



SUBJECT	Endowment Variation: Bill Tymchuk Cancer Research Award Endowment Fund
SUBMITTED TO	Finance Committee
MEETING DATE	November 19, 2021
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	Action requested - Approval IT IS HEREBY RESOLVED that the Finance Committee, in accordance with authority delegated by the Board of Governors, approves amendments to the Bill Tymchuk Cancer Research Award Endowment Fund, as set out in the amended Terms of Reference, and as recommended by the President and University Counsel.
LEAD EXECUTIVE	Hubert Lai, Q.C., University Counsel
SUPPORTED BY	Heather McCaw, Vice-President Development & Alumni Engagement Gordon Binsted, Dean, Faculty of Health & Social Development Adrienne Nolan, Executive Director, Development and Alumni Engagement

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Finance Committee.

EXECUTIVE SUMMARY

The Dean of the Faculty of Health & Social Development (the “Dean”) and the Vice-President Development & Alumni Engagement request that the Finance Committee, in accordance with authority delegated by the Board of Governors, approve amendments to the Bill Tymchuk Cancer Research Award Endowment Fund (the “Fund”) established pursuant to the Bill Tymchuk Cancer Research Award Endowment Terms of Reference (the “Terms of Reference”), as set out in the attached proposed amended Terms of Reference for the Fund. The amendments will have the effect of:

- (a) amending the purpose of the Fund to remove reference to the award description for the Fund and identify only the field of study in which students and faculty must be researching to be eligible for the award, to ensure the longevity of the purpose; and
- (b) restating the endowment Terms of Reference in accordance with the University’s current standard template.

The request is being made because the current terms of the award are too restrictive, and therefore, the award has not been able to be fully utilized, having been awarded only seven times in the 16 years since its inception, with awards ranging from \$985 to \$2,500 (average award of \$1,355). Amending the purpose will allow the Faculty to tailor the award over time to better represent the breadth of important cancer research done on the Okanagan campus.

The Fund was established in 2005 by the University as an endowment with a leading donation provided by Mrs. Leida Tymchuk in memory of Mr. Tymchuk, with additional contributions made by Mr. Tymchuk’s work colleagues. The University established the Fund to support cancer research at the Okanagan campus.

As of June 30, 2021, the Fund has capital of \$49,993 and allocates approximately \$2,165 annually to support the award in accordance with the current spending rate under the University’s Endowment Management Policy (FM5).

The Board of Governors' authority to vary the terms of the Fund is found in section 6 of the Terms of Reference, which provides that:

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 Development Office has confirmed that the Dean and Mrs. Tymchuk are supportive of this request.

The University Counsel supports this request.

APPENDICES

1. Blackline of proposed amended Terms of Reference



~~THE UNIVERSITY OF BRITISH COLUMBIA~~ **BILL TYMCHUK CANCER RESEARCH
AWARD ENDOWMENT FUND
TERMS OF REFERENCE**

~~1. Name of Fund~~

Amended and Restated as at _____, 2021

~~This~~ *(Varies the original Endowment Fund will be known as the Terms of Reference for Bill Tymchuk Cancer Research Award Endowment Fund (the "Fund"). established December 8, 2005)*

Whereas: The University of British Columbia (the "University") wishes to endow university generated funds for the purposes set out below, and has prepared this Terms of Reference to document the terms upon which the Fund (defined below) will be used and managed at the University.

1. Establishment of Fund

The endowment fund (the "Fund") described by these Terms of Reference will be known as the Bill Tymchuk Cancer Research Award Endowment 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 fund award(s) in accordance with the provisions of Schedule "A", as attached to these Endowment Fund Terms of Reference.~~ purpose of the Fund is to support award(s) for faculty or students at the University's Okanagan campus pursuing research in the field of cancer and generally to advance the charitable goals of the University (the "Purpose").

3. Use of Income Contributions

~~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 fund award(s) as outlined in Schedule "A";~~
- ~~(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 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 Bill Tymchuk Cancer Research Award(s) referred to in paragraph 3 of these Endowment Terms of Reference;~~

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The Fund shall be received by and remain an asset of the University in its own capacity and is not received or held by the University as a trustee.

~~(e) The University may accept or make further contributions to the Fund, 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;~~provided such contributions are made to the University in its own right and not as trustee.

4. Use and Management of the Fund

~~(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.~~The University will use and manage the Fund in support of the Purpose in accordance with its policies, including the Endowment Management Policy and its associated procedures, as amended from time to time (the "Policies"). Without limiting the generality of the foregoing, the University may use the capital of the Fund in accordance with the Endowment Management Policy.

5. Investment of the Fund

The Fund is established by the University as an endowment with the intent that it will be held and invested in accordance with the Policies.

6. ~~5.~~ University **Policy**
~~Decisions on the award of the Bill Tymchuk Cancer Research Award(s) and on the continuing eligibility of a holder of the Bill Tymchuk Cancer Research Award(s) to receive the Award or to obtain a renewal of the Award, and decisions on the administration~~

Decisions, financial and otherwise, with respect to any award arising from the Fund, including the continuing eligibility of a person to hold an award or obtain a renewal thereof, as well as any matters relating to the investment, management, use and administration of the Fund will be made in accordance with ~~the policies of the University as they may be amended from time to time.~~ these Terms of Reference and the Policies.

7. ~~6.~~ **Variation of Terms**

The University may vary the terms of 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.~~

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

The University of British Columbia
by its Authorized Signatory:

~~Santa Ono, President~~ _____
~~Date~~

Approved as to Form:

Hubert Lai, University Counsel

Date

THE

Reviewed by Donor:

Signature

Print Name

Date

**UNIVERSITY OF BRITISH COLUMBIA
OKANAGAN**

**BILL TYMCHUK CANCER RESEARCH
AWARD ENDOWMENT FUND**

SCHEDULE A



~~The Bill Tymchuk Cancer Research Award Endowment Fund (the "Fund") is being established to honour Bill Tymchuk of Kelowna, BC. The income from the fund will be awarded annually to a graduate student or faculty member of the Faculty of Health and Social Development at UBC Okanagan conducting research on the prevention and/or cure of cancer. Candidates will apply to the Faculty describing their research project and a review panel will award the grant.~~

Santa J. Ono

Date

President and Vice-Chancellor

Approved as to form by the Office of the
University Counsel:

Date:



SUBJECT Endowment Name Change
Delta Kappa Gamma Society, Alpha Province Bursary Endowment Fund

SUBMITTED TO Finance Committee

MEETING DATE November 19, 2021

SESSION CLASSIFICATION Recommended session criteria from Board Meetings Policy:
OPEN

REQUEST Action requested - Approval
IT IS HEREBY RESOLVED that the Finance Committee, in accordance with authority delegated by the Board of Governors, approves the change of the name of the “Delta Kappa Gamma Society, Alpha Province Bursary Endowment Fund” to the “Delta Kappa Gamma Society International, British Columbia Bursary Endowment Fund”, as recommended by the President and University Counsel.

LEAD EXECUTIVE Hubert Lai, Q.C., University Counsel

SUPPORTED BY Heather McCaw, Vice-President Development & Alumni Engagement
Elizabeth Moxham, Legal Counsel, Office of University Counsel

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Finance Committee.

EXECUTIVE SUMMARY

The Vice-President Development & Alumni Engagement, with the support of the Delta Chapter of Delta Kappa Gamma Society International (the “Donor”) has requested that the Finance Committee, in accordance with authority delegated from the Board of Governors, approve the change of the name of the “Delta Kappa Gamma Society, Alpha Province Bursary Endowment Fund” to the “Delta Kappa Gamma Society International, British Columbia Bursary Endowment Fund” (the “Fund”).

The Fund was established with a generous donation made available by the Donor in 1979. The Board of Governors’ approving establishment of the Fund on October 2, 1979.

There is no endowment deed or terms of reference for the Fund. The University began documenting all new endowment funds with documentation in 1991. Prior to that, endowment funds were created on the basis of written correspondence or other documents.

The Fund was originally named the “Delta Chapter, Delta Kappa Gamma Society Bursary”. The name of the Fund was changed to its current name sometime in the mid-1980s, although we have not been able to locate Minutes documenting Board of Governors approval of this name change.

The Donor has changed its name again and has requested that the Board of Governors change the name of the Fund to reflect its current legal name, Delta Kappa Gamma Society International, and the naming of its chapters. There is no change requested to the purpose supported by the Fund or how the Fund is administered.

The Board of Governors has authority to change the name of the Fund as part of its general authority to manage endowments under the University’s Endowment Policy (FM5). The Office of University Counsel supports this request and the President recommends that the Finance Committee, in accordance with its authority delegated by the Board of Governors, approve the change of the name of the Fund.



SUBJECT	Endowment Name Change: Emergency Assistance Bursary Endowment Fund
SUBMITTED TO	Finance Committee
MEETING DATE	November 19, 2021
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	Action requested - Approval IT IS HEREBY RESOLVED that the Finance Committee, in accordance with authority delegated by the Board of Governors, approves the change of the name of the “Emergency Assistance Bursary Endowment Fund” to the “Parking Services Bursary Endowment Fund”, as recommended by the President and University Counsel.
LEAD EXECUTIVE	Hubert Lai Q.C., University Counsel
SUPPORTED BY	Kate Ross, Associate Vice-President Enrolment Services and Registrar Elizabeth Moxham, Legal Counsel, Office of University Counsel

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Finance Committee.

EXECUTIVE SUMMARY

The Associate Vice-President Enrolment Services and Registrar has requested that the Finance Committee, in accordance with authority delegated from the Board of Governors, approve the change of the name of the “Emergency Assistance Bursary Endowment Fund” to the “Parking Services Bursary Endowment Fund” (the “Fund”).

The Fund was established in fiscal 1989/90 using monies generated by the University from parking fines, with a goal of growing the fund to \$1 million to support student awards. Every year from 1989 to 1999, \$100,000 was taken from parking fees issued on campus and put into the Fund. As of March 5, 2021, the Fund has a market value of \$1,224,594 and provides annual bursaries totalling \$48,983 in accordance with the current spending rate under the University’s Endowment Policy (FM5).

There are no endowment terms of reference for the Fund. The University began documenting all new endowment funds with documentation in 1991. Prior to that, endowment funds were created on the basis of written correspondence or other documents.

The Fund was titled the Emergency Assistance Bursary Endowment Fund because it was intended that the bursaries supported by the Fund would cover recipients’ tuition and fees if they were unable to get their student loans in place prior to the deadline to pay tuition. However, the Fund falls within the University’s definition of a bursary, which is designed to cover the gap between a student’s loans and their tuition and living expenses. The bursary is adjudicated as part of the general bursary program, and there is concern that the bursary could be missed or inadvertently adjudicated as emergency funding, which is handled separately from bursaries, because it has “Emergency” in its title. The proposed name change is intended to reduce this risk and preserve the history of the connection between the fund and parking services.

The Board of Governors has authority to change the name of the Fund as part of its general authority to manage endowments under the Endowment Policy. The Office of University Counsel supports this request and the President recommends that the Finance Committee, in accordance with its authority delegated by the Board of Governors, approve the change of the name of the Fund.



SUBJECT	Endowment Name Change Harry and Marjorie Anne Slim Memorial Scholarship in Music Endowment Fund
SUBMITTED TO	Finance Committee
MEETING DATE	November 19, 2021
SESSION CLASSIFICATION	Recommended session criteria from Board Meetings Policy: OPEN
REQUEST	Action requested - Final approval IT IS HEREBY RESOLVED that the Finance Committee, in accordance with authority delegated by the Board of Governors, approves the change of the name of the “Harry and Marjorie Anne Slim Memorial Scholarship in Music Endowment Fund” to the “H. Colin Slim, Harry and Marjorie Anne Slim Memorial Scholarship in Music Endowment Fund”, as recommended by the President and University Counsel.
LEAD EXECUTIVE	Hubert Lai, Q.C., University Counsel
SUPPORTED BY	Heather McCaw, Vice-President Development & Alumni Engagement Elizabeth Moxham, Legal Counsel, Office of University Counsel

PRIOR SUBMISSIONS

The subject matter of this submission has not previously been considered by the Finance Committee.

EXECUTIVE SUMMARY

The Vice-President Development & Alumni Engagement, has requested that the Finance Committee, in accordance with authority delegated from the Board of Governors, approve the change of the name of the “Harry and Marjorie Anne Slim Memorial Scholarship in Music Endowment Fund” to the “H. Colin Slim, Harry and Marjorie Anne Slim Memorial Scholarship in Music Endowment Fund” (the “Fund”).

The award was established with annual donations by Dr. H. Colin Slim (B.A. UBC 1951, PhD Harvard 1961, Hon. Mus. Doc. McGill 1993) to honour the memory of his parents, which was approved by Senate on September 15, 1982 as an annual award. In 1989 and 1990, Dr. Slim made further donations to create the Fund, although we have not been able to locate a record of Board of Governors’ approval of the establishment of the Fund.

There is no endowment deed or terms of reference for the Fund. The University began documenting all new endowment funds with documentation in 1991. Prior to that, endowment funds were created on the basis of written correspondence or other documents.

Dr. H. Colin Slim (the “Donor”) died in 2020 and made a further generous donation through his estate with the wish that his name be added to the name of the Fund and that his donation be added to the Fund in support of scholarships for students in the School of Music. There is no change requested to the purpose supported by the Fund or how the Fund is administered. This is a request only to honor the Donor’s wish to add his name to the Fund.

The Board of Governors has authority to change the name of the Fund as part of its general authority to manage endowments under the University’s Endowment Policy (FM5). The Office of University Counsel supports this request and the President recommends that the Finance Committee, in accordance with its authority delegated by the Board of Governors, approve the change of the name of the Fund.