



FOR APPROVAL

PUBLIC

OPEN SESSION

TO: Governing Council

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PRESENTER: See above.
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DATE: June 18, 2019 for June 25, 2019

AGENDA ITEM: 3(a)

ITEM IDENTIFICATION:

Establishment of University of Toronto Mississauga Students' Union (UTMSU) as a Representative Student Committee

JURISDICTIONAL INFORMATION:

Under Section 5.3.1 of its *Terms of Reference*, the University Affairs Board “is responsible for policy concerning University-wide student societies and campus organizations and representative student groups...”

GOVERNANCE PATH:

1. UTM Campus Affairs Committee [For Recommendation] (May 2, 2019)
2. UTM Campus Council [For Recommendation] (May 27, 2019)
3. University Affairs Board [For Recommendation] (May 23, 2019)
4. Executive Committee [For Endorsement and Forwarding] (June 10, 2019)
- 5. Governing Council [For approval] (June 25, 2019)**

PREVIOUS ACTION TAKEN:

On May 31, 2004, the Governing Council approved a resolution that the Scarborough Campus Students' Union (SCSU) be recognized as the Representative Student Committee and primary representative body of full-time undergraduate students registered at the University of Toronto at Scarborough (UTSC); and that the Governing Council cease its recognition of the Students' Administrative Council (SAC) as the Representative Student Committee of full-time undergraduate students registered at UTSC – subject to certain conditions and expectations

HIGHLIGHTS:

At present, the Students' Administrative Council, operating as the University of Toronto Students' Union (UTSU), the University of Toronto Graduate Students' Union (UTGSU), the Association of Part-time Undergraduate Students (APUS), and the Scarborough Campus Students' Union (SCSU), are recognized by the Governing Council as "Representative Student Committees" pursuant to the *University of Toronto Act* (1947).

The *Act* provides that the Governing Council "may make provision for enabling the students of the University, University College and the federated universities and federated colleges to appoint a representative committee of themselves to be chosen in such manner as shall be approved by the [Governing Council], which shall be the recognized official student medium of communication on behalf of such students between them and the [Governing Council]."

For the purpose of the *Act*, full-time undergraduate students at the University of Toronto Mississauga (UTM) are represented by the UTSU, part-time undergraduate students are represented by APUS, and graduate students are represented by the UTGSU.

Over the years, and particularly after the establishment of the SCSU as the representative student committee for UTSC full-time undergraduate students along with the change in campus governance structure, the establishment of Erindale College Students' Union, operating as the University of Toronto Mississauga Students' Union (UTMSU), as the Representative Student Committee for UTM full-time undergraduate students has been considered. With the growth at UTM and the tri-campus model, the establishment of the UTMSU as a Representative Student Committee is indicative of the natural evolution of student government at U of T. The University recognizes that the UTMSU has been operating in a similar fashion to a Representative Student Committee and the initiative undertaken is a formalization of what has been occurring in practice.

The UTSU and UTMSU had entered into an Associate Membership Agreement (AMA) in April 2008. In January 2018, discussions began between the two societies to end the AMA between the organizations. The University, in respecting the autonomy of the UTSU and UTMSU has not intervened to facilitate this change. In ending the agreement, the UTSU also agreed that the UTMSU could become the Representative Student Committee for UTM full-time undergraduate students. UTM students would no longer pay fees to the UTSU or be represented by the UTSU.

The following motion, entitled "Endorsement of the Separation of the UTSU and UTMSU", was presented at both the UTSU Annual General Meeting held on October 30, 2018 and the UTMSU Annual General Meeting held on November 29, 2018.

WHEREAS the University of Toronto Students' Union (the "UTSU") and the University of Toronto Mississauga Students' Union (the "UTMSU") entered into an Associate Membership Agreement (the "AMA") on the 30th of April, 2008;

AND WHEREAS the UTMSU Board and Executive have in considering whether to continue the AMA undertaken due diligence, considered the benefits to UTM students of continuing the relationship and of terminating the AMA, and have received legal advice;

AND WHEREAS the UTMSU Board and Executive, having considered the matter carefully, formed the view that it is in the best interests of UTM's student body to terminate the AMA; NOW, THEREFORE, BE IT RESOLVED that the termination of the AMA, be endorsed following board approval of the settlement terms.

At both the UTSU AGM and the UTMSU AGM the vote passed unanimously. At the UTSU AGM all those present – 222 UTSU members – voted in favour. At the UTMSU AGM, the votes were 1,107 in favour (119 attendees present and the remainder by proxy), 0 against, and 0 abstentions.

Fees:

At present, full-time undergraduate students registered at the University of Toronto Mississauga (UTM) are charged \$160.80 per session for the University of Toronto Mississauga Students' Union (UTMSU) and \$222.54 per session for the University of Toronto Students' Union (UTSU). (See summary of fees attached)

The UTMSU and UTSU are jointly supporting the realignment of all UTMSU and UTSU services and representation into a single, restructured UTMSU fee of \$383.34 beginning in fall 2019. If this proposal is accepted, UTM students would no longer be charged a UTSU fee and all of the current designated components of the UTSU fee would be included in the new realigned UTMSU fee.

All relevant conditions applicable to the current UTMSU and UTSU fees (cost-of-living and inflation increases) would still apply.

The Protocol

The Protocol was negotiated pursuant to requirements established by the Ministry of Training, Colleges and Universities. The relevant Ministry guideline (from the Ontario Operating Funds Distribution Manual) is as follows:

5.2.7. Compulsory non-tuition-related ancillary fees (except as exempted in Section 5.2.8) which were in effect during the 1993-94 academic year can neither be increased above 1993-94 levels, nor expanded to include new fees, except through the implementation of a protocol which has been agreed to by representatives of the institution's administration and student government representatives ... and which has received approval from the institution's governing body. The protocol(s) will set out the means by which students will be involved in decisions to increase the existing compulsory non-tuition-related ancillary fees or to introduce new ones.

The term “student governments” is defined by the Ministry as “the minimum number of student organizations which have both elected leadership and by-laws setting out their

methods of operation and which, when viewed in combination at an individual institution, represent all students who are eligible to vote for a student organization.”¹

Therefore, if UTM students are no longer represented by any of the existing signatories to the agreement (i.e. the UTSU, APUS, and the UTGSU), the Protocol will no longer meet the requirements of the Ministry. If the Protocol does not meet these requirements, its provisions will no longer enable the Council on Student Services (COSS), the UTSC Council on Student Services (CSS), and the UTM Quality Services to Students group (QSS), the related mechanisms for fee increases.

Therefore, the motion is subject to a condition that UTSU continue to formally represent UTM students under the Protocol for the explicit purposes of meeting the requirements of the Ministry of Training, Colleges and Universities.

FINANCIAL IMPLICATIONS:

The total fee paid by students will not change; however, should the proposal be accepted, UTM students would no longer be charged a UTSU fee and all of the current designated components of the UTSU fee would be included in the new realigned UTMSU fee.

RECOMMENDATION:

Be It Resolved

- i. THAT University of Toronto Mississauga Students’ Union be recognized as the Representative Student Committee and primary representative body of full-time undergraduate students registered at the University of Toronto Mississauga; and
- ii. THAT the Governing Council cease its recognition of the University of Toronto Students’ Union (formerly operating as the Students’ Administrative Council) as the Representative Student Committee of full-time undergraduate students registered at the University of Toronto Mississauga;

Subject to the following condition and expectation:

- iii. THAT for the purposes of the *Memorandum of Agreement between the University of Toronto, the Students’ Administrative Council, the Graduate Students’ Union and the Association of Part-Time Undergraduate Students for a Long-Term Protocol on the Increase or Introduction of Compulsory Non-Tuition Related Fees* (the “Protocol”), the Students’ Administrative Council shall continue to represent full-time undergraduate students registered at the University of Toronto Mississauga until such a time as a new or revised Protocol is approved.

AND

¹ Note: the 2019-2020 Tuition Fee Framework and Ancillary Fee Guidelines Publicly-Assisted Universities refers to Student Governing Body in relationship to the Protocol and defines the term “...as the minimum number of student organizations which have both elected leadership and by laws setting out their methods of operation and which, when viewed in combination at an individual institution, represent all students who are eligible to be represented by a student organization except students who have voluntarily opted out of being represented by the student governing body.”

- iv. THAT all fees currently charged to University of Toronto Mississauga students on behalf of the University of Toronto Students' Union be henceforth charged on behalf of the University of Toronto Mississauga Students' Union, effective beginning in the Fall 2019 session.
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DOCUMENTATION PROVIDED:

- Current UTSU and UTMSU Fees and Proposed UTMSU Fees
- Schedule 1 of the Compulsory Non-Academic Incidental Fee Report (Current Summer 2019, Fall 2019 and Winter 2020 UTMSU and UTSU-Mississauga fees only)



Summary of Fees (full-time undergraduate fees per session)

Current UTMSU Fee

Society (cost-of-living increases permitted without referendum - approved Spring 2006)	15.20
Academic Societies (cost-of-living increases permitted without referendum - approved Spring 2007)	1.10
Blind Duck Pub (refundable)	3.25
Club Funding & Resources	1.26
Food Bank (cost-of-living increases permitted without referendum - approved Spring 2009)	0.60
On-Campus First Aid Emergency Response (cost-of-living increases permitted without referendum - approved Spring 2011)	0.57
Student Centre Levy	12.50
Student Refugee Program (cost-of-living increases permitted without referendum - approved Spring 2009)	1.19
Mississauga Transit U-Pass (different amount for summer sessions; increases up to 9% permitted without referendum - approved Fall 2010)	125.13
TOTAL	\$ 160.80

Current UTSU (Mississauga) Fee

Society (cost-of-living increases permitted without referendum - approved Spring 1991)	19.48
Blue Sky Solar Racing Team (refundable)	0.13
Canadian Federation of Students (CFS) & CFS-Ontario (Canadian CPI cost-of-living increases permitted without referendum - approved Fall 2002)	8.21
Centre for Women and Trans People (refundable)	0.50
Day Care Subsidy (refundable)	0.50
Downtown Legal Services (cost-of-living increases permitted without referendum - approved Spring 2015; refundable)	1.10
Foster Children Program	0.05
Health Initiatives in Developing Countries (refundable)	0.25
Orientation (refundable)	0.50
Radical Roots (refundable)	0.15
Student Refugee Program (cost-of-living increases permitted without referendum - approved Spring 2007)	0.74
UTM Sexual Education Centre (refundable)	1.00
UTM Women's Centre (refundable)	1.00
Wheelchair Accessibility Projects	1.00
U of T Environmental Resource Network (refundable)	0.50
Accident & Prescription Drug Insurance Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - current provisions approved Spring 1998; refundable)	102.09
Dental Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - approved Spring 1998; refundable)	85.34
TOTAL	\$ 222.54

Proposed UTMSU Fee (full-time undergraduate UTM students only), Fall 2019

Society (cost-of-living increases permitted without referendum - approved Spring 2006)	34.68
Academic Societies (cost-of-living increases permitted without referendum - approved Spring 2007)	1.10
Blind Duck Pub (refundable)	3.25
Club Funding & Resources	1.26
Food Bank (cost-of-living increases permitted without referendum - approved Spring 2009)	0.60
On-Campus First Aid Emergency Response (cost-of-living increases permitted without referendum - approved Spring 2011)	0.57
Student Centre Levy	12.50
Mississauga Transit U-Pass (different amount for summer sessions; increases up to 9% permitted without referendum - approved Fall 2010)	125.13
Student Refugee Program (cost-of-living increases permitted without referendum - approved Spring 2007 and Spring 2009)	1.93
Blue Sky Solar Racing Team (refundable)	0.13
Canadian Federation of Students (CFS) & CFS-Ontario (Canadian CPI cost-of-living increases permitted without referendum - approved Fall 2002)	8.21
Centre for Women and Trans People (refundable)	0.50
Day Care Subsidy (refundable)	0.50
Downtown Legal Services (cost-of-living increases permitted without referendum - approved Spring 2015; refundable)	1.10
Foster Children Program	0.05
Health Initiatives in Developing Countries (refundable)	0.25
Orientation (refundable)	0.50
Radical Roots (refundable)	0.15
UTM Sexual Education Centre (refundable)	1.00
UTM Women's Centre (refundable)	1.00
Wheelchair Accessibility Projects	1.00
U of T Environmental Resource Network (refundable)	0.50
Accident & Prescription Drug Insurance Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - current provisions approved Spring 1998; refundable)	102.09
Dental Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - approved Spring 1998; refundable)	85.34
TOTAL	\$ 383.34

Schedule 1: Student Society Fees

Student Societies	Summer 2019		Fall 2019		Winter 2020	
	Full-time	Part-time	Full-time	Part-time	Full-time	Part-time
UTM Students' Union (Erindale College Student Union)						
Society (cost-of-living increases permitted without referendum - approved Spring 2006)	14.86	1.10	15.20	1.13	15.20	1.13
Academic Societies (cost-of-living increases permitted without referendum - approved Spring 2007)	1.08	1.08	1.10	1.10	1.10	1.10
Blind Duck Pub (refundable)	3.25	3.25	3.25	3.25	3.25	3.25
Club Funding & Resources	1.26	1.26	1.26	1.26	1.26	1.26
Food Bank (cost-of-living increases permitted without referendum - approved Spring 2009)			0.60	0.60	0.60	0.60
On-Campus First Aid Emergency Response (cost-of-living increases permitted without referendum - approved Spring 2011)	0.56	0.56	0.57	0.57	0.57	0.57
Student Centre Levy	12.50	3.75	12.50	3.75	12.50	3.75
Student Refugee Program (cost-of-living increases permitted without referendum - approved Spring 2009)			1.19	1.19	1.19	1.19
Mississauga Transit U-Pass (different amount for summer sessions; increases up to 9% permitted without referendum - approved Fall 2010)	164.54	164.54	125.13	125.13	125.13	125.13
TOTAL	\$ 198.05	\$ 175.54	\$ 160.80	\$ 137.98	\$ 160.80	\$ 137.98
Change From Previous Year	+5.5%	+6.1%	+6.0%	+6.8%	+6.0%	+6.8%
	\$ 10.29	\$ 10.09	\$ 9.14	\$ 8.83	\$ 9.14	\$ 8.83
Note: Mississauga Academy of Medicine Students also pay \$75.55 per Fall and Winter sessions for a Summer U-Pass						
University of Toronto Students' Union (Students' Administrative Council) - UTM						
Society (cost-of-living increases permitted without referendum - approved Spring 1991)	19.04		19.48		19.48	
Blue Sky Solar Racing Team (refundable)	0.13		0.13		0.13	
Canadian Federation of Students (CFS) & CFS-Ontario (Canadian CPI cost-of-living increases permitted without referendum - approved Fall 2002)	8.05		8.21		8.21	
Centre for Women and Trans People (refundable)	0.50		0.50		0.50	
Day Care Subsidy (refundable)	0.50		0.50		0.50	
Downtown Legal Services (cost-of-living increases permitted without referendum - approved Spring 2015; refundable)	1.08		1.10		1.10	
Foster Children Program	0.05		0.05		0.05	
Health Initiatives in Developing Countries (refundable)	0.25		0.25		0.25	
Orientation (refundable)	0.50		0.50		0.50	
Radical Roots (refundable)	0.15		0.15		0.15	
Student Refugee Program (cost-of-living increases permitted without referendum - approved Spring 2007)	0.72		0.74		0.74	
UTM Sexual Education Centre (refundable)	1.00		1.00		1.00	
UTM Women's Centre (refundable)	1.00		1.00		1.00	
Wheelchair Accessibility Projects	1.00		1.00		1.00	
U of T Environmental Resource Network (refundable)	0.50		0.50		0.50	
Accident & Prescription Drug Insurance Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - current provisions approved Spring 1998; refundable)			102.09		102.09	
Dental Plan (including administration fee and sales tax; increases up to 10% permitted without referendum - approved Spring 1998; refundable)			85.34		85.34	
TOTAL	\$ 34.47		\$ 222.54		\$ 222.54	
Change From Previous Year	+1.3%		+8.6%		+8.6%	
	\$ 0.43		\$ 17.68		\$ 17.68	