



SUBJECT	THE JANE RULE ENDOWMENT FOR THE STUDY OF HUMAN RELATIONSHIPS ENDOWMENT FUND: REQUEST TO VARY PURPOSE AND DISSOLVE ENDOWMENT FUND
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MEETING DATE	NOVEMBER 26, 2018
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Forwarded on the Recommendation of the President

APPROVED FOR SUBMISSION

Santa J. Ono, President and Vice-Chancellor

DECISION REQUESTED	IT IS HEREBY REQUESTED that <i>approval be granted to amend the Terms of Reference and dissolve the Jane Rule Endowment for the Study of Human Relationships Endowment Fund, as recommended by the President and University Counsel.</i>
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Report Date	November 5, 2018
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Presented By Hubert Lai, Q.C., University Counsel

EXECUTIVE SUMMARY

The Dean of the Faculty of Arts, the Dean of the Faculty of Education, the Provost, and the Vice President, Development and Alumni Engagement, recommend that the purpose of the Jane Rule Endowment for the Study of Human Relationships be amended in a manner that is consistent with the spirit of the original purpose of the Fund, and that the Fund be collapsed. The donor, Dr. Robert Quartermain, initiated the request for these changes and is supportive of the recommendation.

Upon dissolution, the monies would be transferred to an operating fund called the “Jane Rule Initiative at UBC established by Dr. Robert Quartermain” administered by the Faculty of Education, and would continue to support the Purpose of the Fund as amended in this docket for education about minority, disadvantaged and disenfranchised elements of society with a focus on gay, lesbian, bisexual and transgender issues. In today’s terminology, this is framed as sexual orientation and gender identity (SOGI) inclusion and education.

Attachments

1. Black-line proposed amended Terms of Reference for the Jane Rule Endowment for the Student of Human Relationships Endowment Fund
2. Plan and budget

INSTITUTIONAL STRATEGIC PRIORITIES SUPPORTED

Learning Research Innovation Engagement (Internal / External) International

or Operational

DESCRIPTION & RATIONALE In 2008, Dr. Robert Quartermain (the “Donor”) made a gift of \$1.76M (the “Gift”) to the University to establish the Jane Rule Endowment for the Study of Human Relationships Endowment Fund (the “Fund”) at the University.

The Terms of Reference for the Fund state that the Fund will be used to support the study of human relationships (the “Purpose”) with a preference for the following areas of study (the “Objectives”):

- A. Establishing and delivering a first year level class component across all disciplines incorporating materials related to the education about minority, disadvantaged and disenfranchised elements of society with a focus on GLBT issues,
- B. Supporting classes, or class components in the education faculty dealing with minority issues based on gender, race, sex, orientation, etc. that prospective teachers will encounter in the private and public school system from elementary to high school levels,
- C. Support for third and fourth year courses in gay, lesbian, bisexual and transgendered (GLBT) study,
- D. Supporting GLBT groups at UBC,
- E. Supporting visiting lecturers on GLBT issues and, to the extent possible, pairing with the President’s lectures series,
- F. Supporting multi-disciplinary scholarships for students studying GLBT issues.

Inherent in the Purpose, as explained by the Objectives, is that the study of human relationships is specifically intended to support minority rights with a focus on sexual orientation and gender identity (SOGI) inclusion.

Ten years after the establishment of the Fund, the Donor acknowledges the considerable work on the part of the Faculty of Arts to achieve many of the Objectives and in particular Objectives B through F. Both the University and the Donor acknowledge the challenges inherent in achieving Objective A in its current form, and wish to reframe the Objectives in a manner that makes it possible to undertake activities in the spirit of Objective A, and the Donor has requested that the entire Fund be made available to make a transformative impact in achieving the Purpose as a whole.

The Dean of the Faculty of Education, with the agreement of the Dean of the Faculty of Arts, recommends reframing the Objectives as follows:

- 1) To create educative resources to impart SOGI-inclusion and literacy across UBC campuses and other Canadian universities;
- 2) To provide SOGI-inclusive education for teacher candidates in the Faculty of Education who will, in turn, educate students in the K-12 school system; and
- 3) To establish a centre for excellence in SOGI-inclusive education in the Faculty of Education as a research and dissemination hub for the University

(the “Reframed Objectives”).

Further, the Dean of the Faculty of Education, with the agreement of the Dean of the Faculty of Arts, has developed a seven-year plan of action to achieve the Reframed Objectives and corresponding budget. The Dean of the Faculty of Education will be responsible for implementing and achieving the plan.

The plan aligns with the goals and strategies of UBC’s newly launched strategic plan. One of the key themes in *Shaping UBC’s Next Century* is inclusion, “embedding equity and diversity across university systems and structures.” The strategic plan states, “...there are good examples of positive impact in inclusion to date. But we must redouble our efforts to make sustained progress.”

To achieve the plan, Dean of the Faculty of Education is requesting approval to collapse the Fund and gain access to the full value of the Fund. The Faculty of Education believes a considerable amount of resources are necessary to develop the structures, tools and networks that will maximize impact both in the short-term and long-term. Most notable among the structures is establishment of a UBC Centre for Excellence for world-class SOGI-inclusive research and practice; tools include an online professional competencies module to accompany a SOGI-focussed MOOC; and the establishment of networks will occur across UBC campuses as well as provincial and national universities.

The Faculty of Education anticipates that, once the Centre for Excellence is under way, one of its main goals will be to become sustainable after the spend-down of the endowment, e.g., through grant funding, new donor funding, and other means. The Faculty of Education also believes that the plan will have an enduring impact on scholarship, innovation and professional learning.

The current capital of the Fund is \$2,191,184.70 as at September 30, 2018, the market value is \$2,602,260.82, the annual spending allocation for 2018/19 is \$99,378, and the current balance in the spending account is \$166,859.75. The Faculty of Education believes the annual spending allocation is insufficient to achieve the Reframed Objectives. The Faculty of Education's plan suggests that it will require seven years to develop, implement and achieve the plan and requires the full utilization of the market value of the Fund. The dissolution of the Fund will mean approximately \$370,000 will be available on average each year for seven years.

The Terms of Reference for the Fund would first be amended by this request. Then the Fund would be collapsed, with the proceeds transferred to an operating fund to be used for the Purpose and Reframed Objectives in accordance with the plan that has been developed by the Dean of Education with the support of the Dean of Arts, and that has been approved by the Provost. The plan may be updated from time to time with the approval of the Provost as needed so long as it continues to comply with the Purpose and Reframed Objectives.

If there are any funds remaining at the end of the seven years, the Faculty of Education will revisit the plan with the Provost, and the Provost will make a decision as to the use of the balance of the Fund in support of the Purpose and the Reframed Objectives.

If the Provost were to determine that the Purpose and Reframed Objectives had been substantially achieved, the Board of Governors would be asked to approve any amendment to them. The University would use reasonable efforts to seek the advice of Robert Quartermain personally regarding any amendment to the Purpose and Reframed Objectives.

The Donor is pleased that the University is taking action to ensure that the spirit of the original Purpose will be met and the full impact of his gift will be realized in his lifetime.

APPROVAL REQUESTED

The Dean of the Faculty of Arts, the Dean of the Faculty of Education, the Provost, and the Vice President, Development and Alumni Engagement, with the support of the Donor, ask the Board of Governors to approve their requests:

(a) to vary the Purpose of the Fund, and

(b) to collapse the Fund.

The Office of the University Counsel supports these requests.

Upon receipt of these approvals, the monies in the Fund will be transferred to a current operating fund in the Faculty of Education to be used for the Purpose and the Reframed Objectives in accordance with the plan approved by the Provost.

LEGAL AUTHORITY

The Board's authority to encroach upon the capital of the Fund is in section 4(f) of the Terms of Reference for the Fund:

The University... may, from time to time, encroach on the capital of the Fund if, in the opinion of the University, it is clearly necessary to do so in order to carry out the Purpose of the Fund; provided however that the University may only encroach on the capital if that encroachment is recommended by the President to the Board of Governors and is approved by the Board of Governors.

As the Board's encroachment authority provides that encroachment will only be approved if it is clearly necessary to carry out the Purpose of the Fund, in this case, it is necessary to first amend the Purpose before the Board can consider encroachment.

The Board's authority to vary the Purpose of the Fund is in section 6 of the Terms of Reference for the Fund:

The University may vary these Terms of Reference but only if that variation is recommended by the President to the Board of Governors and is approved by the Board of Governors. For greater certainty, and without limiting the generality of the foregoing, such variation may include a variation of the Purpose set out in paragraph 2 of these Terms of Reference. The University will use reasonable efforts to seek the advice of Robert Quartermain personally regarding any variation of these Terms of Reference.

THE UNIVERSITY OF BRITISH COLUMBIA

THE JANE RULE ENDOWMENT FOR THE STUDY OF HUMAN RELATIONSHIPS

ENDOWMENT FUND

TERMS OF REFERENCE

Amended and Restated as of 2018

(Varies the original Terms of Reference for the Jane Rule Endowment for the Study of Human Relationships approved June 5, 2008)

1. Name of the Fund

This Endowment Fund will be known as the Jane Rule Endowment for the Study of Human Relationships (the “Fund”).

2. Purpose of the Fund

The Fund is established by The University of British Columbia (the “University”) as an endowment with the intent that the capital will be held and kept invested in accordance with these Terms of Reference and the income will be used to support the study of human relationships at the University in accordance with the provisions of Schedule A to these Terms of Reference (the “Purpose”).

3. Use of Income

Without restricting the authority of the University to use the income of the Fund in any manner it decides in support of the Purpose set out in paragraph 2 of these Terms of Reference, the University may:

- (a) use income to pay costs associated with the Purpose;
- (b) use income to pay the expenses associated with the administration of the Fund;
- (c) invest, in accordance with paragraph 4 of these Terms of Reference, any income that is not for the time being used, either, so that the invested income retains the status of income, or so that invested income is added to the capital of the Fund in order to preserve the real capital value of the Fund, or both, in whatever combination the University decides.

4. Use of Capital

The University will hold the capital of the Fund and:

- (a) may invest and reinvest the Fund in the investments as the University decides and in making those investments the University is not limited to the investments authorized by the *Trustee Act* of British Columbia or any other law relating to trust funds;
- (b) may invest the Fund in any investments both inside and outside Canada as it decides;

- (c) may invest the Fund as part of the University's pooled endowment investments and in any mutual or other pooled investment funds;
- (d) when making investment decisions, the University shall have as its objective the maintenance of the real capital value of the Fund over time and the generation of a sufficient flow of income to fund properly the Purpose.
- (e) may accept further contributions, from any other source, whether by gift, Will or otherwise, or may otherwise add to the capital of the Fund, provided that the terms and conditions of any donation or addition to the capital of the Fund conform to these Terms of Reference;
- (f) may, from time to time, encroach on the capital of the Fund if, in the opinion of the University, it is clearly necessary to do so in order to carry out the purposes of the Fund; provided however that the University may only encroach on the capital if that encroachment is recommended by the President to the Board of Governors and is approved by the Board of Governors.

5. **University Policy**

Decisions on the administration, financial and otherwise, of the Fund will be made in accordance with the policies of the University as they may be amended from time to time.

6. **Variation of Terms**

The University may vary these Terms of Reference but only if that variation is recommended by the President to the Board of Governors and is approved by the Board of Governors. For greater certainty, and without limiting the generality of the foregoing, such variation may include a variation of the Purpose set out in paragraph 2 of these Terms of Reference. The University will use reasonable efforts to seek the advice of Robert Quartermain personally regarding any variation of these Terms of Reference.

TO EVIDENCE the amended terms of the Fund the University has executed these Terms of Reference on the date appearing below.

The University of British Columbia
by its Authorized Signatory

Santa J. Ono
President and Vice-Chancellor

Date

Approved as to Form:

Hubert Lai, University Counsel

Reviewed by Donor:

Signature

Print Name

Date

Date

SCHEDULE A

Purpose

The Fund will be used to support the study of human relationships as follows:

1. To create educative resources to impart SOGI-inclusion and literacy across UBC campuses and other Canadian universities;
2. To provide SOGI-inclusive education for teacher candidates in the Faculty of Education who will, in turn, educate students in the K-12 school system; and
3. To establish a centre for excellence in SOGI-inclusive education in the Faculty of Education as a research and dissemination hub for the University.

1. ~~_____~~, with a preference for the following areas of study:

- a. ~~establishing and delivering a first year level class component across all disciplines incorporating materials related to the education about minority, disadvantaged and disenfranchised elements of society with a focus on GLBT issues;~~
- b. ~~supporting classes, or class components in the education faculty dealing with minority issues based on gender, race, sex, orientation, etc. that prospective teachers will encounter in the private and public school system from elementary to high school levels;~~
- c. ~~support for 3rd and 4th year courses in gay, lesbian, bisexual and transgendered (GLBT) study;~~
- d. ~~supporting GLBT groups at UBC;~~
- e. ~~supporting visiting lectures on GLBT issues and to extent possible pairing with the President's lectures series;~~
- f. ~~supporting multi-disciplinary scholarships for students studying GBLT issues.~~

~~Where possible, the University will endeavour to prioritize spending from the Fund for the purposes in the order that they appear in this Schedule A.~~

2. ~~A committee with representation from the Women's and Gender Studies Program and the Critical Studies in Sexuality Program in the Faculty of Arts will recommend to the Dean how best to use the Fund to support the Purpose.~~
3. ~~Mr. Robert Quartermain, solely at Mr. Robert Quartermain's option may meet with the members of the Critical Studies in Sexuality (CSIS) Program on an annual basis for reporting and discussion regarding the activities of the Fund.~~
4. ~~In recognition of Mr. Robert Quartermain's generous gift, the University may provide acknowledgement in consultation with Mr. Robert Quartermain. Such recognition is in so many to compete with or replace Ms. Rule's brand of the Jane Rule Endowment for the Study of Human Relationships.~~

Jane Rule Initiative at UBC Established by Dr. Robert Quartermain
7-Year Plan

1. Support SOGI-inclusive professional learning for UBC students, faculty and staff across multiple faculties/campuses/institutions with a focus on professional knowledge and competencies related to LGBTQ2+ populations and issues.		
Year 1 2018-19	<ul style="list-style-type: none"> • Development of online module (focused on SOGI-inclusive professional competencies), including video production, creation of online forum, discussion moderator, maintenance, etc. • Symposium focused on SOGI-inclusive UBC teaching practices • Environmental scan of current UBC curricula (competencies-based); curriculum mapping report; preliminary evaluation of impact--module, outreach, etc. (Project lead and grad student) • Frankly Speaking public lecture (\$15,000) • Outreach to UBC faculties and BC/Canadian faculties of education 	\$ 32,000 10,000 28,400 In kind Included*
Years 2-3 2019-21	<ul style="list-style-type: none"> • Updating (based on pilot feedback) & maintenance of online module (Faculty Educational Technology Support) • Ongoing evaluation of impact--MOOC, outreach, etc. (Grad student) • Outreach to UBC faculties and BC/Canadian faculties of education 	10,000 4,200 40,000
Years 4-7 2021-25	<ul style="list-style-type: none"> • Updating & maintenance of online module (Faculty Educational Technology Support) • Ongoing evaluation of impact—online module, outreach, etc. (Grad student) 	20,000 8,400
		\$ 153,000

2. Continue to prepare pre-service educators to develop professional knowledge and SOGI-inclusive practices for impact within K-12 school systems.		
Year 1 2018-19	<ul style="list-style-type: none"> • Secondment of SOGI-inclusion specialist educator (60% contract plus benefits) • Course buyout for 12-mo lecturer/SOGI scholar (3 credit equivalent) • Course buyout for post-doctoral SOGI researcher/sessional (3 credit equivalent) 	\$ 55,000 10,000 10,000
Years 2-3 2019-20	<ul style="list-style-type: none"> • Secondment of SOGI-inclusion specialist educator (60% contract plus benefits) • Two-course buyout for 12-mo lecturer/SOGI scholar to lead SOGI-inclusive pedagogical mentoring for instructors • Course buyout for post-doctoral SOGI researcher/sessional (could become part of Centre for Excellence team) 	116,688 40,000 20,000
Years 4-7 2020-25	<ul style="list-style-type: none"> • Secondment of SOGI-inclusion specialist educator (60% contract plus benefits) • Course buyout for 12-mo lecturer/SOGI scholar (could become part of Centre for Excellence team) • Course buyout for post-doctoral SOGI researcher/sessional (could become part of Centre for Excellence team) 	262,718 40,000 40,000
		\$ 594,406

3. Establish a UBC Centre for Excellence in SOGI-Inclusive Education with an emphasis on world-class research, knowledge mobilization and professional learning.		
Year 1 2018-19	<ul style="list-style-type: none"> • Create terms of reference for Centre for Excellence; post & interview inter/nationally for professorship • Establish, publicize & adjudicate grants • Ongoing Commitments related to 2018-17 program • Symposium for UBC graduate students focused on SOGI research 	\$ 5,000 5,000 10,000 5,000
Years 2-7 2019-25	Establish and grow UBC Centre for Excellence in SOGI-Inclusive Education: <ul style="list-style-type: none"> • Professorship salary & benefits • Research start-up funds • Administrative support staff (@ \$50K/yr) • Undergraduate/Graduate student grants (UBC-wide) • Scholarly and practitioner-oriented conferences (1/year) • Visiting scholars (2/year)** 	1,369,710 100,000 372,179 60,000 16,000 In kind
		\$ 1,942,889
	In Kind support for Professorship by Dean Frank (3yrs - 150k)	- 150,000
		\$ 1,792,889

Total funding for Initiative \$2,540,295

*Year 1 covered by JRE fund interest.

** In kind - International Visiting Scholars Program adjudicated by Faculty's Office of Research; Faculty's annual allocation 3 per year at \$10k each. Center is eligible to apply for competitive funding.