The regular meeting of the Board of Regents was held on Thursday, March 23, 2006, at 2:00 p.m. in the Ball Room of the Greenwood Inn and Suites in Corner Brook.

PRESENT:

Dr. Georgina Hedges, Vice-Chair
Dr. John Crosbie, Chancellor
Dr. Axel Meisen, President and Vice-Chancellor
Dr. Eddy Campbell, Vice-President (Academic)
Ms. Gail Aylward
Ms. Ruth Canning
Ms. Pat Coish-Snow
Mr. Steven Cranford
Dr. Wynanne Downer
Ms. Sharon Duggan
Mr. Anas El-Aneed
Ms. Deanne Fleet
Ms. Dorothy George
Ms. Ann Marie Hann
Mr. Earl Ludlow
Ms. Meghan Mitchell
Mr. Douglas Moores
Ms. Joan Pinsent
Ms. Eleanor Swanson
Mr. Stephen Winsor
Ms. Eleanor Bennett, Secretary

APOLOGIES: Ms. Mary Broderick, Dr. Brendan Lewis, Mr. Dave Porter, Ms. Darlene Russell, Mr. Harvey Short.

ABSENCE OF A CHAIR

Due to the vacancy in the office of the Chair of the Board of Regents, Dr. Georgina Hedges, Vice-Chair of the Board, acted as Chair.

PRESENT BY INVITATION: Mr. Kent Decker, Vice-President (Administration and Finance) and Mr. Brian Colbourne, Director of Financial and Administrative Services.

1. MINUTES

The Minutes of the regular meeting of the Board of Regents held on February 2, 2006, copies of which were circulated prior to the meeting,
were approved by the Board.

2. **ACTING CHAIR’S BUSINESS**

1. **Resignation of Chair of the Board**

Dr. Hedges advised the Board that Mr. Lorne Wheeler had resigned as Chair of the Board of Regents and moved to Ottawa to take up the position of Senior Policy Advisor with Mr. Loyola Hearn, Minister of Fisheries and Oceans.

2. **Welcome to Mr. Winsor**

Dr. Hedges extended a warm welcome to Mr. Winsor, who was attending his first Board meeting since being appointed to the Board.

3. **Dr. Downer Attendance**

Dr. Hedges extended a warm welcome to Dr. Downer, who was attending the meeting after having recovered from surgery last Fall.

3. **PRESENTATION BY DR. ASHTON**

Dr. Hedges extended a warm welcome to the following members of Sir Wilfred Grenfell College: Dr. John Ashton, Principal, Dr. Holly Pike, Vice-Principal, Dr. Wade Bowers, Vice-Principal (Research), and Mr. Dennis Waterman, Director of Finance and Administration.

Dr. Ashton presented a power-point presentation entitled “Growing with Western Newfoundland”.

Following a question and answer period, Dr. Hedges thanked Dr. Ashton for his very informative presentation and he and his colleagues from the College left the meeting.

4. **CHAIR’S REPORT**

1. **SWGC Governance Issues**

Dr. Hedges provided an update on the Joint Committee to review SWGC Governance issues. She advised that there have been a number of meetings held since the December Board meeting which have resulted in a discussion paper being drafted. This document has been sent to the senior executive of SWGC and the Joint Committee has requested a meeting with them.

Dr. Hedges noted that this matter is still in the hands of the Joint Committee and the document will be presented to the Board when it is
5. **PRESIDENT’S REPORT**

1. **Activity Report**

Dr. Meisen reported on a number of events and meeting he attended since the last Board meeting:

- **Feb. 16-20** He travelled to the United Arab Emirates where he met with Government officials regarding the possible development of a major collaborative initiative between the University and the UAE on the creation of an innovative partner organization for the Marine Institute.

- **Mar. 3rd** He was the guest speaker at a dinner with the Baccalieu Trail Chapter of the MUN Alumni Association in Bay Roberts. Mr. Calvin Butt, former Regent and recipient of the MUN Alumni J.D. Eaton Award, was honored.

- **Mar. 11th** He attended the Music Festival Gala Concert in Labrador City. This event was co-sponsored by MUN and IOC. He acknowledged the School of Music which organized the event and provided the adjudication.

- **Mar. 19-20** He travelled to Ottawa at the invitation of Premier Williams to attend discussions regarding post secondary education and skills development.

  While in Ottawa he attended AUCC meetings and met Mr. Maxine Bernier, the newly appointed Minister of Industry. He noted that Industry Canada provides most Government of Canada research funding to Universities.

  He noted that the Estate of Warren and Catherine Bell had left $1.3 million to Memorial University for the creation of scholarships.

2. **Travel Expenses**

The Board received and reviewed background information pertaining to an article in *The Telegram* regarding the President’s travel expenses. Dr. Meisen commented on this matter and the Board was advised that a request was received from the newspaper for "all travel and entertainment expense claims filed by Dr. Axel Meisen during 2005". Copies of receipts, a summary of the 2005 expense claims and the President’s employment contract were provided. Dr. Meisen was also interviewed by the reporter, Barb Sweet, to gain a sound understanding

Dr. Mei sen informed the Board that a binder containing his expense claims and receipts was available to Regents for their review.

3. Update on White Paper Implementation

The Board received and reviewed background information pertaining to an update on the White Paper on Public Post-Secondary Education. The Board was reminded that at its December 8, 2005 meeting it received a summary of actions taken by Memorial University on the recommendations contained in the White Paper. An updated summary of actions taken by the University to date was provided with the background information.


The Board received and reviewed a report on enrollments for Winter Semester 2006 and Enrollment Targets for 2006/07. The Board was advised that the end of the regular registration period for the Winter Semester 2006 showed a small decrease (-0.2%) in course registrations compared with the Winter Semester 2005. The report detailed information on enrollment by campus and subject area.

The Board was advised that although course enrollments have not fully met the targets, the associated tuition revenues are ahead of projections. This results from a larger number of graduate students engaged in thesis work and international undergraduate students.

Enrollment targets for 2006/07 are 15,450 undergraduate and 2,651 graduate students.

5. Application Summary Report - Fall 2006

The Board received and reviewed a report on the official Undergraduate Application Summary for the 2006 Fall Semester. The report reflected comparative application and applicant numbers, counted as of March 17th, with counts as of the same date for the previous two Fall Semesters.

The Board was advised that overall application numbers for the Fall 2006 Semester remain positive with an increase of 148 applications, or 3.0% over 2005, and 472 applications, or 10% over 2004. Included in these numbers are applicants to SWGC, which exceed the numbers for 2005 by 73 students or 14.8%. Further, the numbers of Canadian (non-NL) and international applicants are still significantly higher than at the same point in 2005 with an overall increase of 360 (22.1%) in applicants to date.
6. Update on Khosla Inquiry - Dr. Katz

The Board received and reviewed background information pertaining to an update on the Khosla Inquiry, which included the public announcement and the terms of reference for the investigation. The Board was advised that on January 13, 2006, the President announced the appointment of an independent investigator, Dr. Shirley Katz, who would review the University’s actions pertaining to Dr. Khosla, and the University’s policies, procedures and practices regarding the environment for women as well as related matters.

The Board was advised that Dr. Katz continues her review with visits to Memorial University during the month of March, including an open forum for women. It is expected that Dr. Katz will have completed her report by the end of April.

7. Update on Research Integrity - Dr. Chandra Inquiry

The Board received and reviewed an update on the Dr. Chandra Inquiry since the last meeting of the Board. The Board was advised of the following actions taken to address the issues arising from the CBC program aired in late January, which challenged the research integrity of Dr. Chandra’s work and the University’s response.

- A web site was created providing factual information and summarizing the University’s position.

- Open meetings were held with the Faculty of Medicine (February 6th), Senate (February 14th), and the University community-at-large (February 15th) using, as the basis, the power-point presentation circulated to the Board. In all cases, questions were answered in detail.

- Letters were written to major donors and supporters of the University.

- Major donors were visited and apprised of the situation.

- An external expert was being appointed to oversee a thorough analysis of the University’s actions, policies and procedures. The mandate of which was included in the circulated update.

The Board was advised that as a result of these actions there appears to be confidence that the University Administration is taking the issues very seriously, is ensuring that a full analysis of the University’s actions will be performed and that policies and procedures are in place which prevent a recurrence of the problems.
8. Strategic Planning Update

The Board received and reviewed an update on the Memorial University Strategic Planning. The Board was advised that Memorial has been actively engaging the external community to seek input on its future directions to assist the University in developing its new strategic framework.

Over the past six weeks external consultations have taken place in most of the major centre in Newfoundland and Labrador, with a session scheduled for St. John’s by the end of March. In addition, two other sessions are planned with representatives from the federal and provincial government and with representatives from the education sector. The Board was apprised of some of the key points that have been raised in the consultation sessions to date.

9. Appointments to Board of Directors of Genesis Group Inc.

The Board received and reviewed background information pertaining to appointments/reappointments to the Board of Directors of Genesis Group Inc.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the following reappointments to the Board of Directors of the Genesis Group Inc. for a period of one year, effective March 23, 2006:

- Mr. Emad Rizkalla, Chair of the Board of Directors
- Dr. Chris Loomis
- Mr. Rick Gill
- Mr. David King
- Dr. Gary Gorman
- Dr. Jim Wright
- Dr. Mary Williams

Dr. Penny Moody-Corbett
Mr. Trevor Adey
Mr. Keith Stoodley
Mr. Fred Cahill
Mr. Glen Sansome
Ms. Siobhan Coady

Further, that the Board of Regents approve the following appointments to the Board of Directors of Genesis Group Inc. for a one-year term, effective March 23, 2006:

- Dr. Wolfgang Banzhaf
- Dr. Ray Gosine
- Mr. Mark McLeod
- Mr. Paul Hatcher
- Ms. Marilyn Thompson
Mr. James Iglohiorte

The Board was also advised that Dr. Wilf Nichols had completed his term as Director.

10. Appointment to Board of Directors - MURC (Correction)

The Board was reminded that at its February 2, 2006 meeting it approved the appointment of Dr. Mary Bluechardt to the MURC Board of Directors for the duration of her term as Director of Human Kinetics and Recreation, which is a five year term. The by-laws governing the MURC Board state that term appointments to the Board may be for two or three years.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approves the appointment of Dr. Mary Bluechardt to the MURC Board of Directors for a three-year term, commencing February 2, 2006.

11. Code of Student Conduct

The Board received and reviewed background information pertaining to a new Code of Student. The Board was advised that the work to develop a new Code of Student Conduct commenced in the Fall of 2002. It was conducted by a committee and involved the review of the current “Code of Disciplinary Procedures for Students” as well as consultations with representatives of students, staff and faculty from all campuses. The primary objectives were to improve the discipline processes and to update terms and definitions.

Alternative disciplinary structures and options were explored. The draft new Code was referred to legal counsel in April 2004. This resulted in further clarification of terms, references to current practices and restated offences. It also incorporated the practices and administrative procedures appropriate for the University’s different campuses.

The revised Code of Student Conduct was provided to student representatives for comments and recommendations. Following these consultations, it was approved by the University’s senior executive committee on February 13, 2006.

After discussion, the following resolution was passed:

RESOLVED:
That the Board of Regents approve the new Code of Student Conduct, effective March 23, 2006 and abolish the existing Code of Disciplinary Procedures for Students.

6. **FINANCE COMMITTEE MEETING**

A verbal report of the Finance Committee meeting held on March 23, 2006 was presented by Mr. Decker, Acting Chair of the Committee. The following resolutions were passed with respect to the items that required specific Board approval:

A - Budget Update

The Board was provided with background information pertaining to a fourth quarter update of the University’s financial position. The Administration projects an overall surplus for the year.

The projected tuition revenues as of March 6, 2006 were $177,041 below target. The majority of this shortfall relates to tuition charged to students who are part of a relatively new Jilin University/Memorial University Bachelor of Technology program who have the choice to take courses in China or in Newfoundland. During 2005/06, approximately 90 students registered through Memorial but took the courses in China and therefore the tuition (at International student rates) related to those courses was reversed.

Total expenditures for 2005/06 are expected to exceed budget in Administration and Medicine Envelopes as a result of substantial increases in energy costs. Government has indicated that energy cost relief will be forthcoming before year end. However, the Academic envelope is projecting surpluses in the Faculties of Arts, Education, and the School of Graduate Studies and Pharmacy. The Vice-President (Academic) is holding funds in reserve against expenses expected to arise in connection with the Strategic Planning exercise.

This item was presented for information and required no resolution of the Board.

B - Establishment of Permanent Position

The Board received and reviewed background information pertaining to the establishment of a permanent position of Director in the Office of Student Recruitment.

After discussion, the following resolution was passed:

**RESOLVED:**
That the Board of Regents approves the establishment of
the following position effective June 18, 2003:

STR-001 - Director - Office of Student Recruitment

C - Market Differentials for IT Staff

The Board received and reviewed background information pertaining to
market differential for Information Technology (IT) staff. The Board was
advised that at its meeting on September 14, 2000, it authorized market
differential adjustments for designated IT staff at Memorial to ensure the
University remains competitive in hiring and retaining employees. The
Board also mandated that the University conduct annual market
comparisons with xwave, the only comparable employer in the Province.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves maximum salaries (with
corresponding adjustments in salaries below the maxima)
for IT staff, effective April 1, 2006

D - Renewal of the University’s Group Benefit Plans

The Board received and reviewed background information pertaining to
a recommendation from the Employee Benefits Committee for the
renewal of the University’s group benefit plans for the policy year
beginning April 1, 2006. The Board reviewed the cost implications of the
recommendations and reviewed the position of the University
Administration.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the recommendation
from the Employee Benefits Committee for the renewal of
the University’s Group Benefit Plans for the policy year
beginning April 1, 2006 as follows:

- Basic Life insurance plan at the existing rate,
- Dependent Life insurance plan at the existing rate,
- Optional Life insurance plan at a 13% rate increase,
- Basic, Optional, and Voluntary Accidental Death and
  Dismemberment plans at the existing rates,
- Long Term Disability plan at an 11% rate increase,
- Supplementary Health plan at a 7.1% rate increase,
• WorldWide Travel Assistance plan at a 9.7% rate increase for single coverage and 9.9% for family coverage,
• Dental plan at the existing rate.

Further the Board approved a recommendation that dental claims be insured at the Newfoundland Dental Society Fee Guide for 2004 in order to maintain the practice of insuring at a rate not more than two years old. In view of the level of surplus in the Dental Plan, which stood at $348,061 at July 31, 2005, the Board approved a recommendation that the full cost of Dental plan renewal and fee guide advancement be funded 100% by using dental plan surplus.

F - Mortgage for Chalet Residences at Sir Wilfred Grenfell College

The Board received and reviewed background information pertaining to the mortgage for Chalet Residences (chalets) at Sir Wilfred Grenfell College (SWGC). The Board was advised that the initial five-year term of the mortgage for chalets expires on April 2, 2007.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approves a recommendation that the five-year term for the Mortgage for Chalet Residences at Sir Wilfred Grenfell College continue until April 2, 2007.

F - Internal Administrative Budget for the Memorial University Pension Plan

The Board received and reviewed background information pertaining to an internal administrative budget for the Memorial University Pension Plan. The Board was reminded that at its meeting on March 27, 2003, it approved the adoption of an internal administrative budget policy for the Memorial University Pension Plan. The purpose of the policy is to identify and approve expenditures for the internal pension plan administration.

The Board was advised that there are no financial implications to the University because the Pension Plan budget is independent of the University’s operating account. The expenditures contained in the internal administrative budget are a direct charge against and are paid out of the Memorial University Pension Fund.

The following resolution was passed:

RESOLVED:
That the Board of Regents approve the budget submission of internal administrative expenditures of the Memorial University Plan, for the fiscal year April 1, 2006 to March 31, 2007, in accordance with the policy and with the approval of the Director of Human Resources.

G - University Pension Committee Matters

(i) - Increase in Survivor Benefits from 55% to 60% for Pre-1997 Survivors

The Board received and reviewed a submission from the University Pensions Committee for an increase in Survivor Benefits from 55% to 60% for Pre-1997 survivors.

The Board was provided with the associated costs to implement this increase and was advised that as at December 31, 2005, there are 75 survivor beneficiaries receiving benefits at the rate of 55%. The actuarial cost to increase these pensions to 60% has been calculated to be $580,875, as at December 31, 2005. Due to the financial position of the University Pension Plan, the University would be required to pay this increase in liability either as a lump-sum payment or by amortization over a period not greater than 15 years. This would be in addition to the $6.75 million annual special payment required as a result of the going-concern deficit revealed as at March 31, 2005.

The Board was advised that the University Administration is sympathetic to pre-1997 survivor beneficiaries and the disparity in the level of their benefits vis-a-vis that of other survivors and would be supportive of achievable opportunities for improvement. This position hasn’t changed since its initial proposal to government to make the increase to 60% applicable to all survivors, irrespective of when their benefits started. It is the view of the Administration, however, that a request to government, at this time, to increase the benefit to 60% would likely not be successful due to a number of factors. The pension plan is no longer in a surplus position and the University is already facing an onerous annual special payment to liquidate the unfunded liability.

In addition, the 1995 proposal from the University, to increase survivor benefits, incorporated a shared contribution rate increase to finance the associated liability; however, government turned it down. It is therefore unlikely that government would be willing to finance, in part or in whole, the cost of this benefit improvement. While the administration is cognizant of the differential treatment being afforded to pre-1997 survivors and the desire of the University Pensions Committee to raise the level of benefits to 60%, it also recognizes that like most other retirees and survivors, these individuals already receiving a benefit improvement over and above the initial pension promise, and to which
they did not contribute - indexing.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents deny the request from the University Pensions Committee to recommend that the Provincial Government be requested to amend the Memorial University Pensions Act to increase the survivor benefits from 55% to 60% for Pre-1997 survivors.

That the Board of Regents approve a recommendation that this matter be referred back to the University Pensions Committee for exploration of other possible options to address the disparity in the level of benefits for pre-1997 survivor beneficiaries.

**(ii) - Pension Plan Statement of Investment Policy and Objectives**

The Board received and reviewed background information pertaining to the adoption of the Memorial University Pension Plan Statement of Investment Policy and Objectives.

The Board was advised that the Statement of Investment Policy and Objectives was reviewed and discussed by the University Pensions Committee and recommended that it be adopted by the Board. The Board was advised that the University Administration concurred with this recommendation and that there are no cost implications for the University relative to adopting the Statement of Investment Policy and Objectives.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the recommendation from the University Pensions Committee to adopt the Memorial University Pension Plan Statement of Investment Policy and Objectives.

**7. CAMPUS PLANNING & DEVELOPMENT COMMITTEE MEETING**

A verbal report of the Campus Planning and Development Committee meeting held on March 23, 2006 was presented by Mr. Ludlow, Chair of the Committee. The following resolutions were passed with respect to the items requiring specific Board approval:

**A. Revisions to “Policy S-6: Safety Standards and Policy”**
The Board received and reviewed background information pertaining to revisions to the University’s Safety Standards and Policy. The Board was advised that the Department of Facilities Management is proposing revisions to the University’s current policy governing standards. The changes, which will make the policy more consistent with current standards and procedures, include:

a. Reference to the President’s Advisory Committee has been deleted as policies are now processed through the Administrative Policies Review Committee.

b. The current Health and Safety Policy Statement has been replaced with a new Occupational Health and Safety Policy Statement.

c. A table listing approximately thirty-five safety procedures has been added.

d. The Campus Smoking Regulations have been revised to reflect that certain residence buildings are the only buildings wherein smoking is permitted.

e. The section on Hard Hats has been deleted as one of the referenced safety procedures covers this topic.

f. The section on Accidents/Incidents and Dangerous Situations has been deleted as one of the referenced safety procedures covers this topic.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the revised Policy S-6: Safety Standards and Policy.

B. Update on Capital Projects

The Board received and reviewed a report on the following capital projects currently underway or being planned:

**St. John’s Campus**
- Energy Performance Contract
- Master Plan Update and Traffic and Parking Study
- Faculty of Arts Facilities Plan

**Marine Institute**
- Holyrood Marine Base
8. LABOUR RELATIONS COMMITTEE MEETING

Dr. Hedges provided a verbal report on the Labour Relations Committee meeting held on March 23, 2006. There were no items requiring specific approval of the Board and these items were presented for information only.

A. Update on Negotiations with MUNFA

B. Update on Negotiations with Support Staff Bargaining Units

9. APPOINTMENTS COMMITTEE MEETING

A verbal report of the Appointments Committee meeting held on March 23, 2006 was presented by Ms. Aylward, Chair of the Committee, and, along with an addendum, was approved by the Board.

10. SEPARATELY INCORPORATED ENTITIES COMMITTEE MEETING

The Board received and reviewed minutes of the meetings of the SIE Committee held on January 16, 2006 and January 20, 2006. The following resolution was passed on the recommendation of the SIE Committee:

1. January 16, 2006 Meeting:

   **RESOLVED:**

   That the Board of Regents approve the Lease Agreement between the University and the City of Corner Brook for the management of the Pepsi Centre.

   **RESOLVED:**

   That Board of Regents approve the Incorporation of a new Separately Incorporated Entity, with an appropriate name, for the management of the Pepsi.

   **RESOLVED:**
That the Board of Regents approve of the establishment of a Pepsi Centre Transition Team consisting of members of the staff of Memorial University, the negotiating team, and the City of Corner Brook.

RESOLVED:

That the Board of Regents approve that Legal Counsel be requested to draft Articles of Incorporation and By-laws for the management of the Pepsi Centre.

RESOLVED:

That the Board of Regents approve that Legal Counsel be requested to create a draft management agreement for the SIE of the Pepsi Centre.

RESOLVED:

That the Board of Regents approve the composition of the Board of Directors of the Pepsi Centre SIE be comprised of 12 members as follows:

6 from Memorial University of Newfoundland Sir Wilfred Grenfell College
1 from the City of Corner Brook
1 from the Corner Brook Civic Centre Association
4 from the public-at-large, one who shall serve as Chair of the Board of Directors

2. January 20, 2006 Meeting:

RESOLVED:

That the recommends to the Board of Regents approve that in future an obligation to comply with any audit or investigation being conducted by legislative or regulatory requirements be incorporated into the managements agreements of the Separately Incorporated Entities.

3. March 23, 2006 Meeting:

Dr. Hedges, Chair of the Committee, provided a verbal report of the meeting of the SIE Committee held on March 23, 2006. The Board was provided with updates on the following items:

A. Pepsi Centre
Dr. Hedges reported that the official signing of the management agreement with the City of Corner Brook had taken place earlier in the day. She advised that appointments to the Pepsi Centre Board of Directors would be made as soon as possible.

B. MUN Botanical Garden

Dr. Hedges advised that the SIE Committee was anticipating finalizing a management agreement with the MUN Botanical Garden shortly and it was expected that the signing of the agreement would take place in May.

11. **SENATE MEETINGS**

The Board received and reviewed minutes of the regular meetings of Senate on December 13, 2005, January 10, 2006 and February 14, 2006. Approval was given to the following items requiring Board approval under Section 56(h) (course of study) and 56(s) (making or altering a rule or regulation) of the *Memorial University Act*:

**December 13, 2005:**

- Item 44 Report of the Senate Committee on Undergraduate Studies (No. 44.1 to 44.7)
- Item 45 Report of the Academic Council of the School of Graduate Studies (No. 45.1 to 45.3))
- Item 46 Report of the Senate Committee on Undergraduate Studies (No. 46.2)

**January 10, 2006:**

- Item 56 Report of the Senate Committee on Undergraduate Studies (No. 56.1 to 56.4)
- Item 57 Report of the Senate Committee on Undergraduate Studies (No. 57.1 )
- Item 69 Report of the Senate Committee on Undergraduate Studies (No. 69.1 to 69.29)
- Item 70 Report of the Academic Council of the School of Graduate Studies (No. 70.1 to 70.5)
- Item 72 Report of the Senate Committee on Undergraduate Studies (No. 72.1 to 72.3)
- Item 73 Report of the Academic Council of the School of Graduate Studies
Studies (No. 73.1)

**ADJOURNMENT**

The meeting adjourned at 5:00 p.m.