



UNIVERSITY OF TORONTO

University of Toronto
Governing Council

**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**

October 24, 1996

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A. Preamble

1. The Ministry of Education and Training's *Compulsory Ancillary Fee Policy Guidelines* require that, in order for certain specified non-tuition-related compulsory ancillary fees to be introduced or in order for any such fee to be increased by the University of Toronto, there be in place a long-term protocol, setting out the means by which students will be involved in decisions to increase compulsory non-tuition-related fees or to introduce new ones, agreed to by the administration of the University of Toronto and certain student government representatives, and approved by the Governing Council of the University of Toronto
2. The representatives of the Association of Part-time Undergraduate Students, the Graduate Students' Union and the Students' Administrative Council, who constitute the student government representatives for students at the University of Toronto identified in the *Compulsory Ancillary Fee Policy Guidelines*, and the administration of the University of Toronto have agreed to the following provisions, which collectively comprise the Long-Term Protocol for the University of Toronto as required by the *Compulsory Ancillary Fee Policy Guidelines*.

B. Application

1. This Protocol applies to the University of Toronto ancillary fees listed in Appendix B of this Agreement, except those that are described as exempt. Fees described as "exempt" in Appendix B are covered by the University's Policy on Ancillary Fees but are exempt from the Protocol.
2. The parties acknowledge that the University of Toronto has no jurisdiction over ancillary fees charged by institutions federated and affiliated with it, receives no revenue from such fees, and has no authority over the services provided by such fees. The University of Toronto undertakes that, at the next opportunity for negotiating the Memoranda of Agreement with federated and affiliated institutions, it shall seek compliance with the MET *Compulsory Ancillary Fee Policy Guidelines* as a condition of federation or affiliation. The parties acknowledge that the University of Toronto will not compel such compliance as a condition of federation or affiliation and cannot enforce such compliance.
3. The parties further acknowledge that all decisions relating to services offered by the University of Toronto and fees charged by the University of Toronto remain within the jurisdiction of the Governing Council of the University of Toronto. The authority of the Governing Council to approve changes in services, including their establishment or discontinuation, which do not increase or create fees covered by the Protocol, shall not be limited by this Memorandum of Agreement.

C. Term of the Protocol

This Agreement shall be in effect without term, unless the Governing Council of the University of Toronto, or the Students' Administrative Council and at least one of the Association of Part-time Undergraduate

Students or the Graduate Students' Union, shall give notice of termination of the agreement to all other parties at least one year in advance.

D. The Council on Student Services

1. The parties agree that there will be a body at the University of Toronto, to be known as "the Council on Student Services." The "Constitution of the Council on Student Services", appended as Appendix A, may be amended from time to time by the Governing Council of the University of Toronto, except that amendments shall require the approval of the Students' Administrative Council and at least one of the Association of Part-time Undergraduate Students or the Graduate Students' Union.
2. In order to provide for the services offered by colleges or faculties, the councils of colleges or faculties, including the Councils of Erindale College and Scarborough College, may create bodies within those colleges or faculties, corresponding to the Council on Student Services, whose terms of reference are approved by the student society or societies of the students registered in that college or faculty.

E. The Means by Which Students Will Be Involved in Decisions to Increase Compulsory Non-Tuition-Related Fees or to Introduce New Ones

1. Each year the Assistant Vice-President Student Affairs, in consultation with the Directors of the Student Service divisions, the Director of the Department of Athletics and Recreation and the Warden of Hart House, will review and where necessary realign the existing budgets among the Student Services and within DAR and Hart House, subject to any required approval within the Department of Athletics and Recreation or Hart House. This will not imply or cause an increase in overall levels of expense funded by the fees covered by the Protocol, but may result in the reallocation of available resources in response to changing service demands. The service implications of such reallocations will be submitted both to the Council on Student Services and to the Governing Council in the annual operating plans for student service divisions. The reallocation may not, without appropriate approval, result in the creation of a new service or the discontinuation of an existing service.
2. All proposals for the increase, decrease, introduction or elimination of a fee covered by this Protocol shall first be considered by the Council on Student Services, whose advice on the proposed change shall be conveyed to the Governing Council. Where the council of a college or faculty has created a body as described in section D above, that body shall provide such advice to the Governing Council with respect to fees covered by this Protocol that apply only to the students of that college or faculty.
3. (a) For the purposes of this Protocol, fee changes shall be classified as follows:
 - (i) increases in existing fees by a percentage equal to the Consumer Price Index as described in the University of Toronto's *Long-range Budget Projection Assumptions and Strategies* (hereinafter referred to as "CPI increases");
 - (ii) increases in existing fees equal to the amount of the Indexed Fee determined by the procedures described in "Method for Calculation of an Index for Fees Covered by the Ancillary Fees Protocol" (Appendix C (hereinafter referred to as "UTI increases")); and
 - (iii) all other fee increases or new fees.
- (b) The Council on Student Services will receive and review the financial data and assumptions which lead to the calculation of UTI increases. The same information will also be made available to the Governing Council. The compensation of individual

- members of the staff will not be disclosed to the Council on Student Services or to the Governing Council.
- (c) Notwithstanding the advice of the Council on Student Services (or the corresponding body of a college or faculty), the Governing Council may approve permanent increases in existing fees by a percentage less than or equal to the lesser of the UTI increase or the CPI increase.
4.
 - (a) The Governing Council may, notwithstanding the advice of the Council on Student Services (or the corresponding body of a college or faculty), approve an increase in existing fees not greater than the greater of the UTI increase or the CPI increase.
 - (b) Such an increase, as described in section 4(a), will be a temporary increase for a period of up to three years. If a temporary increase is not subsequently made permanent as described in section 5 or as otherwise provided, it shall lapse at the end of the said period.
 5. The approval by the Governing Council of any increases of existing fees covered by the Protocol, other than those approved as provided in sections 3 and 4, and of all new fees covered by the Protocol, shall require the consent either of (i) the majority of student members of Council on Student Services present at the meeting at which approval of such a fee increase is to be considered or (ii) the majority of students voting in a referendum as described in "Referenda for Increases in Compulsory Non-Academic Incidental Fees Covered by the Ancillary Fee Protocol" (Appendix D).
 6. The recommendations of the Council on Student Services on Operating Plans and changes in fees will be conveyed to the appropriate body within Governing Council by the appropriate administrative assessors. Where the advice of the administrative assessors differs from the advice given by the Council on Student Services with respect to Operating Plans or fees increases, such advice will be forwarded to the chair of the Council on Student Services in sufficient time to allow representation to be made by the Council on Student Services to the appropriate body within Governing Council.

F. Seeking of Ratification

Each of the parties to this agreement undertakes to recommend to its governing body that this Protocol be approved, without amendment or alteration.

Signed this thirtieth day of July, 1996.

(signed)
President University of Toronto

(signed)
President Association of Part-time Undergraduate Students

(signed)
President Graduate Students' Union

(signed)
President Students' Administrative Council

Approved by the Board of Directors of the Students' Administrative Council, September 16, 1996.
Approved by the Board of Directors of the Association of Part-time Undergraduate Students, September 22, 1996.

Approved by the Council of the Graduate Students' Union, October 2, 1996.
Approved by the Governing Council of the University of Toronto, October 24, 1996.

Appendix A Constitution Of The Council on Student Services

1. Purpose

The Council on Student Services is established to enhance the experience of the students of the University of Toronto by promoting the provision of the most efficient and effective student services.

2. Powers and Duties

The Council on Student Services shall have the following powers and duties:

- (a) to advise the Governing Council on policy for the following services
 - Office of Student Affairs
 - Career Centre
 - Counselling and Learning Skills Service
 - First Nations' House
 - Health Service
 - Housing Service
 - International Student Centre
 - Psychiatric Service
 - Any other service that may be assigned to the Council by the Governing Council
- (b) to review in detail the annual operating plans, including budgets, for the above services and the levels of identified subsidies from the revenues derived from the Student Services Fees for other student services, and any supplementary spending plans for any unexpended revenue from the Student Services Fees, and to offer its advice to the Governing Council on these plans
- (c) to receive information on the above services in order to consider current issues in the services and among the services, and to serve as a mechanism of information, communication and co-operation between the student services and students
- (d) to review the annual operating plans, including budgets, for Hart House and the Department of Athletics and Recreation, as recommended by the Board of Stewards of Hart House and the Council of the Department of Athletics and Recreation, and to offer its advice to the Governing Council on these plans
- (e) to achieve these ends, to receive regular reports on the services from the Assistant Vice-President Student Affairs
- (f) to advise the Governing Council on proposals for expansion or reduction of student services, including recommendations for new services and for the elimination of services
- (g) to consider and make recommendations to the appropriate body regarding the allocation of space for student services, and student societies
- (h) to serve as a forum for discussion of student life at the University of Toronto

3. Membership and Terms of Office

- (a) The following seventeen persons shall be voting members of the Council on Student Services:
 - the President of the University or the person delegated by the President

- two part-time undergraduate students, appointed by the Association of Part-time Undergraduate Students
 - two graduate students, appointed by the Graduate Students' Union
 - four full-time undergraduate students or members of the executive of the Students' Administrative Council, appointed by the Students' Administrative Council
 - one full-time or part-time student, chosen by the Erindale College council on student services
 - one full-time or part time student, chosen by the Scarborough College council on student services
 - six other persons appointed by the President of the University of Toronto
- (b) The University Affairs Board shall appoint a non-voting chair for the Council.
- (c) Members of the Council shall hold office from May 1st until the next April 30th, at the pleasure of the body that appointed them.
- (d) Vacancies shall be filled by the body that made the appointment.
- (e) Persons attending on behalf of absent members may speak at the discretion of the Chair, but may not vote.
- (f) Proxy voting is not permitted.

4. Eleven members present, of whom at least six shall be students, shall constitute a quorum of members.

Section 3(a) amended by the University Affairs Board , November 25, 1997 (full-time undergraduate student representation). Amendment approved by the Board of Directors of the Association of Part-time Undergraduate Students, November 23, 1997; by the Council of the Graduate Students' Union, October 27, 1997; and by the Board of Directors of the Students' Administrative Council, October 20, 1997.

Appendix B

University of Toronto Ancillary Fees Covered by the Ancillary Fees Protocol with a list of Exempt Fees

Health /Insurance

Health services

Student Activity Fees

Student Services

Hart House

Athletic Fees

Athletics and Recreation

Scarborough College Athletic Fee

Transportation/Parking Fees

(in Student Services Fee - Erindale)

Housing Placement Fees

(in Student Services Fees)

Student Government(exempt)

Erindale College Athletics and Recreation Association

Erindale College Part-time Undergraduate Students

Erindale College Student Union

Innis College Student Society New

College Student Council Scarborough

Campus Students' Council

Scarborough College Athletic Association

University College Literary and Athletic Society

Woodsworth College Students' Association

Engineering Society

Architecture Students' Union

Landscape Architecture Student Society

Dental Students' Society

Faculty of Education Student Union

Faculty of Information Studies Student Council

Foresters' Club Students'

Law Society Graduate

Business Council The

Medical Society

The Physical and Occupational Therapy Undergraduate Association

Faculty of Music Undergraduate Association

Faculty of Nursing Students' Council

Undergraduate Pharmaceutical Society

Physical and Health Education Undergraduate Association

Student Association of the Transitional Year Program

Students' Administrative Council

Association of Part-time Undergraduate Students
Graduate Students' Union
Arts and Science Students' Union
The Varsity
Erindale College Library Enhancement Fund (Erindale College Students' Union)
Woodsworth College Building Fund (Woodsworth College Students' Association)

Fees for Field Trips, Materials and Services (exempt, Appendix C of *Compulsory Ancillary Fee Policy Guidelines*)

Field Trip Fees

(As reported to the Business Board of the Governing Council and to the Ministry of Education and Training)

Fees for Learning Materials and Clothing Retained by the Student

Dental Instrument Fee
Dental Clothing Fee
Physical and Health Education Tracksuit Fee
Applied Science and Engineering Kits
Erindale Safety Glasses Fee
Medicine Equipment Fees
Nursing Dressing Trays Fee

(not all of these fees are compulsory)

Fees for Material Used in the Production of Items which Become the Property of the Student

Architecture and Landscape Architecture darkroom Fee
Architecture and Landscape Architecture computer printing Fee
Arts and Science Fine Art supplies Fee
Information Studies data base access Fee
Management orientation Fees
Physical and Health Education certification test Fees
Scarborough College diskette Fees
School of Graduate Studies word processing Fee
School of Graduate Studies colloquium Fee
University College Playhouse pass

(not all of these fees are compulsory)

Fees for Materials or Services where the Institution Acts as a Broker with a Vendor for the Student

CANCOPY
UHIP (not really a U of T fee; set system-wide through Council of Ontario Universities)
Dental Instrument Fee (also listed above, but fits this category too)

Fees for Work Term Placements (exempt, Appendix D of *Compulsory Ancillary Fee Policy Guidelines*)

Co-op Program placement
Professional Experience Year
M.B.A. placement
Medieval Studies Dossier Service
Sienna Summer Program
Humboldt Program

(not all of these fees are compulsory)

Appendix C

Method for Calculation of an Index for Fees Covered by the Ancillary Fees Protocol

Annual Adjustments for Indexation

Once an ancillary fee is set, either by approval prior to the introduction of the Protocol or by approval under the aegis of the Protocol, it may be increased according to the terms and procedures described in section E of the Memorandum of Agreement:

a. Determining the Expenditure base

The expenditure base for the purpose of annual indexation adjustments shall be the previous year's budgets, duly approved, of the services covered by the fees.

b. Indexing the Salary and Benefits Expenditure Base

Individual expenditure budgets thus determined will be indexed as follows:

- i) Salary expense will be increased (or decreased) at the rates of increase approved for staff members. The average across-the board and merit increases for the various groups will be applied to the salary budget component for the service divisions. In the absence of an agreement with the several employee groups at the time of budget preparation, the salary budget component will be indexed at the rates stipulated in the *Long-range Budget Projection Assumptions and Strategies* reviewed each year by the Planning and Budget Committee and approved by the Governing Council.
- ii) The institutional average employer benefits cost rate, as approved annually as part of the *Budget Report*, will be applied to the salary budgets determined in b.(i) to establish the employer benefits costs budget each year.

c. Other Sources of Net Revenue

Several services funded by ancillary fees are also supported by other sources of revenue, which are included in the budgets reviewed by the Council on Student Services and submitted annually to the Governing Council. Where the service is engaged in an activity that requires the purchase of goods and services for resale, as in the case of Hart House, the relevant revenue is the revenue net of the cost of purchases and labour.

After the base expenses are indexed according to the method described above (section a.), any increases will be discounted by the percentage of total net revenue which is generated by sources of revenue other than fees covered by the protocol. (For example, if the indexed increase were \$20,000 and other revenue made up 25 per cent of total revenue in the previous year's budget the indexed base expenditure would be reduced to \$15,000).

d. Non-student Use

A calculation of the non-student use will be made according to a method used at the establishment of the Student Services Fees. The proportion of non-student use calculated will be used to attribute costs of the services in question away from the fee revenue to be raised. The specific method of determining non-student use will be different for each division:

- for Athletics and Recreation (and, where applicable, Hart House), the non-student membership revenues (including revenue from negotiated employee benefit plans such as the Joint Benefit Plan) are used as a proxy for non-student use;
- for Child Care facilities, actual registration data for non-student use is readily available;
- for Counselling and Learning Skills Services, actual non-student contact hours are recorded;

- for the International Student Centre, the Centre estimates the use of its services by visiting scholars, expressed as a percentage of total use;
- for other services, methods suggested by the Assistant Vice-President Student Affairs and approved by the Council on Student Services shall be used.

e. Occupancy costs

i) Student Services

For the purpose of determining occupancy costs, the total amount of space occupied by student service divisions and student societies will be adjusted each year for known changes in occupancy. In each third year, the occupancy attributed to each student service division and student society will be reviewed in detail and adjusted where appropriate. The occupancy was reviewed in detail during 1994-95, and would thus be scheduled for its next review in 1997-98. The rate charged per Net Assignable Square Meter (NASM) will be adjusted annually on a slip-year basis, according to actual changes in operating costs for those buildings occupied by student service divisions and student societies.

The operating costs of the space comprise four elements:

- building maintenance and custodial services
- utilities
- campus services, including grounds, security, fire protection
- facilities and services administrative overhead.

Building maintenance and custodial costs will be calculated for the next fiscal year by dividing the *current* fiscal year budget for such services in individual buildings by the total building NASM. That is, for 1996-97, building maintenance and custodial costs will be based on 1995-96 expenditure budgets for those buildings.

Utilities costs will be calculated on a double slip-year basis, indexed to take account of known price increases. For the next fiscal year, the *prior* year's actual utilities cost per NASM will be indexed by the price inflation rates stipulated in the *current year's Budget Report*.

Campus service costs per NASM will be calculated on a campus-wide (as opposed to building-by-building) basis for the next fiscal year by dividing the *current* fiscal year budget for these services by the total campus NASM.

Facilities and Services administrative overhead, expressed as a percentage of building maintenance and custodial, utilities, and campus services, will be calculated for the next fiscal year by expressing the *current* fiscal year facilities and services administrative budget as a percentage of the overall Facilities and Services budget.

ii) Hart House and the Department of Athletics and Recreation

Occupancy costs for Hart House and for the arena and stadium in DAR will be treated as direct costs in their budgets.

f. Steps in the Calculation of the Indexed Fees

- Step one: Establish the Indexed Salary and Benefits Expenditure Base.
- Step two: Where there is a planned reduction of staff complement, add an estimate of severance costs.
- Step three: Subtract the amount of net revenue from other sources of revenue.
- Step four: Add the (unindexed) Non-salary expenditure base.

- Step five: Add the Occupancy Costs.
- Step six: Reduce the amount by the proportion of non-student use, where not covered by user fees.
- Step seven: Reduce the amount by the proportion of use attributed to or fees attributed to students on other campuses.
- Step eight: Divide the difference by the projected enrolment, giving part-time student enrolment the established weight.

The Result is the Indexed Fee.

Appendix D

Referenda for Increases in Compulsory Non-Academic Incidental Fees Covered by the Ancillary Fee Protocol

1. Referenda will be conducted by mailed ballots sent to all registered students in the constituencies or on the campuses affected by the proposal to increase a fee.
2. Such a referendum may be instituted at the request of the Board of Stewards of Hart House (for an increase in the Hart House fee), the Council of the Department of Athletics and Recreation (for an increase in the Department of Athletics and Recreation Fee) or the Council on Student Services or the Assistant Vice-President Student Affairs (for an increase in the Student Services Fee or any other ancillary fee covered by the Ancillary Fee Protocol). The body requesting such a referendum shall submit a plan for the payment of the expenses of the referendum to the University Affairs Board. The referendum will not take place until the University Affairs Board has considered and approved provisionally the operating plan for the expenditure of the fee increase contemplated, taking into account any advice the Council on Student Services wishes to make.
3. For such a referendum (or for several such referenda to be conducted simultaneously) there will be a Referendum Conduct Committee of three persons established to approve any regulations needed to supplement the provisions of the protocol about referenda and to rule on any allegations that the provisions of the protocol or the committee's supplementary regulations have been violated. Supplementary regulations will include such matters as the dates of voting, the appointment and regulation of official "yes" and "no" committees, the material to be mailed, the extent of public advertising and the funding that may be expended on such advertising or other solicitation of votes.
 - 3.1 One member of the Referendum Conduct Committee will be appointed jointly by the Presidents of the Association of Part-time Undergraduate Students, the Graduate Students' Union and the Students' Administrative Council. If they decline to make the appointment, or are unable to agree on the appointment, the agreement of two of the three Presidents shall be sufficient. If two of the Presidents are unable to agree on the appointment, the appointment will be made by the majority vote of the student members of the University Affairs Board.
 - 3.2 A second member will be appointed by the President of the University.
 - 3.3 The third member will be appointed by agreement of the first two; provided that if they cannot agree within one week of the appointment of the latter of them, the third member will be named by the Dean of the Faculty of Law.
4. Information accompanying the ballot will contain a concise description of the proposed increase and the reasons it is requested. A similarly concise statement will be included outlining objections to increasing the fee. The Referendum Conduct Committee shall determine limits on the number of pages or sheets to be used for each statement.
5. "Yes" and "no" committees shall be set up at the request of the Assistant Vice-President Student Affairs, or the Association of Part-time Undergraduate Students, or the Graduate Students' Union or the Students' Administrative Council. The person or body making the request shall identify their support of either the "yes" or "no" position. The Referendum Conduct Committee shall determine whether the other person or bodies wish to support either the "yes" or the "no" committee. The "yes" and "no" committees shall include members chosen by the person or bodies who have identified their support of the committee.
6. If "yes" and "no" committees have been appointed under the regulations of the Referendum Conduct Committee, the above pro and con statements will be limited to an equal number of sheets or pages and will be approved for inclusion in the ballot package, respectively, by the "yes"

and "no" committees, who shall have the opportunity to examine each other's final draft ballot statements.

7. The referendum shall be conducted by the Chief Returning Officer of the Governing Council, who shall act as the Secretary of the Referendum Conduct Committee.
8. The ballot must be mailed out no earlier than January 15; the close of the vote will be no later than three weeks after the ballots are mailed and in any case not later than the last day of classes in the Faculty of Arts and Science spring term.
9. Separate votes will be conducted for each fee for which an increase is sought; at the discretion of the Referendum Conduct Committee, one ballot may be used.
10. Scrutineers shall be appointed by the "yes" and "no" committees, if such committees have been appointed.
11. The votes will be tallied in three separate constituencies, (a) the full-time undergraduate students, (b) the part-time undergraduate students, and (c) the graduate students. The resolution will be approved if approved by a majority of all votes cast and by a majority of the votes cast in each of two of these three constituencies.
12. If the Referendum Conduct Committee meets to rule on alleged infractions of the terms of the protocol or of its regulations, it shall rule (1) on whether the infraction occurred and, if so, also (2) on whether in its opinion the infraction affected the outcome of the vote. The Committee shall report on its decisions to the Assistant Vice-President Student Affairs and to the Presidents of the Association of Part-time Undergraduate Students, the Graduate Students' Union and the Students' Administrative Council.

Appendix E Calculation of Indexed Fees WORKSHEET

	Department of Athletics and Recreation	Hart House	Student Services St. George Campus	Health Services St. George Campus
1995-96 Fee	\$117.00	\$113.90	\$185.00	\$34.25
1995-96 Budgeted Salary Expenditure Base	\$3,083,070	\$2,817,151	\$2,553,612	\$2,148,500
Average ATB increase/decrease for staff members OR Rate stipulated in Long-Term Budget Assumption for 1996-97	1.00	1.00	1.00	1.00
Institutional Average Benefit Cost Rate [based on 1994-95 actual costs]	1.159	1.165	1.167	1.114
I. Indexed Salary and Benefits Expenditure Base	\$3,573,278	\$3,281,981	\$2,980,065	\$2,393,429
II. Add an estimate of severance costs.	\$193,270	\$0	\$0	\$0
III. Subtract the amount of net revenue from other sources of revenue. (1995-96 budget)	\$2,466,721	\$2,914,000	\$333,948	\$1,436,642
IV. Add the Non-salary expenditure base. (1995-96 Budget)	\$2,604,832	\$3,346,000	\$1,015,454	\$142,000
V. Add the Occupancy Costs. (1996-97 budget)	N/A	N/A	\$2,737,967	\$0
VI. Reduce the amount by the proportion of non-student use, where not covered by user fees.	N/A	N/A	\$299,190	\$0
VII. Reduce the amount by the proportion attributed to Erindale and Scarborough, or fees expect to be paid by Erindale and Scarborough students (1996-97)	\$74,440	\$25,900	\$355,437	\$0
VIII. Divide the difference by the projected enrolment (1996-97), giving part-time student enrolment the established weight.	32,003	32,003	32,003	32,003

The Result is the Indexed Fee. (Fee with UTI increase)	\$119.68	\$115.24	\$179.51	\$34.33
1995-96 Fee augmented by the Consumer Price index (Fee with CPI increase)	\$119.34	\$116.18	\$188.70	\$34.94
Office of Student Affairs				