions might suggest that further analysis should be undertaken as part of a policy review by Governing Council.

Structure, Membership, Participation, and Meetings of the Summit

Participation in the Summit was limited to societies for full-time undergraduates on the St. George and Mississauga campuses that fall under the “Policy on Compulsory Non-Academic Incidental Fees.” The societies to which this policy applies that were not invited – SCSU, APUS, and the GSU – were not included because they were not centrally involved in the controversies over student governance that had arisen between UTSU and some divisional societies. Those student groups to which the policy does not apply – the large number of voluntary clubs, teams, and associations – were not included because no student is required to join them nor does the University collect fees on their behalf.

Each of the invited student societies was asked to select two representatives of its choice to represent it at the Summit meetings and in the Summit proceedings. The invited societies were:

- University of Toronto Students’ Union
- UTM Students’ Union
- Arts & Science Student Union
- Dental Students’ Society
- Engineering Society
- Faculty of Music Undergraduate Association
- Innis College Student Society
- Medical Society
- New College Student Council
- Nursing Undergraduate Society
- Physical Health & Education Undergraduate Association
- St. Michael’s College Students Union
- Student Teachers’ Union
- Students’ Law Society
- Transitional Year Program Student Association
- Trinity College Meeting
- Undergraduate Pharmacy Society
- University College Literary & Athletic Society
- Victoria University Students’ Administrative Council
- Woodsworth College Students’ Association

The list of participants and their role in each of the respective student societies is provided in Appendix B.

The Summit was intended to be a substantial, principled, and facilitated conversation. To that end, four faculty members, chosen for their expertise in democratic theory and practice as well as in governance structures and policies, were invited to participate and facilitate Summit discussions:

- Professor Donald Ainslie (Department of Philosophy, Faculty of Arts & Science, and Principal, University College)
- Professor Joe Desloges (Department of Geography and Department of Earth Sciences, Faculty of Arts & Science, and Principal, Woodsworth College) (Chair)
- Professor Graham White (Department of Political Science, University of Toronto Mississauga)
- Professor Linda White (Department of Political Science and the School of Public Policy and Governance, Faculty of Arts & Science)

The four faculty members were participating solely as individuals and did not represent the views or opinions of any student society or the University administration or any of its governing bodies. Like all participants, the faculty were there to speak freely and openly about the issues raised by Summit participants. In matters of the Summit mandate, the faculty participants were not tied to any constituency, bound by any agreement, or forced to take sides on any issues. However, faculty were free to be constructive and critical on the issues raised and participants were encouraged not to construe their opinions as a bias or influence on behalf of other parties.

Summit meetings were usually also attended by Professor Jill Matus, Vice-Provost, Students and First-Entry Divisions; Mr. David Newman, Director, Office of Student Life; Professor Mark McGowan, Special Advisor to the Vice-Provost Students (fall term only); and Ms. Meredith Strong, Director, Office of the Vice-Provost and Student Policy Advisor (spring term only). These Summit attendees did not participate in discussions except to present or clarify existing policies and governance structures, or changes in any of these in the past. The Office of the Vice-Provost Students and First-Entry Divisions also kindly provided logistical support for the Summit.

As the Summit was being constituted in early September, all groups not invited to participate in the Summit and other members of the University community were encouraged to provide written submissions. The Summit received 12 such submissions, including input from the SCSU, the GSU, APUS, five associations/clubs, and one individual. All Summit participants were encouraged and welcomed to make reference to the issues and concerns raised in each of these submissions throughout the entirety of the proceedings.

Student societies selected their representatives in September 2013 and Summit meetings began October 7, 2013. Ten meetings of the Summit participants were held between October 7 and March 14, 2014 (see Appendix C for a list of the dates and times of each of the meetings). For the purposes of continuity and to ensure a “free to speak” atmosphere, Summit meetings were closed and only those representatives chosen by their societies were invited to attend

each of the meetings. The two exceptions were a substitution following a permanent withdrawal due to medical reasons and another where the initial individual chosen to participate had not yet been elected to the student society's executive. In addition to the formal Summit meetings, participants wishing to meet with the faculty facilitators in a separate meeting were invited to do so starting in early 2014. Four student societies took advantage of that opportunity.

Attendance at the Summit was good. Conflicts with classes were the most common reason for some not being able to attend certain meetings. Where possible, meeting times were moved to accommodate participation of the majority of Summit members. Five student societies did not attend any of the meetings: the Dental Students Society; the Faculty of Music Undergraduate Association; the Nursing Undergraduate Society; the Transitional Year Program Student Association; and the Undergraduate Pharmacy Society.

Input from all Summit participants was encouraged both in meetings of the whole group and in several breakout group discussions. While some participants were critical of one another's perspectives on a number of governance issues and other points of discussion, the Summit meetings allowed for open and respectful dialogue amongst the individuals participating in the meetings. All participants were given the opportunity to express their own views and the views of their constituencies across all of the meetings.

After attending the first seven meetings of the Summit, UTMSU withdrew from participation at the beginning of the eighth meeting citing differences with the Summit mandate. The faculty facilitators, as well as other student society participants, took issue with some of the detailed points regarding conduct of Summit meetings raised by UTMSU in announcing their withdrawal. At the beginning of the penultimate meeting, UTSU also withdrew from Summit participation citing differences. Both UTMSU and UTSU were invited to return to the table in the event their views changed; the faculty facilitators also extended a continuing invitation to meet with each group separately, as we did with the other participant societies. No additional meetings with individual societies occurred.

Summit Objectives

At the beginning of the Summit several objectives were articulated:

- to obtain a clear understanding of the role of full-time, undergraduate student societies which are mandated to represent the common interest of their members, each of whom pays compulsory fees;
- to develop a set of principles for student societies that centrally reflect open, accessible, and democratic governance;
- to survey past, present, and possible future governance reforms in light of the principles articulated by the group;
- to consider alternative governance structures for the student societies that might better meet the agreed upon principles;

- to identify areas of consensus and areas of significant disagreement on student society governance;
- to develop a framework that would allow for increased collaboration and cooperation amongst student societies;
- to advise the Provost on the outcome of these discussions either indicating that a consensus position had emerged or making recommendations as to key issues that need to be considered in a future debate on policies relating to student societies.

2. Student Societies: Policies, Definitions, and Roles

Hundreds of student organizations exist on all campuses of the University. In addition to the student societies discussed in detail in this report, over 800 campus groups are recognized via the University's Offices of Student Life at the three campuses. Each division also has a recognition process for campus groups specific to those divisions; other clubs and committees operate through Hart House. Discipline or department-specific course unions also operate and are supported by divisional student societies. And student societies also recognize a plethora of student clubs and levy groups, the latter of which are specialized organizations, such as Bikechain and the Sex Education Centre, supported through a dedicated fee, the funding for which is approved through referenda and approved at the University Affairs Board (UAB) of Governing Council.¹

In sum, the range of student organizations on the three campuses is simply enormous and all play important roles in the educational mission of the University. At the Summit we discussed a number of those roles. They include:

- enabling students to learn outside of the classroom through co-curricular activities (clubs, teams, and so on);
- in the case of the central student societies, facilitating cross-divisional community;
- providing services to students;
- advocating for students' common interests to the divisional or university administration, or to the various levels of government or other wider community groups;
- building inclusive communities;
- representing various constituencies of students.

Current University Policies that Guide Student Societies

The U of T Act of 1947 (specifically section 34, a clause that is incorporated into the current version of the amended 1971 Act through section 2.14) allows the university to enable students

¹ A small number of other central student organizations, such as *The Varsity* and the CIUT radio station also exist to provide a specific service to the University community.

to create divisional and other similar student societies as the “recognized official medium of the communication” between the administration and the students.

The University’s “Policy on the Recognition of Campus Groups” (last revised in 1993), which articulates the terms for voluntary student associations on the three U of T campuses, states that: “Recognition as a ‘campus group’ is a privilege based upon observance of certain procedures and acceptance of certain responsibilities. It follows that this privilege can be withdrawn if these procedures are neglected or responsibilities abrogated by the organization or group.”

The Policy articulates the importance of autonomy of campus student organizations and that “the University will not attempt to censor, control or interfere with any group on the basis of its philosophy, beliefs, interests or opinions expressed unless and until these lead to activities which are illegal or which infringe the rights and freedoms already mentioned.”

But the Policy also states under section 1 (b) that: “Responsibility for the maintenance of the policy and mechanism, where campus-wide organizations or organizations drawing members from more than one division or constituency of the University are concerned, should be vested in the University Affairs Board of the Governing Council.”

The UAB also has responsibility over the collection of compulsory non-academic incidental fees for a number of campus services, such as Athletics and Hart House, central student societies, and divisional student societies. Governing Council recognizes four central student societies that represent students across the university: UTSU, the GSU, APUS, and SCSU. In addition, because of the size and complexity of the university, and the multiple communities that have formed within it, Governing Council recognizes student societies tied to divisions and, in the case of the St. George campus, to colleges.

All of these central and divisional student societies are authorized to set fees, which are collected on their behalf by the University. These fees can be seen as a form of “benefit taxation” where students are required to support co-curricular activities that benefit them. Thus a key point that emerged from the Summit is that the threshold to justify the University’s collection of mandatory fees on behalf of a student society should be a *sufficient common interest* among the students that would qualify the society’s activities as a *common benefit*. There was disagreement amongst the Summit participants, however, about whether that demonstrable common interest required centralized student associations or multiple, decentralized, perhaps overlapping student organizations.

In addition, because the University collects these fees on behalf of student societies, it has a responsibility to ensure that the money is being spent appropriately. What ‘appropriate’ means, though, is quite vague under the current policy. The University’s “Policy for Compulsory Non-Academic Incidental Fees” is clear that student societies on behalf of which mandatory student fees are collected are expected to have “orderly and democratic governance” and behave in an “open, accessible and democratic fashion.” The Policy does not provide any

specific guidance on what those criteria mean and what comprises the appropriate conduct of those organizations other than to state that student societies must have constitutions and/or by-laws that structure the procedures for orderly and democratic governance of the society. Section B 1 of the Policy outlines other specific requirements including regularly reporting on the society's financial position, an annual audit, a procedure to deal with complaints from members, and so on.

Section B 3 of the Policy states that, if the Office of the Vice-President and Provost has “reason to believe” that student societies are not following the terms of their constitution and are not operating in an “open, accessible and democratic fashion”, then that Office can withhold student societies’ fees, with a possible appeal to the UAB. The Policy does not specify, though, any tests to determine whether student societies are sufficiently “open, accessible and democratic.”

We have learned through the Summit process that there is a significant lack of policy to guide the University in its relations with student societies. In addition to there being no specific language around what “open, accessible and democratic” governance means, the “Policy for Compulsory Non-Academic Incidental Fees” provides no guidelines for the Provost to deal with complaints about student societies. No policy exists to ensure that student societies are in fact benefiting the students whom they represent or what the criteria are for student societies to demonstrate that they represent the common interests of their members. And there is no policy allowing for the evolution of societies, and specifically no policy concerning whether, how, and when students should be able to leave a society that has been given recognition to represent them. Similarly, there is no policy that specifies how new student societies could emerge.

This lack of policy is relevant in light of some divisional societies’ plebiscites on fee diversion; but it is also relevant as new divisions have emerged, including an undergraduate program in the John H. Daniels Faculty of Architecture, Landscape, and Design, and the creation of the Dalla Lana School of Public Health. Some student societies voiced support for a criterion of sufficient common interest to justify the recognition of a new grouping of students in second-entry professional programs such as Law, Medicine, Education, and Dentistry. It is not clear what the process would be for that recognition to be pursued absent agreement from the current student societies.²

It was particularly striking to us that there was no student society that represents the distinct interests of St. George campus undergraduate students, given that UTSU represents both UTM and St. George students. In the current policy framework, if students on the St. George campus

² In 2004, the University Affairs Board of Governing Council recommended that Governing Council recognize the Scarborough Campus Students’ Union (SCSU) to replace the Students’ Administrative Council (SAC) as the representative student committee on campus. That recommendation followed a jointly held referendum among undergraduate students at UTSC and a request from those student societies.

collectively decided to establish a society to represent their distinct interests apart from UTM students, it is not clear how the University could respond.

3. Open, Accessible, and Democratic Student Societies

Summit participants spent a good deal of time discussing both the principles and the on-the-ground realities of democracy in student societies. Prior to embarking on this discussion, however, participants were asked to articulate the attributes that they considered important for student governments. These included:

- effective feedback and communication;
- representation of various communities;
- accountability;
- transparency, especially in budgeting;
- good fiscal management;
- commitment to equity and diversity;
- impartial elections and electoral processes;
- advocacy at the central and divisional levels of university administration, to various levels of government, and to the wider community;
- facilitating interdivisional student connections and opportunities;
- autonomy from the University administration.

Overall, consensus was evident on principles of democratic governance. As well, participants recognized that no single path exists to healthy democratic processes and that significant variation is possible in achieving and maintaining democratic student societies. Very substantial disagreement arose when it came to evaluating specific processes, structures, and cultures currently found in student societies. The degree of democracy in the structure and operation of UTSU was the subject of extensive discussion.

Principles

As the previous section explains, University policy requires student societies that receive mandatory fees from their members to operate in “an open, accessible and democratic fashion.” Participants at the Summit collectively identified a number of principles essential for student societies to meet these criteria. Elections naturally figured prominently in the discussion but it was also understood that democracy in student societies entails far more than elections.

Elections: Elections must be entirely free and fair, ensuring all students equal opportunity to participate as voters and as candidates. This entails neutral administration of electoral processes and adjudication of disputes.

Accountability: Student societies must be accountable to their members. This requires the provision of full, timely, and comprehensible information to members as well as the opportunity for students to make their views known to the leadership of student societies who in turn must be responsive to student opinion.

Legitimacy: Governance processes – both operating processes and processes for change – must be viewed as legitimate by members of student societies. Among other things, this requires that significant change only occur with extensive student support for both the processes leading to change and the outcome of change. It also means that student societies must be open to change in response to student opinion.

Balance: Democracy in student societies, as in all organizations, requires a balance between the rights of the majority and the rights of the minority (or minorities).

Summit participants recognized that given the wide range of student societies in terms of their size, mandate, and culture, no ‘one-size-fits-all’ formula is possible that could ensure democracy in student societies. In particular, both the possibilities and the constraints are quite different for student societies with a few hundred or perhaps a thousand or two members and societies such as UTSU whose members number in the tens of thousands.

What the Student Societies Said

What follows is primarily based on what student society leaders said during Summit meetings, supplemented by information and opinion presented to us in meetings with the representatives of the student societies who took up our offer to meet with us privately, by review of documents (both those presented to the Summit, which were posted on the portal, and University and student society documents pertaining to policies, constitutions, operating procedures and the like), and by review of articles in campus media.

Elections

It was generally agreed that the perennially low turnout in student elections is a serious problem that raises questions about the legitimacy of student societies. While it is possible to interpret low rates of turnout as indicating satisfaction with current arrangements, it was widely acknowledged that the very low turnout characteristic of student elections reflects unhealthy levels of disengagement and cynicism among students as to student societies and their governance. No consensus emerged as to effective ways of increasing turnout or of enhancing student engagement with student societies.

Beyond the universally accepted principle that students required by the University to pay student society fees should be entitled to vote in student society elections and referenda, little agreement was evident as to what commitment to democratic principles means when it comes to rules and procedures for elections. Even the precept that payment of mandatory fees entails voting rights was interpreted differently when it came to UTM students: since a high proportion (perhaps as high as 80 per cent) of fees paid to UTSU by UTM students is returned to UTMSU, some Summit participants felt that UTM students should only be entitled to a partial vote in UTSU elections.

Rules and procedures for student society elections vary widely. In evaluating them we sought to identify best practices – which would not necessarily apply in the same way in all instances – as well as minimum practices. While student societies should aim for best practices, they should at the very least establish and adhere to minimum practices.

We did not hear of any significant concerns about accuracy of voting lists or about disenfranchisement of students legitimately entitled to vote. Summit participants were very positive about how the availability of on-line voting makes it easier for busy students to vote. Some student societies permit on-line voting continuously during election periods. UTSU only permits on-line voting during the hours that polling stations are open, on the grounds that untoward voting practices could occur at other times. Some student societies noted that the University's "uElect" on-line voting system cannot currently handle alternate voting systems such as the single transferrable ballot.

Summit participants did voice serious concerns about the administration of elections and about processes for adjudicating complaints. The position of Chief Returning Officer (CRO) is crucial in

ensuring well-run and fair elections, especially considering the extensive powers that CROs wield, which can extend to disqualifying candidates. A number of student societies indicated that they have difficulty recruiting CROs in part because of financial constraints and in part because it is not easy to find persons knowledgeable about student politics yet neutral and unbiased (and perceived to be neutral and unbiased).

Especially in light of the short campaign and voting periods typical of student society elections, the structure and procedures of the bodies assigned to adjudicate allegations of improper electioneering and appeals of CRO rulings are of fundamental importance. Here practices vary widely and serious criticisms are widespread. While shortcomings became evident in the practices of several student societies (some of which indicated that they are reviewing their structures and procedures in this regard), UTSU came in for particular criticism. Its Election and Referenda Committee (ERC), which among other things, decides on appeals of the CRO's decisions and has the capacity to disqualify candidates, is composed of three UTSU executive members and three board members. With the UTSU leadership adjudicating complaints and appeals about election procedures and outcomes, there is substantial risk that ERC decisions will affect candidates who previously were slate running mates or supporters of ERC members. Summit participants argued that this arrangement violated the principle that the administration of elections and the adjudication of electoral disputes should be neutral.

We heard a good many arguments to the effect that, although in formal terms all candidates in student society elections are treated equally, the reality is that incumbent candidates or members of a society's executive running for new executive positions enjoy significant advantages. It is typically the case that some executive members of student society governments run for office in subsequent elections. Indeed, many Summit participants noted the benefits of having had prior experience in the society executive when taking on new roles, especially the highest leadership positions.

Summit participants cited a number of factors that they believe favour such incumbents and the slate of which they are members, such as their higher name recognition and the short campaigns which put non-incumbents at a disadvantage in making themselves and their ideas known to voters. The advantage of incumbency was particularly significant in UTSU executive elections, according to some participants because UTSU policy requires executive members to reduce their course loads substantially,³ typically to one full course or less, whereas almost all non-incumbents must be full-time students to be eligible as candidates.⁴ Participants noted that it is more difficult for non-incumbents to run an effective two-campus campaign, as is expected of candidates for positions at UTSU, with its bi-campus membership.

³ *UTSU Policy Manual*, "Operational Policy – Executive Member Responsibilities," October 30, 2008.

⁴ Professional Experience Year students are also UTSU members without being enrolled as full-time students. In addition, students of the Toronto School of Theology are members of UTSU, even if they are enrolled as part-time students or in a graduate program.

Aside from concerns about administrative and adjudicative processes and about incumbency, several other issues were raised by Summit participants relating to elections. These included the legitimacy of slates, campaigning by non-student society members, funding, and timing of UTSU executive and board elections.

Slates of candidates are common in some student society elections; others have formal prohibitions against them. Some participants regarded slates positively, arguing that they made for more coherent campaign platforms, whereas others thought that slates could be cliquish and discourage students from becoming involved in student governance.

The practice of campaigning in student society elections by persons who are not members of the society generated much discussion but no agreement. Some student societies do not permit non-members to participate in their elections. Among the student societies that are open to this practice, it is with regard to UTSU that controversy is most substantial. We heard Summit participants voice deep criticisms of the practice of officials from student governments at other universities and of the Canadian Federation of Students campaigning on behalf of UTSU executive candidates. Opponents to this practice argued that it is inappropriate and unfair for non-University of Toronto students to be involved in U of T student elections. Others, primarily the representatives from UTSU and UTMSU, defended the practice on the grounds that candidates should be able to call on friends to help them campaign.

Campaign expenses did not emerge as a major source of concern during the Summit. The limits on candidate spending vary widely. Some student societies impose very low limits on candidates – \$100 or less (at least one student society permits no spending on behalf of candidates) – whereas candidates for UTSU executive positions can spend up to \$1200 each. There was general agreement that the setting of spending limits and other campaign finance issues should be left to individual student societies. One important exception was a proposal, supported by some Summit participants, that if persons who are not society members participate in student society elections, imputed costs of their work on candidates' behalf should be counted against the candidates' allowable expenses.

Finally, mixed views were expressed as to whether the election for UTSU executive should be held at the same time as the elections for UTSU board members from the various UTSU constituencies. Those favouring the current practice of simultaneous elections cited logistical benefits as well as the value of having issues discussed for all UTSU elected positions at the same time. Those opposed suggested that campaigning for high-profile UTSU executive positions overshadowed elections for board members at the constituency level, deflecting attention from important local issues.

Student Society Structure and Operations

Student societies and their executives and/or boards are structured and operate in widely different ways. A few student societies, such as UTSU and the Engineering Society (EngSoc) are established as not-for-profit corporations and thus subject to the new Canada Not-For-Profit

Corporations Act, which will require certain practices and prohibit others (such as voting by proxy at board meetings).

A number of student societies indicated that as a result of discussions at the Summit they are considering or implementing significant changes in their structure and operations relating to board composition, electoral processes, and the role of membership meetings (including annual general meetings [AGMs]). UTSU indicated that it is engaged in a review of its practices, in part to ensure compliance with the new act, but little information was available on the scope and the process of this review.

One issue which generated extensive discussion and disagreement at the Summit was the process for changing student society policies or their basic constitutions. In some societies, motions for change, sometimes significant change, can simply be brought to an AGM and voted on. Other societies require notice periods, minimum numbers of proponents and/or supermajorities (more than 50 per cent) for approval. This is an area where several student societies are revisiting their procedures in order to ensure that they are responsive to their members. UTSU procedures for handling motions arising from members came in for vigorous criticism. Under UTSU's by-laws, which serve as its constitution, any proposed amendment to the by-laws requires prior approval by the Policy and Procedures Committee⁵ and the approval of three-quarters of the UTSU board in order to go forward to a vote of the members. Some Summit participants argued that this provision was highly undemocratic in that it effectively lets the UTSU board and executive block any proposed changes not to their liking. Others defended the policy for ensuring that by-law proposals were well-structured and consistent with other policies and procedures.

The Summit also discussed the use of proxies, which in some societies are used at board/executive meetings and/or at AGMs. For incorporated societies, such as EngSoc and UTSU, the new act prohibits proxy voting at board meetings, but permits it at membership meetings. Summit participants generally agreed that proxy voting at membership meetings was acceptable, given the challenges for students to balance course schedules with meeting attendance, but opinion was divided on the number of proxies that any single person should exercise. No agreement was reached on a reasonable number, though several participants favoured a limit of two or three proxies per person and some criticized UTSU's practice of allowing one person to hold up to ten proxies as open to abuse.

Communication and Information

Summit participants were universally agreed that good communications with members is essential in a democratic student society and that communications should flow in two directions: from the membership to society leadership and from the leadership to the

⁵ Members of the Committee are: the President, a UTMSU designate, Vice-President Internal and Services, and three Directors, one from each Division, elected by the Board. See *UTSU Policy Manual*, "Operational Policy – Union Committees," April 18, 2006.

membership. It was widely acknowledged that student societies struggle to develop and maintain effective communications with their members.

Some student societies indicated that they make good use of social media, listservs, and similar technologies to keep students informed of their activities and to solicit student opinion and advice. This is encouraging but requires good quality information to be effective. For example, questionnaires must be carefully worded in order to avoid biased or inaccurate results.

Providing clear and comprehensive financial information to society members was singled out as especially important yet often problematic. Students want to know how their money is being used and society leaders have an obligation to be accountable for their financial stewardship. Incorporated societies are required to produce audited financial statements every year and the “Policy on Compulsory Non-Academic Incidental Fees” requires that student societies annually submit audited statements to Office of the Vice-Provost Students. But these are often hard for students not intimately involved with the society in question to understand and at that may not provide useful information. Student society audits are usually focused on ensuring probity and accuracy of financial information; they do not generally comment on whether spending on particular activities or projects was wise or effective, which is what students want to know. A number of Summit participants agreed on the need to provide useful financial information to their members but indicated that they need help in doing so.

Summit participants said that not only must clear and comprehensive financial information be available to students but opportunities must also be available for members to question student society leaders about financial issues. According to some participants, not all societies provide adequate opportunities for such questioning, either at membership meetings or through other means.

Financial arrangements between UTSU and UTMSU were a subject of considerable controversy. Representatives from UTSU and UTMSU told the Summit that a significant proportion of fees paid to UTSU by UTM students are transferred to UTMSU.⁶ Other participants argued that this was inappropriate special treatment of one student society and asked to see the formal agreement between UTSU and UTMSU setting out the details of the transfer. This request was refused on the grounds that breaching the agreement’s confidentiality provisions could lead to legal challenges, a response that was criticized by some Summit participants.

Relations between Central and Divisional Student Societies

A major focus of Summit attention was the relationship between UTSU, as one of the central student societies, and the divisional societies on the St George and Mississauga campuses whose members are also members of UTSU.

⁶ During the Summit, UTMSU and UTSU representatives described a fee transfer in the range of 70 to 80%, though exact details were never provided.

Significant variations were evident between the formal relationships and the actual interactions between UTSU and divisional societies. College societies had frequent, if not always amicable, relations with UTSU, whereas some professional faculty societies had little interaction, formal or informal, with UTSU and knew little of its activities. Representatives of one professional faculty society indicated at an early Summit meeting that they were surprised to learn that their members paid fees to UTSU.

A number of Summit participants described the UTSU-divisional societies relationship as federal, recognizing that each ‘order’ of student governance operates in isolation from the other (though project-specific cooperation occurs), with no formal structural links, and relies on separate funding sources.⁷ While there was general agreement that UTSU and the divisional societies should maintain their separate spheres of influence and cooperate when it seems sensible, some Summit participants believed that divisional societies should have some direct influence in UTSU governance processes; the UTSU representatives disagreed.

Most UTSU board members are elected from divisions.⁸ However, UTMSU excepted, UTSU board members representing divisional students typically have no formal structural links with the divisional societies; a few divisional societies appoint the UTSU board members representing their students as *ex officio* members of their boards, and some elect them onto their boards (on the basis of an up-or-down vote). Several Summit participants reported that UTSU board members elected from their constituencies rarely if ever attended divisional society board or membership meetings and were seldom in communication with the leadership of the divisional societies or with students from the divisions they represent.

Finding this situation unsatisfactory, Summit participants brought forward various possibilities for direct involvement of divisional student society leadership in UTSU. One possibility that attracted substantial support was a restructuring of UTSU so that leaders of divisional societies would serve on the UTSU board. The UTSU representatives did not support this idea. Regardless of its merits or shortcomings, however, it would appear that the new Canada Not-for-Profit Corporations Act does not permit corporate board members to serve on the basis of having been elected as representatives of other organizations, so that restructuring of UTSU along these lines would not be possible.

The unique relationship between UTSU and UTMSU generated extensive discussion. UTSU is a bi-campus organization representing full-time undergraduate students on the St. George and Mississauga campuses. UTMSU, in addition to being the divisional society for both full-time and part-time students at UTM, also serves as the agent of UTSU on that campus by providing services to students there that St. George-based students receive from the UTSU directly. The

⁷ The classic definition of a federal system is one in which two or more levels (or orders) of government exist within a single geographic area; fiscal, policy and administrative relations between governments may be minimal or extensive.

⁸ Exceptions are the five elected executive members and various non-voting members including the Vice-President Campus Life.

fees transfer, described above, is meant to reimburse UTMSU for this service provision and UTSU also has a Bylaw (XIII) that recognizes its special relationship with UTMSU.⁹ In addition, one of the seven UTSU executive positions is reserved for the UTMSU president or a UTMSU executive member designated by the president¹⁰ and the UTM members of the UTSU Board of Directors are appointed from the UTMSU Board of Directors (though elected into these positions through UTMSU elections¹¹).

Some Summit participants described the current UTSU/UTMSU relationship as an appropriate recognition of the distinct interests of UTM students that result from their attending U of T at a campus that is more than 30 km from the St. George campus. Other Summit participants were critical of the special place of UTMSU within UTSU which they saw as creating a democratic deficit for St. George-based students.

For example, UTM students have full votes for all of the elected UTSU Executive members while students on the St. George campus do not (they have no say on the UTM designated member of the Executive). And the fees arrangement between UTMSU and UTSU means that UTM students have control (via UTMSU) of most of the fees they pay to UTSU, while also having a full say on the Executive that oversees how the fees of St. George students are disbursed.

In addition, UTM undergraduates are already the largest constituency within UTSU by far,¹² and with the projected growth on that campus (expected to reach almost 14,000 by 2018), the disproportion within the various student communities represented by UTSU will only become further distorted, and make it more difficult to meet the principle of balance as articulated above.

Finally, some students noted that the bi-campus nature of UTSU and its acknowledgement of the distinct interests of UTM students leave St. George students without a society representing their distinct interests (UTSC students have their interests represented by SCSU).

In the absence of a St. George specific group, UTSU often steps in to represent these students, as in the Student Commons, despite a governance structure that allows for full votes by UTM students and their representatives on all matters, including campus-specific ones. Other student societies and groups also treat UTSU as having a special St. George mandate. SCSU, for example, in its submission to the Summit, describes the controversy over fee diversion as solely

⁹ UTMSU's Bylaw XV outlines its relationship to UTSU.

¹⁰ UTSU Summit participants noted that they are revisiting this relationship in light of the new Non-for-Profit Corporations Act that prohibits *ex officio* Board members.

¹¹ See UTMSU Bylaw V 3.c. Note that the other members of the UTSU Board of Directors that represent particular division or college constituencies are not elected through elections of the relevant divisional student society, but rather through a UTSU election.

¹² Although the Faculty of Arts and Science is larger than UTM, students in the Faculty are primarily represented on the UTSU Board by means of their College affiliations. There are only two at-large Arts and Science representatives (Bylaw V 3.c).

concerning the “undergraduate students’ union *at the St. George campus.*” The Polish Students Association, in their submission, emphasized the importance of UTSU clubs’ funding in building a “greater sense of community *on campus*” (emphasis added) a position that was echoed by the Greek Students’ Association, who lauded UTSU’s role in building community on the St. George campus, and by the Black Students’ Association who underlined the need for “events and joint responses to issues related to race, ethnicity, and social justice *on campus*” (emphasis added). Lesbian, Gays, Bisexuals, and Trans People of the University of Toronto (LGTOUT), in their submission, refer to the referendum establishing funding for the Student Commons as having involved “the entire membership of the UTSU,” when in fact only St. George UTSU members were eligible to vote; similarly, they point to the significance of UTSU support for clubs and association like theirs to student life *on the one campus*. Even UTSU, when describing their reasons for leaving the Summit, emphasized their important role in providing services on “this very, very big campus,” without acknowledging their UTM membership.¹³ But UTSU is a bi-campus organization with no specific St. George campus brief.

Another fundamental structural issue that surfaced repeatedly during the Summit was what many participants saw as the anomalous situation of the inclusion of second-entry professional students in what is primarily a first-entry undergraduate student society. While it was widely acknowledged that all University of Toronto students share various high-level interests, participants from second-entry programs (notably medicine and law) indicated that they shared few interests with undergraduate students and maintained largely separate suites of clubs and student services from those supported by UTSU.

Evolution and Structural Change within Student Societies

Early in the Summit process, participants took part in a “blank slate exercise” – thinking about how student government at the University of Toronto would best be organized if none of the current governance structures existed and everyone were starting totally afresh. While most participants acknowledged the value of large inclusive student governments, substantial support was registered for the view that, if starting from scratch, the principal authority and resources should be assigned to the local (i.e. divisional) governments. Opinion was divided as to the appropriate number of central governments and how they should be constituted: on the basis of campus, full or part-time status, undergraduate, graduate or professional faculty, or other criteria.

A related discussion addressed the merits and downsides of what was termed “fractionated” student governance, that is, a large number of relatively small student societies with no overarching student organizations to coordinate or direct their activities. Among the benefits identified were an opportunity for particularly direct, effective representation of student interests; the ability of local governments to give priority to and devote resources towards their

¹³ Given that UTSU does not provide any services at UTSC, ‘campus’ here cannot be taken to be referring to the entire U of T campus. The context makes it clear that they mean to refer solely to the St. George campus.

principal concerns; and the potential for genuine collaboration on issues of wider interest (on the model of the St George Roundtable). As well, it was suggested that fractionalized student governance would not necessarily preclude collaboration on service provision in order to realize economies of scale, for example in offering a health and dental plan, nor would clubs and advocacy necessarily be adversely affected.

Conversely, participants noted various negative consequences to fractionalization, including the potential for harm to clubs and levy groups that go beyond divisional boundaries; difficulty making progress on projects that affect large numbers of students, such as the Student Commons; potential problems in the effective and economic provision of services to students; challenges in organizing advocacy for the larger student population to the University administration and to government; a risk that institutional university identity might be undermined; and a recognition that not all students prefer to be closely connected to their local communities.

Although it was understood that neither a blank slate nor extensively fractionalized student governance were realistic possibilities, these discussions proved useful in bringing to the fore basic issues germane to the Summit. They also raised the fraught – but central – question of whether students in identifiable constituencies, such as colleges or professional faculties should be able to have some or all of their fees diverted from UTSU to their own societies or to secede altogether from UTSU. Representatives of some divisional societies argued that their members had spoken clearly in plebiscites of their desire for fee diversion but that UTSU controlled and blocked potential mechanisms for fee diversion or secession.

The Students' Administrative Council (SAC, the named used before the adoption of the 'University of Toronto Students Union' in 2006) included graduate students until the formation of the Graduate Students' Union in 1968. Similarly, full-time undergraduates at the Scarborough campus left SAC in 2004, with the SCSU taking over the role of the representative student government for those students in their interactions with the University administration. In each case there was mutual agreement that the distinct interests of students within a particular division or campus were best served by a separate organization.

But it became evident that under existing UTSU by-laws no possibility exists for groups of students to formally dissociate themselves from UTSU, either by way of fee diversion or outright secession, should the UTSU leadership be unwilling to countenance such a possibility. As some Summit participants noted, this made for a striking paradox in that the University continues to change in fundamental ways as a result of the ongoing development of tri-campus structures within the University, including the Tri-campus Framework of 2002¹⁴ and the development of Campus Councils within Governing Council in 2013. Nonetheless, the architecture of the central student government at St George and UTM is all but impervious to change should the UTSU leadership not support it.

¹⁴ Framework for a New Structure of Academic Administration for the Three Campuses," Robert Birgeneau, Adel Sedra, and Carolyn Tuohy, University of Toronto, 2002.

4. Recommendations

We hold that the current policy framework that governs the relations between student societies and the University is untenable. As we discussed in Section 2, the current policies focus on the collection of fees. But, given that the University requires mandatory membership in student societies as part of its registration process, the University owes students the assurance that the societies in question are operating to their benefit and with appropriate levels of accountability. The controversies of the past few years that precipitated the Summit as well as the discussion that ensued as part of its activities lead us to *recommend that the Governing Council of the University of Toronto establish a policy for student societies.*

This policy should include the following elements:

- recognition of the importance of students' autonomy in governing their societies' affairs;
- recognition that such autonomy is constrained by the University's obligation to ensure that student societies provide benefits to their members that are proportional to the fees those members pay, and that operations of societies are democratic, with appropriate mechanisms for members to influence their operations not only through elections but also more broadly;
- recognition that one important benefit that student societies offer is the representation of their members' interests to divisional, campus, and university-wide administrations; however, given the size of the University, only a relatively small number of societies should be mandated to represent students to the University as a whole;
- a process that would allow a new divisional or multidivisional student society to be established (e.g. second-entry professional undergraduates; St. George campus first-entry undergraduates);
- a process that would allow for restructuring of student societies.

Given the importance of fair election processes to the legitimacy of student societies' operations, *we recommend that the new policy for student societies require that every society use an arms-length Chief Returning Officer (CRO) who has been appropriately certified by the University.*

One possibility would be requiring each student society to designate at least one member each year who would be trained by the Office of the Vice-Provost Students on best practices for elections. Each student society would then have to name its CRO from the pool of trained election overseers, with the proviso that the CRO would come from a different society from the one she or he is overseeing. We also believe that the University should offer honoraria to students who serve as CROs, with the amount being proportional to the size and complexity of the society.

Moreover, as the discussion in Section 3 should make clear, though all Summit participants shared a commitment to certain general principles for democratic governance of student societies, there was no consensus on how those principles should be specified in policy. The autonomy of the societies means that each uses its own preferred conception of the different principles. The principle of legitimacy as articulated above, however, requires that students be able to recognize that such societies are operating appropriately. We believe, given the University's role in compelling membership and collecting fees on behalf of students, that ultimately it must be the guarantor that societies are indeed serving the interests of their members as democratically expressed through fair elections and other forms of accountability. Students thus must have a means to challenge how societies operationalize and apply the shared democratic principles.

Thus we recommend that the new policy for student societies include the establishment of a university-wide Student Society Appeals Board that would serve as a court of final resort for all complaints about the conduct of particular student societies, including elections complaints. Such a Board should include students, faculty, and staff, and should be guided by a volunteer with significant legal experience such as a retired judge.

During the course of the Summit, we learned that two shortcomings of the current "Policy on Compulsory Non-Academic Incidental Fees" are its vagueness in describing the "open, accessible and democratic" operations required of student societies and its limiting the University's capacity to address cases where a society is believed to fall short of those standards other than by withholding fees from it – a particularly drastic penalty given the significant benefits that societies provide for their members.

To remedy these shortcomings *we recommend that the new policy give the Student Society Appeals Board the power to issue binding directives to student societies*, where nonconformity with such directives would be grounds for the Provost, on the basis of the "Policy for Compulsory Non-Academic Incidental Fees," to withhold fees from a society for failing to operate in a "open, accessible and democratic" fashion.

In order to guide the deliberations of the new Appeals Board, and to flesh out the requirement that student societies operate in an "open, accessible and democratic" fashion, *we recommend that the Office of the Vice-Provost Students develop governance guidelines, including guidelines for the conduct of elections* (and that these guidelines be updated regularly).

Given the differences between the extant societies, we believe that no one-size-fits-all set of practices can be prescribed. Thus we prefer the model of a set of guidelines, with some latitude, that would allow each society to craft its distinctive policies in light of its own traditions and history.

The principle of fair elections, as described in Section 3, means that each society's election policy should be designed to maximize the possibility for students to cast informed ballots on leadership of the society. Thus, the guidelines for student society elections should address:

- how best to use voting technologies;
- the role of slates in elections, given that an elected executive should be kept accountable either by the general membership or by a Board of Directors that is elected independently of the executive;
- rules for the involvement of non-society members in society elections;
- the need for societies to ensure that different constituencies within their memberships are appropriately represented in their activities, usually by having specially elected representatives to the society that act on their behalf.

In addition, the guidelines should address how executives within societies can increase accountability to their membership by:

- listing acceptable mechanisms for ensuring that the general membership has the capacity to direct or overrule the executive;
- restricting the use of proxy votes so that no particular sub-group within a society can monopolize its governance or mechanisms for accountability.

We recognize that any new policy for student societies should be developed only following consultation with those societies not participating in the Summit (notably, the GSU, SCSU, and APUS), as well as with the various student associations and groups, and also the tri-campus community more broadly. At the same time, the Summit resulted from many years of dissension within the student body. Summit participants expressed impatience at the pace of change and many of them noted that they were about to graduate and did not want to see their work at the Summit or in years prior go to waste. Accordingly, *we recommend that the consultations proceed expeditiously and that the new policy for student societies be implemented as soon as possible.*

Acknowledgements

The faculty facilitators would like to thank the student leaders who participated in the Summit and all student leaders throughout the University. We recognize their incredible commitment to their organizations, their willingness to undertake these highly important leadership roles, and their strong desire to make a difference. Almost all positions are unpaid and voluntary in nature and our student leaders undertake these roles while balancing commitments to studies. We recognize the significant challenges therein and appreciate their accomplishments.

We would like to thank other associations, clubs and individuals for their interests in, and submission to, the Summit. We thank the Vice-Provost, Prof. Jill Matus, and the Office of the Vice Provost Students for logistical support for the Summit. It would not have been possible to bring together such a busy group of individuals without their support and dedication. In particular our thanks go to Terri Cook, Sarah Burley, and Mike LeSage for organizing meeting invitations, meeting locations, and coordinating/posting meeting documents. We thank David Newman for taking careful notes at each of the Summit meetings and making them available to all Summit members. Our thanks also go to David Newman, Meredith Strong and Mark McGowan for responding to requests for documents pertaining to existing university policies.

Appendix A – Background on Student Society Disputes

To: Governing Council
Members of the University Affairs Board
Mr. Ben Crase, Trinity College Meeting
Mr. Mauricio Curbelo, U of T Engineering Society
Mr. Munib Sajjad, UTSU

CC: The Varsity

From: Cheryl Misak, Vice-President & Provost

Date: May 24, 2013

RE: Fee Diversion Referenda: Governance and Policy Context

Please distribute widely.

We have seen over the last year an ongoing series of complaints and frustrations on the part of some divisional student societies towards the University of Toronto Students' Union (UTSU). Trinity College Meeting (Trinity) and the Engineering Society (EngSoc) have recently held referenda requesting diversion of fees collected by the University on behalf of UTSU.

The response of the Office of the Provost during these debates between student societies has been to encourage electoral and representational reforms on UTSU's part and to note to the divisional societies that the Office of the Provost cannot simply divert fees from UTSU to them. I write now to amplify and provide more contextual information after the vigorous debate at the May 23, 2013 meeting of Governing Council.

Governance and Policy Context

The *University of Toronto Act, 1971* sets out the powers of Governing Council, which include those granted under the *University of Toronto Act, 1947*. Among the powers in the latter *Act* is the power to recognize "committees" representative of the students, now called "student societies."

Governing Council has chosen to recognize various student societies for specified purposes. UTSU is one such society. Governing Council has also enacted the *Policy for Compulsory Non-Academic Incidental Fees* to deal with, among other things, the collection of fees on behalf of such student societies. The *Policy* states that a student society is an organization "on whose behalf the University collects a compulsory non-academic incidental fee, in which membership is automatic and determined by registration and status in a particular division or program, or in one of a number of divisions or programs of the University of Toronto".

Undergraduate students in Arts and Science at Trinity College, and in the Faculty of Applied Science and Engineering, are among the many members of UTSU, which automatically represents full-time undergraduate students, as defined by division of registration, registered in a faculty on the St. George campus in a program leading to a degree, diploma or certificate.

It is important to note that the Governing Council itself, by policy, has both recognized UTSU as a student society, and has committed itself to collecting fees to support its activities. It is also important to note that there is no current provision in policy for the administration, acting on behalf of Governing Council, to divert compulsory fees from UTSU to local divisional societies such as Trinity or EngSoc. Diversion of compulsory student society fees to local or divisional societies would require a policy change, since Governing Council has not chosen to enact policy providing for such action, nor has it given the Provost authority to do so.

A significant feature of the Governing Council's recognition of student societies is the autonomy they receive, subject to the requirement expressed in the *Policy for Compulsory Non-Academic Incidental Fees* that such societies operate in "an open, accessible and democratic fashion, following the terms of their constitutions" and subject to the need for financial transparency for audited financial statements and other financial provisions.

Governing Council has given the Provost a role in ensuring that these standards are met. The same policy states that where the Provost has reason to believe that a society is not operating in an open, accessible and democratic fashion, the Provost can take various steps which ultimately may lead to the withholding of the fees the University collects on behalf of the society, subject to an appeal to the University Affairs Board of Governing Council.

I have had cause to withhold fees once during my term as Provost, with respect to a divisional student society. When the democratic issue was resolved, the fees that had been withheld were flowed to the student society in question. I do not have the authority to divert fees. That is, I do not have the authority to withhold fees and then redistribute them to other student societies.

Where does the University Affairs Board (UAB) fit into this picture?

The terms of reference of the UAB state in section 5.2 that with respect to compulsory non-academic incidental fees, such fees are approved by the Board. Changes to those fees must of course be consistent with the policies of Governing Council. The diversion of fees is not permitted in those policies. At the meeting of Governing Council on May 23, the Secretary of the Governing Council commented on the interrelationship of the Governing Council's own policy and the terms of reference of the UAB. There is no conflict between the two.

At the University of Toronto, policy creation falls within the authority of Governing Council, which has chosen to exercise this authority in a way that is typical of governance boards – by looking to administration to develop, consult, and eventually put forward proposed policies for Governing Council's consideration. Governing Council looks at the big picture and the interests of the University as a whole. Through its meetings and other work, Governing Council engages its members, representing various estates including students, in arriving at conclusions as to

how it wants its powers to be exercised via policy, as it has done in the case of the *Policy on Compulsory Non-Academic Incidental Fees*.

The Provost's Role in Ensuring Open, Accessible and Democratic Operation

It is not necessary for me to get into the background details, but it suffices to say that for several years concerns have been brought forward by students about whether UTSU has been operating in an open, accessible and democratic manner, particularly with respect to elections issues. The persistence of these concerns has led to my Office becoming involved on several occasions. I have highlighted the importance of electoral reform, and, most recently, have indicated clearly that in the complex University of Toronto context, on-line elections are an essential feature of open, accessible and democratic operation. I have indicated to UTSU, in writing, that on-line voting must be available for the 2014 elections. If that is not the case, the clause in the *Policy* with respect to the withholding of fees will be applied. I have also indicated my expectations regarding electoral reforms, including the redundancy of proxy voting in an on-line voting environment. I am pleased that UTSU has committed, in writing, to making on-line voting available and has instituted various electoral reforms. I and my office will continue to monitor UTSU's progress in meeting these expectations.

But electoral reform is not the whole of the picture. It is clear that some divisional societies have become so dissatisfied with UTSU that they are seeking to have fees, which would otherwise go to UTSU, diverted to their own organizations for similar purposes but under local administration. Trinity and EngSoc have gone so far as to conduct referenda, indicating overwhelming support for fee diversion. Trinity and EngSoc have asked that this issue be placed on the UAB agenda. I have recommended to the Chair of the UAB – and she has agreed – that such a motion not be placed on the agenda since it is not consistent with Governing Council policy, as stated above.

What are the next steps?

First, consistent with the concept of autonomy of student societies, the issues that are being raised are ones that the students themselves ideally should agree upon. But, given the importance of enhancing the student experience through activities supported by student societies, we are not prepared to let such significant points of dissent among the students be ignored. Accordingly, I am arranging for meetings between UTSU, Trinity and EngSoc to take place to discuss the matters that have sparked the fee diversion referenda on May 30 and June 6. I have indicated that it is best for the parties to meet on their own initially – this is, after all, an issue for the students themselves – but thereafter my Office would be pleased to arrange a facilitator. I have consulted with both the Dean of Arts and Science and the Dean of Law regarding a suitable expert to assist, and I hope to have someone available soon.

Second, while it is of course possible that Governing Council will decide to change its *Policy* so that fee diversion is allowed, the case for fee diversion will need to take into consideration demarcation issues, possibilities for fragmentation, the impact on students as a whole, and so on. Any such proposal for policy change, that is, would require a careful process.

In sum, the Provost's Office takes these issues very seriously and we are working actively to assist in productive change. There is real prospect for a resolution when electoral reform, on-line voting, and facilitated discussion are combined with what I hope will be a spirit of collegiality among the students, recognizing that coherent sub-groups among them have some unique interests that the body as a whole needs to consider.

So as not to prejudice the dialogue, I will be limiting my public statements on this matter. But I will be reporting to governance at appropriate times as the issues move forward. This will include an information session involving governors and student leaders. As matters currently stand, I do not believe that this issue should be placed on the agenda for the next UAB meeting.

I remain optimistic that the upshot of the ongoing conversation will be a strengthening of democracy in our student governments and a fair and responsive use of student fees that balances campus-wide and divisional interests.

PDAD&C #19 2013-2014

To: PDAD&C

From: Cheryl Regehr, Vice-President & Provost

Date: September 12, 2013

RE: Update on Undergraduate Student Societies Summit

At its meeting on June 17th, the Executive Committee of Governing Council determined that, in light of disputes between divisional student societies and student governments regarding the distribution of student fees and democratic reform, the proposed Student Commons Agreement and the Report of the Project Planning Committee for the Student Commons would be deferred for consideration by Governing Council in a future cycle. For background on those disputes, please see the attached memo.

In order to resolve those outstanding disputes, and make it possible to take the Student Commons motions forward to Governing Council, former Provost Cheryl Misak last month set up an Undergraduate Student Societies Summit. The Summit, including experts in democratic theory and practice and student group representatives, will consider the issues and facilitate both discussion between the student groups and a satisfactory outcome on which we can proceed.

The Summit participants are asked to consider the following:

- In a Policy environment in which there are currently four representative student governments (UTSU, SCSU, GSU, APUS) recognized by Governing Council and supported by mandatory fee deductions from students in the relevant constituencies, how can the sometimes distinct interests of divisional societies be supported and respected in a democratic manner?
- What are the implications of these answers on the evolution of the democratic structures of the student governments or on fee support for the activities of the divisional societies?

These questions will be explored in the context of the issues raised by recent fee diversion referenda but are not limited to the fee diversion issue alone. Although the Summit cannot effect policy changes (only the Governing Council can do that), if it concludes that further analysis should be undertaken, it may suggest issues that could be considered as part of a policy review. The Summit is intended to be a substantial, principled, and facilitated conversation.

In order to broaden the group of student leaders providing input into the discussion, UTSU and all the divisional/collegiate societies represented by UTSU will be able to send members to the Summit. **We have extended the original (September 1) deadline until the end of this week and have invited each of the following groups to name up to two members to participate:**

- University of Toronto Students' Union (UTSU)
- UTM Students' Union (UTMSU)
- Arts & Science Student Union (ASSU)

- Dental Students' Society
- Engineering Society (EngSoc)
- Faculty of Music Undergraduate Association
- Innis College Student Society
- Medical Society
- New College Student Council
- Nursing Undergraduate Society
- Physical Health & Education Undergraduate Association
- St. Michael's College Students Union
- Student Teachers' Union
- Students' Law Society
- Transitional Year Program Student Association
- Trinity College Meeting
- Undergraduate Pharmacy Society
- University College Literary & Athletic Society (UCLit)
- Victoria University Students' Administrative Council (VUSAC)
- Woodsworth College Students' Association

Other student groups including the Scarborough Campus Student Union (SCSU), the Graduate Students' Union (GSU), and the Association of Part-Time Undergraduate Students (APUS), student clubs, and other members of the University community are invited to make written submissions, and the Summit members might invite in-person submissions as well. **Please send written submissions to David Newman, Director, Student Life (dl.newman@utoronto.ca) by October 1, 2013.**

The faculty Summit members will be:

- Professor Donald Ainslie (Department of Philosophy, Faculty of Arts & Science, and Principal, University College)
- Professor Joe Desloges (Department of Geography and Earth Sciences, Faculty of Arts & Science, and Principal, Woodsworth College)
- Professor Graham White (Department of Political Science, University of Toronto Mississauga)
- Professor Linda White (Department of Political Science, Faculty of Arts & Science)

Professor Jill Matus, Vice-Provost, Students & First Entry Divisions, Professor Mark McGowan, Special Advisor to the Vice-Provost Students, and Mr. David Newman, Director, Student Life, will provide support from the Administration. Professor Desloges will act as Chair of the Summit meetings.

We will begin next week to schedule the first meeting of what is likely to be a multi-meeting process. The Summit may call on Professor Brian Langille, from the Faculty of Law, to facilitate the discussions and/or the outcome. The Summit will meet as necessary through the Fall 2013 term. It will give updates and report its conclusions to both Governing Council and the Provost

Appendix B – Participants in the Student Societies Summit

Name	Affiliation	Role
FACULTY SUMMIT MEMBERS		
Prof. Joe Desloges (Chair)	Geography/Earth Sciences/ Woodsworth	Professor
Prof. Donald Ainslie	Philosophy/University College	Professor
Prof. Graham White	Political Science UTM	Professor
Prof. Linda White	Political Science/Public Policy- UTSG	Professor
Prof. Brian Langille	Law	Professor
ADVISORS & ADMINISTRATION		
Prof. Jill Matus	Administration	Vice-Provost, Students & First-Entry Divisions
Prof. Mark McGowan [*]	Administration	Acting Vice-Provost, Students & First-Entry Divisions / Special Advisor to the Vice-Provost, Students & First-Entry Divisions
Meredith Strong ^{**}	Administration	Director, Office of the Vice-Provost, Students & Student Policy Advisor
David Newman	Administration	Acting Director, Office of the Vice-Provost, Students & First-Entry Divisions / Director, Office of Student Life
STUDENT PARTICIPANTS		
Yolen Bollo-Kamara	UTSU – University of Toronto Students Union	Vice-President Equity
Agnes So	UTSU – University of Toronto Students Union	Vice-President University Affairs
Raymond Noronha	UTMSU – University of Toronto at Mississauga Students Union	President
Melissa Theodore	UTMSU - University of Toronto at Mississauga Students Union	Vice-President External
Xiao Tian	ASSU – Arts and Science Students Union	President
Dylan Chauvin Smith	ASSU – Arts and Science Students Union	Executive Member
<i>No participant</i>	DSS - Dental Students' Society	
<i>No participant</i>	DSS - Dental Students' Society	
Mauricio Curbelo	EngSoc - Engineering Society	President
Thomas Santerre	EngSoc - Engineering Society	Vice-President Communications
Jessica Leung ^{***}	FMUA - Faculty of Music Undergraduate Assoc.	Vice-President
Mathias Memmel ^{***}	FMUA - Faculty of Music Undergraduate Assoc.	Chief Financial Officer
Mary Stefanidis	ICSS - Innis College Student Society	President
Ryan Lamers	ICSS - Innis College Student Society	Vice-President

Kim Blakely	MedSoc - Medical Society	President
David Bastien	MedSoc - Medical Society	Vice-President Finance
Ashkan Azimi	NCSC - New College Student Council	President
Craig Maniscalco	NCSC - New College Student Council	Vice-President Administration
<i>No participant</i>	NUS - Nursing Undergraduate Society	
<i>No participant</i>	NUS - Nursing Undergraduate Society	
Anthony O'Brien	KPEUA - Kinesiology & Physical Education Undergraduate Association	President
Craig Cuizon	KPEUA - Kinesiology & Physical Education Undergraduate Association	Vice-President Communications
Mike Cowan	SMCSU - St. Michael's College Students Union	Past President
Alex Zappone	SMCSU - St. Michael's College Students Union	President
Teresa Maida	STU - Student Teachers' Union	Treasurer
Joe Bodley	STU - Student Teachers' Union	External Coordinator
Brendan Stevens	SLS - Students' Law Society	President
Peter Flynn	SLS - Students' Law Society	Vice-President, Student Affairs & Governance
<i>No participant</i>	TYPSA - Transitional Year Programme Students' Association	
<i>No participant</i>	TYPSA - Transitional Year Programme Students' Association	
Benjamin Crase	TCM - Trinity College Meeting	Male Head
Maha Naqi	TCM - Trinity College Meeting	Female Head
<i>No participant</i>	UPS - Undergraduate Pharmacy Society	
<i>No participant</i>	UPS - Undergraduate Pharmacy Society	
Nishi Kumar	UCLit – University College Literary & Athletic Society	President
Ryan Phillips	UCLit – University College Literary & Athletic Society	Vice-President
Jelena Savic	VUSAC - Victoria University Student Administrative Council	President
Zack Medow	VUSAC - Victoria University Student Administrative Council	Vice-President External
Rhys Smith	WCSA - Woodsworth College Students' Association	President
Michael Amiraslani	WCSA - Woodsworth College Students' Association	Vice-President External Affairs

* Sept. to Oct. 2013; ** Jan. to present, 2014; *** did not attend Summit sessions.

Appendix C – Meeting Dates of the Student Societies Summit`

October 7, 2013; 3-5 pm; Governing Council Chamber

October 26, 2013; 2-4 pm; Croft Chapter House, UC

November 1, 2013; 1-3 pm; Croft Chapter House, UC

November 15, 2013; 1-3 pm; Rm 728; Bissell Building

December 11, 2013; 10-12 am; Governing Council Chamber

January 15, 2014; 10-12 am; Governing Council Chamber

January 27, 1-3 pm; Governing Council Chamber

February 10, 2014; 2-4 pm; Governing Council Chamber

March 7, 2014; 1-3 pm; Governing Council Chamber

March 14, 2014; 1-3 pm; Governing Council Chamber