

MEMORIAL UNIVERSITY OF NEWFOUNDLAND

BOARD OF REGENTS

The regular meeting of the Board of Regents was held on Thursday, January 15, 1998 at 2:30 p.m. in the Board Room of the University.

PRESENT:

Mr. Edward Roberts, Chair  
Ms. Jeannie French, Vice-Chair  
Mr. John Crosbie, Chancellor  
Dr. Arthur May, President and Vice-Chancellor  
Dr. Jaap Tuinman, Vice-President (Academic) and Pro Vice-Chancellor  
Mr. Alick Andrews  
Ms. Gail Aylward  
Mr. Cyril Bonia  
Mr. Aubrey Bonnell  
Mr. William Dilny  
Ms. Sharon Duggan  
Mr. Fred Durant  
Dr. Georgina Hedges  
Ms. Frankie O'Neill  
Ms. Joan Pinsent  
Mr. David Power  
Mr. Stephen Power  
Mr. Alexander Roche  
Mr. Harvey Short  
Mr. Robert Stack  
Ms. Amy Wyse  
Ms. Eleanor Bennett, Secretary

APOLOGIES: Mr. Peter Fenwick, Ms. Nancy Kelly, Dr. Brendan Lewis, Mr. Brendan Paddick and Mr. Mel Woodward.

PRESENT BY INVITATION: Mr. Wayne Thistle, Vice-President (Administration and Finance) and Legal Counsel.

## 1. CONGRATULATIONS TO MR. THISTLE

The Chairman asked members of the Board to join with him in congratulating Mr. Thistle on receiving the Queen's Counsel designation.

## 2. MINUTES

The Minutes of the regular meeting of the Board of Regents held on December 11, 1997, copies of which were circulated, were accepted by the Board.

## 3. EXPIRATION OF MR. GEORGE NEAL'S APPOINTMENT

The Chair noted that the term of appointment of Mr. Neal had expired on January 5, 1998. He advised that a certificate of appreciation would be sent to Mr. Neal thanking him for his contribution to the Board.

## 4. UPDATE ON DR. LAW

Circulated were copies of the press release and the settlement agreement reached between Dr. Law and the University on January 13, 1998. Dr. May noted that after a great deal of negotiating this matter had now been concluded to the satisfaction of both parties.

## 5. REQUEST FROM MINISTER OF EDUCATION

Circulated were copies of a draft reply to the Minister of Education analyzing the University's budgetary situation and the consequences involved in foregoing scheduled tuition increases. After some discussion it was the consensus of the Board that the letter accurately reflected the Board's position on the issues raised in the Minister's letter of November 4, 1997, and the Chair was authorized to forward the Board's reply.

## 6. PRESENTATION OF BUDGET ISSUES

Mr. Thistle presented an overview of the revised budget estimates for the 1997-98 fiscal year, copies of which were circulated. After much discussion the following resolution was passed:

RESOLVED:

That the Board of Regents approves the Revised Estimates of Revenues and Expenditures for the Fiscal Year 1997-98, as presented.

Mr. Thistle further presented an overview of the University's budget position for the 1998-99 fiscal year. He outlined a schedule of revenues and expenditures which saw an estimated \$5.2 million shortfall in the operating budget. He proposed several suggestions for consideration in an effort to resolve the budget gap.

It was decided that the March meeting of the Board would be an all day session to provide ample time for discussion and consideration of the budget issues.

Mr. Crosbie left the meeting at 4:30 p.m.

## 7. UNIVERSITY ENDOWMENT FUND

The President presented the background information to this item which included the terms of reference which were prepared in consultation with senior academic administrators. The following resolution was passed:

RESOLVED:

That the Board of Regents approves the spending of income from the University Endowment Fund, in accordance with the Terms of Reference, for the support of scholarly activities, including both the teaching and the research mandates of the University.

## 8. FINANC E COMMITTEE ITEMS

### 1. ESTABLISHMENT OF PETRO CANADA YOUNG INNOVATOR AWARD FUND

Mr. Thistle provided the background to this item advising that in 1997 Petro Canada, through the Capital Campaign, pledged \$250,000 over a five year period and that the Award would be funded through the retention of 50% of the annual pledge over the next five years. The following resolution was passed:

RESOLVED:

That the Board of Regents approves the establishment of a Trust Fund in the name of Petro Canada Young Innovator Award Fund, in accordance with the Terms of Reference.

## 2. CREATION OF FACULTY RESEARCH AND EDUCATION TRUST FOR GRADUATE STUDIES

Mr. Thistle provided the background to this item advising that all faculties, with the exception of Graduate Studies, have a research and education trust, and that sources of funds for these Trusts include donations directed to Graduate Studies and research overheads. The following resolution was passed:

RESOLVED:

That the Board of Regents approves to the creation of a Faculty Research and Education Trust for Graduate Studies.

## 9. MEETINGS OF COMMITTEES OF THE BOARD

### 1. APPOINTMENTS

A Report of the Appointments Committee meeting held on January 15, 1998, copies of which were circulated, was presented by the Chair of the Committee, Mr. Roche, and accepted by the Board. Ms. Wyse declared a conflict of interest and abstained from voting.

### 2. EMPLOYEE BENEFITS

A Summary of business transacted at a meeting of the Employee Benefits Committee held on December 19, 1997, copies of which were circulated, was presented by the Chair of the Committee, Ms. O'Neill, and accepted by the Board. There were no items requiring specific Board approval.

### 3. PENSIONS

A Summary of business transacted at a meeting of the Pensions Committee held on December 22, 1997, copies of which were

circulated, was presented by the Chair of the Committee, Mr. Durant, and accepted by the Board. There were no items requiring specific Board approval.

#### 10. TERMS OF REFERENCE OF EMPLOYEE BENEFITS AND PENSIONS COMMITTEES

Copies were circulated of the amendments to the terms of reference of the Employee Benefits and Pensions Committees. The amendments would stipulate that a quorum be constituted by specific representative groups, and would clarify the practice with respect to determination of the number of MUNFA representatives to the Committees. The following resolution was passed:

RESOLVED:

That the Board of Regents approves the amendments to the Terms of Reference of the Pensions and Employee Benefits Committees, as follows:

1) That Clause A.14 of the Employee Benefits Committee terms of reference and Clause A.15 of the Pensions Committee be amended as follows:

A quorum of the Committee shall consist of five (5) members, including at least one (1) member from each of groups A.1 and A.2, and at least three (3) members from the combined groups specified in Clause A.3, A.4, A.5, A.6, A.7, A.8, A.9, A.10 and A.11 (and including A.12 in the combined groups for the Pensions Committee).

2) That determination of the number of MUNFA representatives to comprise the 33 1/3 percent representation to the Employee Benefits Committee and Pensions Committee continue to be based on the total number of Committee members inclusive of non-voting members.

#### 11. SENATE

The Minutes of the regular and special meetings of Senate held on December 9, 1997, copies of which were circulated, were presented by the President and accepted by the Board.

## 12. SOFTWARE ENGINEERING

The President updated the Board on the court case involving Memorial University and the Canadian Council of Professional Engineers. Copies were circulated of a legal opinion on the matter which concluded that Memorial's prospect of succeeding in the court proceedings was better than even 60%. He advised that the Association of University Colleges of Canada (AUCC) had agreed to cost share the legal expenses. He further advised that the Board of AUCC would be meeting in March prior to the Board of Regents meeting and a further update would be provided to the Board at that time.

## 13. COLLECTIVE AGREEMENT BETWEEN NAPE AND MUN

Mr. Thistle provided the background to this issue and copies were circulated of a summary of the major issues and associated costs. The following resolution was passed:

RESOLVED:

That the Board of Regents approves the ratification of the tentative Collective Agreement between Memorial University and Nape Local 7405, (representing Marine Institute Instructors, Demonstrators and Technical Assistants). Approval is granted subject to ratification by the union.

## 14. INFORMATIONAL ITEM

Circulated for information was a copy of a letter from the President of the Graduate Students' Union to the Premier supporting increased student representation on the Board of Regents, specifically graduate student representation.

ADJOURNMENT

The meeting adjourned at 6:15 p.m.