

MEMORIAL UNIVERSITY OF NEWFOUNDLAND

BOARD OF REGENTS

The regular meeting of the Board of Regents was held on Thursday, March 9, 2023 at 3:00 p.m. NST in Room B1004 and B-1003, Signal Hill Campus and via webex.

PRESENT:

Mr. Glenn Barnes, Chair
Dr. Vianne Timmons, President and Vice-Chancellor
Dr. Neil Bose, Interim Provost and Vice-President (Academic), via Webex
Chancellor Earl Ludlow
Ms. Michelle Baikie
Dr. Bud Davidge
Ms. Cathy Duke
Mr. Joe Dunford, via Webex
Dr. Rex Gibbons
Ms. Ann Marie Hann
Ms. Karen McCarthy
Ms. Kerri Neil, via Webex
Mr. Arshad Shaikh
Ms. Eleanor Swanson
Ms. Tina Scott, Secretary to the Board, via Webex

APOLOGIES:

Apologies were received from Ms. Andrea Stack.

PRESENT BY INVITATION:

Ms. Catharyn Andersen, Vice-President (Indigenous) via webex, Dr. Tana Allen, Acting Vice-President (Research), Ms. Lisa Browne, Vice-President (Advancement and External Affairs), Mr. Robert Philpott, Vice-President (Administration and Finance), Dr. Paul Brett, Acting Vice-President (Marine Institute), Ms. Michelle Snow, Executive Director, University Governance Secretariat, Dr. Ian Sutherland, Vice-President (Grenfell Campus) *Pro Tempore* via webex, Mr. Scott Worsfold, General Counsel.

6975. MEETING CALLED TO ORDER

The meeting was called to order at 3:00 p.m. by Mr. Glenn Barnes, Chair.

6976. APPROVAL OF THE AGENDA/CONFLICT OF INTEREST

Following the call for the approval of the agenda, Mr. Barnes provided members and those present by invitation with the opportunity to declare if they were in a conflict of interest position or a potential conflict of interest position with regard to any agenda items.

Dr. Timmons and all members of the University Administration declared a conflict with Agenda Item 9.4 “Renewal of the University’s group benefit plans for the policy year beginning April 1, 2023”.

Mr. Shaikh declared a conflict with Agenda Item 9.5 “Request revised Monetary Mandate – Teaching Assistants’ Union of Memorial University of Newfoundland (TAUMUN).

It was agreed to move Agenda Item “9.5 “Request Revised Monetary Mandate – Teaching Assistants’ Union of Memorial University of Newfoundland (TAUMUN)” to the Closed Discussion agenda.

The agenda was approved as amended by the Board.

6977. MINUTES

The Minutes of the meeting of the Board of Regents held on December 1, 2022, and the special meetings held on January 13, 2023, February 8, 2023 and February 13, 2023 were approved by the Board with noted amendments.

6978. CHAIR’S REPORT

A. Meeting of the Executive Committee – February 13, 2023

The Chair noted that the Executive Committee met on February 13, 2023 to finalize and fine tune the agenda for today’s meeting of the Board.

6979. PRESIDENT’S REPORT

A. President’s Update of Activities

Dr. Timmons provided the Board with a written summary of her activities and University events for period from December 1, 2022 to March 3, 2023 and provided the Board more detail and context on several of these activities and events. In doing so, she noted that this document is an update on the strategic objectives for the 2022-2023 academic year. In addition to this update, the President included the following appendices, copies of which were provided in the background documentation:

- Appendix “A” Summary of highlights of achievements by faculty, staff and students, as well as general matters of interest to the Board for the period
- Appendix “B” Report on the President’s Academic Research
- Appendix “C” Key Institutional Messages”

B. Registration and Enrolments Progress Report for Winter 2023 Semester

The Board received and reviewed an enrolments and registration progress report for the Winter Semester.

C. Introduction of Senior Advisor to the President, Government Relations and Strategic Initiatives

It was agreed to defer this item to a future meeting of the Board.

OPEN SESSION - CONSENT AGENDA

It was moved by Ms. Hann, seconded by Mr. Ludlow, and carried that the consent agenda, as recommended by the appropriate Board Committee and comprising the resolutions listed in 6980, be approved as outlined below.

6980. SENATE MATTERS

A. Approval of Calendar Changes arising from the Senate meeting of December 13, 2022 - revisions to the Master of Applied Ocean Technology and the Graduate Diploma in Applied Ocean Technology (Ocean Mapping) program

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on December 13, 2022 and approved the Calendar changes pertaining to the Master of Applied Ocean Technology and the Graduate Diploma in Applied Ocean Technology (Ocean Mapping) program as outlined in the background documentation.

B. Approval of Calendar Changes arising from the Senate meeting of December 13, 2022 – Master of Maritime Management

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on December 13, 2022 and approved the Calendar changes pertaining to the Master of Maritime Management program as outlined in the background documentation.

C. Approval of Calendar Changes arising from the Senate meeting of December 13, 2022 - Master of Marine Studies

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on December 13, 2022 and approved the Calendar changes pertaining to the Master of Marine Studies program as outlined in the background documentation.

D. Approval of Calendar Changes arising from the Senate meeting of December 13, 2022 - Master of Education (Counselling Psychology)

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on December 13, 2022 and approved the Calendar changes pertaining to the Master of Education (Counselling Psychology) as outlined in the background documentation.

E. Approval of Calendar Changes arising from the Senate meeting of December 13, 2022: Master of Science (Earth Sciences)

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on December 13, 2022 and approved the Calendar changes pertaining to the Master of Science (Earth Sciences) as outlined in the background documentation.

F. Approval of Calendar Changes arising from the Senate meeting of January 10, 2023

The Board received background information pertaining to the Senate matters with implications for the Board of Regents arising from the Senate meeting held on January 10, 2023 and approved the Calendar changes as outlined in the background documentation.

G. Approval of Calendar Changes arising from the Senate meeting of February 14, 2023 - *pending Senate approval*

The Board received background information pertaining to the Senate matters with implications for the Board of Regents and approved the Calendar changes as outlined in the background documentation, subject to approval by Senate at its meeting scheduled to be held on March 14, 2023.

H. Approval of New Programs arising from the Senate meeting of February 14, 2023 - *pending Senate approval*

The Board received background information pertaining to the Senate matters with implications for the Board of Regents and approved Calendar changes pertaining to new courses and programs as outlined in the background documentation, subject to approval by Senate at its meeting scheduled to be held on March 14, 2023.

CLOSED SESSION – CONSENT AGENDA

Mr. Barnes provided members and those present by invitation with the opportunity to declare if they were in a conflict of interest position or a potential conflict of interest position with regard to any agenda items.

The Chair also noted that the items were dealt with in detail in meetings of the appropriate committees. It was then moved by Dr. Gibbons, seconded by Ms. Stack and carried that the consent agenda, comprising the resolutions listed in 6981 through 6984 below be approved as follows:

6981. AUDIT AND RISK COMMITTEE

A. Annual Internal Audit Plan

The Board received background information and approved the Annual Internal Audit Plan for 2023-24 fiscal year and as outlined in the background documentation.

B. Internal Audit Report – Space Management Review

At a meeting held on March 1, 2023, the Audit and Risk Committee received a verbal update with regard to the Internal Audit Report “Space Management Review”.

C. Update on the Auditor General Review – also on the Finance Committee agenda

The Board received for information the update on the Auditor General Review. As part of the ongoing work to update the *Memorial University Act*, the Provincial Government has formally requested a full and comprehensive review of operations and spending at Memorial University by the Office of the Auditor General. The Auditor General has agreed to provide government with a report, which will inform the final amendments that will be introduced in the House of Assembly. The review was announced on April 4, 2022. In November 2021, the Provincial Government brought forward a new Auditor General Act, 2021, that expanded the Office of the Auditor General’s access to information and to audit the use of government funds. These amendments included the repeal of Section 38(1) of the Memorial University Act to allow the Auditor General to determine if significant investments are being managed with due regard to the economy, efficiency and effectiveness.

On January 23, 2023, the Auditor General wrote to the President to advise of a change in the planned audit scope period. The period of coverage will now be April 1, 2019 to December 31, 2022, which reflects an extension of the end date (from the original March 31, 2022) to include an additional nine months and indicating that this change will allow the audit to include as current information as possible. The Auditor General does not anticipate the scope period change to impact any of the key audit milestones that were outlined in the Performance Audit Plan. A copy of the letter from the Auditor General to the President was provided in the background documentation.

D. Extension of appointment to the Genesis Group Inc. Board of Directors

The Board was advised that at a meeting held on March 1, 2023, the Audit and Risk Committee approved the extension to appointments of the Genesis Group Inc. Board of Directors as outlined in the background documentation and as follows:

- Mr. Mark Andrews, Community Representative, term to expire on June 30, 2025
- Mr. Jason (Jay) Quann, Community Representative, term to expire on June 30, 2025
- Ms. Valerie Fox, Community Representative, term to expire on June 30, 2026
- Ms. Mini Sheriff, Community Representative, term to expire on June 30, 2026
- Mr. Karl Smith, Community Representative, term to expire on June 30, 2026

E. Appointments to Campus Childcare Inc. Board of Directors

The Board was advised that at a meeting held on March 1, 2023, the Audit and Risk Committee approved the following appointment to the Campus Childcare Inc. (CCI) Board of Directors as outlined in the background documentation and as follows:

- Ms. Susan Roberts, Parent Representative, for a 2 year term

6982. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE

A. Update on Capital Projects

The Board was advised that the following major capital projects are currently ongoing at varying stages:

PROJECTS IN PROGRESS	
St. John's Campus	
1	Animal Resource Centre (ARC)
2	Harsh Environment Research Facility (HERF)
3	Electric Boilers – Utilities Annex
Marine Institute	
1	Holyrood Marine Base Phase IIB
Grenfell Campus	
1	Regional Recreation Centre

Update on Capital Projects (cont'd)

PROJECTS IN PLANNING STAGES	
St. John's Campus	
1	University Buildings Strategy <ul style="list-style-type: none"> a. Science Building Demolition b. Biotechnology c. Chemistry-Physics d. Psychology e. Reid Theatre
2	Canada Games Facilities <ul style="list-style-type: none"> a. Aquarena & Field House Renovation b. Track, Turf & Field & Centre of Excellence
Grenfell Campus	
1	Western Regional School of Nursing

PROJECTS IN EARLY STAGES	
St. John's Campus	
1	Facility for Schools of Nursing/Pharmacy/Social Work
2	Coughlan College Demolition
3	Vivarium Replacement
4	Ocean Sciences Centre
	a. Potable Water <ul style="list-style-type: none"> i. Treatment Facility vs. Municipal Connection ii. Reservoir Assessment iii. Cistern Treatment/Filtration
	b. Shallow Water Intake
	c. Seal Tank Flooding and Storm Water Management
	d. Lab Life Safety Eyewash and Showers
Labrador Campus	
1	Labrador Campus
Grenfell Campus	
1	Thrive Building (Residence & Student Services)

PROJECTS ON HOLD	
St. John's Campus	
1	Indigenous Centre (Tender Ready)
2	ITS Data Centre Replacement (Preliminary Concept)

The Board was advised that the projects in progress are on time and on budget unless otherwise noted.

This item was received for information and did not require a resolution of the Board.

B. Lambes Lane Realignment and Extension

The Board received background information and approved the proposed land parcel transfers in relation to the Lambe's Lane realignment and extension and as outlined in the background documentation. It is understood that the City of St. John's will finalize the legal survey in preparation for the land transfers, subject to Lieutenant-Governor in Council approval.

C. Campus Renewal Fee (St. John's) allocation 2023/2024 – also on the Finance Committee agenda

This item was considered under the report of the Finance Committee as outlined in the Minute 6984.A below.

6983. HUMAN RELATIONS COMMITTEE

A. Senior Leadership Position Vacancies and upcoming renewals

The Board received for information a regular status update regarding senior leadership position vacancies and their associated recruitment status and senior leadership positions held by academic administrators which may be renewed, following a five-year term, subject to review.

B. Appointments Reports

The Board received for information the Report on Academic Appointments for the St. John's and Grenfell Campuses for actions taken since December 1, 2022, noting that the actions have been taken under delegated authority as provided for in the Terms of Reference for the Human Relations Committee.

C. Reappointment of the Dean of the School of Pharmacy

The Board received background information and approved the reappointment of Dr. Shawn Bugden as Dean of the School of Pharmacy for a further five-year term effective April 1, 2023 and as outlined in the background documentation.

D. Renewal of Group Benefits Plans – also on the Finance Committee agenda

The Board received background information and approved the renewal of the University's group benefit plans for the policy year beginning April 1, 2023 as outlined in the background documentation and as follows:

- Basic life insurance plan at a 16.5% rate reduction;
- Dependent life insurance plan at the existing rate;
- Optional life insurance plan at the existing rate;
- Optional spousal and dependent child life insurance plans at the existing rates;
- Basic and optional accidental death and dismemberment plans at the existing rates;
- Voluntary accidental death and dismemberment plan at the existing rates;
- Long term disability plan at a 4.0% rate reduction;
- Supplementary health plan at a 5.7% rate increase;
- Travel health insurance plan at the existing rate; and
- Dental plan at an 8.0% rate increase.

E. Update on bargaining between Memorial University of Newfoundland and the Lecturers' Union of Memorial University of Newfoundland (LUMUN) Negotiations, bargaining agent for Per Course Instructors and Postdoctoral Fellows

The Board received for information an update on the bargaining between Memorial University of Newfoundland and the Lecturers' Union of Memorial University of Newfoundland (LUMUN) negotiations, the bargaining agent for per Course Instructors and Postdoctoral Fellows.

Committee members were advised that the LUMUN represents both Per Course Instructors and Postdoctoral Fellows, each having their own collective agreement. Both collective agreements expired on August 31, 2021, and were extended by one (1) year through memorandums of agreement. On July 29, 2021, LUMUN served notice to commence bargaining. The University replied on August 12, 2021, indicating it would respond in due course to establish mutually agreeable dates. On February 10, 2023, while the University was currently going through a labour disruption, LUMUN applied to the Minister to request the appointment of a conciliator and subsequently, one was appointed on February 15, 2023. It is understood a bargaining position will be brought to the Board at a future date.

F. Pension Reform Update

At a meeting held on March 6, 2023, the Human Relations Committee received a presentation with regard to an update on Pension Reform. It was noted this item was for information and did not require a resolution of the Board.

6984. FINANCE COMMITTEE

- A. Campus Renewal Fee (St. John's) allocation 2023/2024 – also on the Campus Planning and Development Committee agenda

The Board received background information and approved the allocation of \$6,300,000 of the Campus Renewal Fee (St. John's) to Facilities Management (\$4,100,000) and the Office of the Chief Information Officer (OCIO) (\$2,200,000) and as outlined in the background documentation.

- B. St. John's Campus Parking Rates

The Board received background information and approved the 2023/2024 parking rate increases effective May 1, 2023 as outlined in the background documentation as Appendix E which includes the signing of the Parking Fees Amendment. In addition, the Board was in agreement with the recommendation of the Finance Committee that the Administration review and report back to the Finance Committee with a 3 – 5 year plan to address the future deficit.

- C. Administrative Budget for the Memorial University Pension Plan for 2023/2024

The Board received background information and approved the proposed budget for the internal administrative expenditures of the Memorial University Pension Plan, for the fiscal year April 1, 2023 to March 31, 2024 and as outlined in the background documentation.

- D. Increase membership fees for the Canadian Federation of Students for the Grenfell Campus Students' Union (GCSU)

The Board received background information and approved an increase in the Grenfell Campus Students' Union CFS Fees from \$9.92 to \$10.58 for full and part-time students for the Fall and Winter semesters only, effective September 1, 2023 and as outlined in the background documentation. This fee will be divided equally with \$5.29 per semester going to the Canadian Federation of Students and \$5.29 per semester going to the Canadian Federation of Students – Newfoundland and Labrador. This amount reflects the change in the National Consumer Price Index.

- E. Increase in Student Union Membership Fees for the 2023-2024 academic year for the Graduate Students' Union and the Marine Institute Students' Union

The Board received background information and approved an increase in the CFS Fee for GSU and MISU from \$9.92 to \$10.58 for full and part-time students for the Fall and Winter semesters only effective September 1, 2023 and as outlined in the background documentation. This fee will be divided equally with \$5.29 per semester going to the Canadian Federation of Students and \$5.29 per semester going to the Canadian Federation of Students – Newfoundland and Labrador.

F. Renewal of Group Benefits Plans – also on the Human Relations Committee agenda

This item was considered under the report of the Human Relations Committee as outlined in the Minute 6983.D above.

G. Update on the Auditor General Review – also on the Audit and Risk Committee agenda

This item was considered under the report of the Audit and Risk Committee as outlined in the Minute 6981.C above.

CLOSED SESSION – DISCUSSION AGENDA

6985. HUMAN RELATIONS COMMITTEE

A. Request Revised Monetary Mandate – Teaching Assistants’ Union of Memorial University of Newfoundland (TAUMUN)

The Board received and reviewed background information pertaining to a request for revised Monetary Mandate – Teaching Assistants’ Union of Memorial University of Newfoundland (TAUMUN).

Board members were advised that the collective agreement for TAUMUN expired on August 31, 2020 and was extended for one year to August 31, 2021 through a memorandum of agreement. On January 26, 2023, during negotiations the University bargaining team submitted a monetary proposal in accordance with the approved mandate. A summary of the key elements of the university offer were provided in the background documentation as Appendix 1. TAUMUN submitted two counter proposals for conclusion of a collective agreement. Both of the options were provided in the background documentation as Appendix 2. A chart in Appendix 3 outlines the comparative hourly salary with comparable models.

Following a detailed discussion, the following motion was passed:

RESOLVED:

That the Board of Regents approve the revised position regarding the Teaching Assistants’ Union of Memorial University of Newfoundland (TAUMUN) as outlined in the background documentation.

6986. FINANCE COMMITTEE

A. Update on the University's Financial Position

The Board received and reviewed background information pertaining to an update on the University's Financial Position.

Board members were advised that the University's budget (excluding the Faculty of Medicine) for 2022-23 was approved at the July 7, 2022 meeting of the Board of Regents. The 2022-23 budget for Faculty of Medicine was presented to the Board of Regents and approved at the October 6, 2022 meeting. Following the approval of the University budget, budget allocations were communicated to units. Units had a deadline of September 30, 2022 to balance to their budget allocation and report on the actions taken to achieve base budget reductions.

A review of the financial position has been completed as of December 31, 2022 (as provided in the background documentation as Table 1). At this time, total operating expenditures for 2022-23 are projected to be under budget by \$5.46M or 1.1% of expenditures. This is due to projected surpluses for the Grenfell Campus (\$1.62M), Marine Institute Campus (\$1.56M), and the St. John's Campus (\$1.0M). A \$2.5M year-end payment from the Department of Health and Community Services is forecasted for the Faculty of Medicine, resulting in a year end surplus of \$1.26M.

Tuition Update

The tuition offset grant from the Department of Education was reduced by \$13.68 million. The forecasted tuition revenue increase with the increased undergraduate rates effective fall 2022 was budgeted at \$13.68 million. The University is currently projecting a shortfall of \$3.2 million for the fall and winter semesters for undergraduate tuition revenue in relation to the government reduction. A surplus of \$800k in undergraduate tuition revenue occurred in the spring semester (prior to the rate increase). This results in a projected combined undergraduate tuition deficit of \$2.4 million for 2022-23. To date graduate tuition for the spring, fall and winter semesters have generated a surplus of \$2.5 million.

Government General Reduction

The general government grant reduction for 2022-23 is \$2.95 million. The University submitted a request to the Department of Education to reverse this base budget reduction. The \$2.95 million reduction is being held pending the response from government. At this time, the University has not received a response via the Department of Education. If the reduction is not reversed, the 2022-23 envelope budget allocations will be further reduced by \$2.95 million.

NAPE Collective Agreement

In the fall of 2022, the University reached tentative agreements with the Newfoundland and Labrador Association of Public and Private Employees (NAPE)

for locals: 7803 and 1804; 7804 and 1809; 7801; 7850; and 7405. These locals represent the following:

- Campus Enforcement and Patrol personnel on the St. John's Campus and Grenfell Campus
- Custodial personnel on the St. John's Campus and Grenfell Campus
- Maintenance personnel on the St. John's Campus and Grenfell Campus
- Support staff at the Marine Institute
- Instructors, Demonstrators, Research Scientists, and Research and Technical personnel at the Marine Institute.

Retro payments and signing bonuses have been paid to NAPE members. In December, the university requested funding totaling \$2,400,670 from the Provincial Government for the 2% General Increase (\$1,141,825) and the \$2000 Signing Bonus (\$1,258,845). Government has requested the University to absorb as much as possible for the signing bonus and increases within the 2022-23 budget. The ability to absorb \$2.4M in one-time expenses in 2022-23 will not be known until year end.

Energy

Due to the increased price of energy experienced in 2022, the university is projecting a \$6.0 million deficit. This projected deficit has been communicated to government on a monthly basis. The university will request funding for this deficit before the end of the year. If this is not funded, one-time funds will be required from units to cover the increased cost.

MUNFA Strike

The review of the financial impact of the MUNFA strike is in progress. Monies not spent during the 10 working day strike total \$3.9 million.

This item was received for information and did not require a resolution of the Board.

B. Differential Graduate Tuition for the revised Master of Education in Counselling Psychology

The Board received and reviewed background information pertaining to Differential Graduate Tuition for the revised Master of Education in Counselling Psychology.

Board members were advised that at a meeting held on December 13, 2022, the Senate approved revisions to the existing Master of Education in Counselling Psychology (M.Ed. (Counselling Psychology)) program, which includes introducing new curriculum and adding more experiential components. The program revisions infuse local and global realities that are affecting the mental health and well-being of citizens, especially those disproportionately affected and marginalized by contextual events. As well, the curriculum changes ensures that Memorial University graduates continue to meet the evolving requirements of the Canadian

Differential Graduate Tuition for the revised Master of Education in Counselling Psychology (cont'd)

Counselling and Psychotherapy Association (CCPA) to be eligible to become Canadian Certified Counselling (CCC). Furthermore, graduates of the M. Ed. (Counselling Psychology) program will meet the requirements to become Registered Counselling Therapists, standards that are established by The Federation of Associations of Counselling Therapists in Newfoundland and Labrador (FACT-NL) under the Health Profession Act.

The M.Ed. (Counselling Psychology) program supports the advancement of one of Memorial University's key strategic priorities—Proactive Programs—by continuing to focus on preparing highly knowledgeable, skilled, and ethical professional practitioners who will play a significant role in supporting the mental health and addictions action plans set forth by the Government of Newfoundland and Labrador.

At the July 8, 2021, meeting of the Board of Regents, the Tuition Framework proposal highlighted the need to introduce differential tuition to offset the cost of delivery and ensure the financial sustainability for course-based master programs. The current graduate tuition structure is insufficient to cover the cost of delivery for the revised M.Ed. (Counselling Psychology) course-based program. Therefore, it is proposed that besides regular tuition, differential tuition of \$8,500 be implemented to offset the resources needed to deliver the program. The added program delivery expenses include an experiential component with labs to provide supervision of practice, internships, and field experiences. The \$8,500 non-refundable differential tuition will be paid equally over 6 semesters for full-time students and 9 semesters for part-time students. The differential tuition is consistent with other successful graduate programs that have existed at Memorial University for the past 17 years. The proposal was reviewed and endorsed by Memorial's Tuition and Fees Oversight Committee on February 10, 2023.

It was noted that extensive consultation has been conducted with community and educational partners including the Canadian Counselling and Psychotherapy Association, NL Department of Education and NL School English School District with the feedback from these stakeholders contributing to the evolution of the program revisions as well as the special fee. Appendix A, as provided in the background documentation, provides a summary of Canadian universities that offer similar programs and related tuition.

Differential Graduate Tuition for the revised Master of Education in Counselling Psychology (cont'd)

After a discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve the differential Graduate Tuition for the revised Master of Education in Counselling Psychology effective the 2023 cohort admission cycle as outlined in the background documentation and as follows:

- Differential tuition of \$8,500 for the Master of Education in Counselling Psychology

C. Senate Motion of February 14, 2023 regarding refund of Tuition during the Labour Action January 30 – February 13, 2023

The Board received and reviewed background information pertaining to the Senate Motion of February 14, 2023 regarding refund of tuition during the Labour Action January 30 – February 13, 2023.

Board members were advised that following the labour disruption as a result of the MUNFA strike from January 30, 2023 – February 13, 2023 at a special meeting held on February 13, 2023 the Board considered the following matters:

- Ratification of the proposed Collective Agreement, subject to ratification by MUNFA.
- A number of financial issues as a result of the labour disruption including approval of a 100% tuition refund for all students with the exception of Medicine, Marine Institute (Technical and Diploma) and graduate students, who may wish to avail of a proposed extended deadline of up to and including the last day lectures in the Winter 2023 semester (April 10, 2023) to drop courses without academic prejudice, subject to approval by Senate.

At a special meeting of Senate held on February 14, 2023, Senate received and considered the proposal - Academic Remedies as a Result of Disruption of Instructional Activities of January 30 to February 13, 2023. The report outlined principles and resolutions in order to mitigate the impact on students and faculty, returning from labour action and those teaching members whose duties continued during the disruption of instructional activities from January 30, 2023 to February 13, 2023.

The report proposed a suite of academic remedies that will minimize the impact on students and faculty, as a result of the disruption of instructional activities from January 30, 2023 to February 13, 2023. All recommendations were rooted in Memorial's institutional values and guided by a respect for the academic integrity of courses, the expertise of our instructors and the overarching need to ensure that students are not disadvantaged by the interruption.

Senate Motion of February 14, 2023 regarding refund of Tuition during the Labour Action January 30 – February 13, 2023 (cont'd)

The report was commissioned by the Interim Provost and Vice-President (Academic), and had been considered and endorsed by both the Academic Council of the School of Graduate Studies and the Senate Committee on Undergraduate Studies. Following a lengthy discussion by Senators, the report was moved and carried as outlined in the enclosed documentation.

In keeping with Senate's mandate of oversight of academic matters, the report did not propose any recommendations relating to financial matters. It did, however, include an amendment to General Academic Regulation (Undergraduate) 6.5.7.2 Dropping Courses Without Academic Prejudice Changes, and Graduate Studies General Regulation C4(b), Changes in Course Registrations, so that students be permitted to drop courses or to withdraw from the university without academic prejudice up to and including the last day of paused lectures in the Winter 2023 semester April 10, 2023. At a special meeting held on February 13, 2023, the Board of Regents granted approval for the full refund of courses dropped under this extended timeline.

During the meeting the following motion was approved by Senate calling on the University to provide for a full tuition refund equating to the portion of classes missed during the twelve days of the labour disruption.

“Be it resolved that the Senate recommends the refund of tuition paid for all missed classes during the strike action”

The motion approved by Senate would result in an expenditure of approximately \$4.3 million should all undergraduates students (with the exception of students in the Faculty of Medicine and the Marine Institute for certain programs) receive a refund of tuition for all missed classes during the period of the labour disruption of January 30- February 13, 2023.

The Board was advised at its meeting on February 13, 2023, that \$3.9M was not expended during the strike due to non-payment of MUNFA salaries. The Board was also advised that the anticipated expenses related to the approval of the motion approving the “drop date” extension could result in a \$576,300 expenditure. Additionally, other unforeseen expenditures related to the strike such as vandalism, expenditures for Per Course Instructors, a student emergency fund (relating to loss of employment during the strike) were projected to be approximately \$3.9 Million. It was noted that a “good will” refund of \$100 per student was proposed and was included in this calculation.

Senate Motion of February 14, 2023 regarding refund of Tuition during the Labour Action January 30 – February 13, 2023 (cont'd)

At a meeting held on March 1, 2023, the Finance Committee considered the motion as approved by Senate on February 13, 2023 and as follows:

“Be it resolved that the Senate recommends the refund of tuition paid for all missed classes during the strike action”.

The Finance Committee advised that following careful consideration of the financial implications for the University of approving the above-noted motion, agreed to advise members of the Board of Regents that it is not in support of the motion noted above and as provided in the background documentation.

Following careful consideration of the Senate Motion of February 13, 2023, and in light of the financial implications for the University, the Board agreed with the Finance Committee to not support the recommendation of the Senate. However, it did reiterate its decision taken at the special meeting held on February 13, 2023 where the Board approved the allotment of unspent funds arising from the recent MUNFA strike with funds to be distributed, in principle, among the categories as outlined in the meeting and requested a report of actuals be tabled at a future meeting of the Board. It was noted that where possible, and within the funds available, these decisions should be taken to benefit students, and acknowledged that students have been the most impacted by this labour disruption.

Further, it was noted that the Board had previously approved a 100% tuition refund for all students, with the exception of Medicine, Marine Institute (Technical Certificate and Diploma) and graduate students, who may wish to avail of a proposed extended deadline of up to and including the last day of paused lectures in the Winter 2023 semester, April 10, 2023, to drop courses without academic prejudice, subject to approval by Senate, a copy of which is attached.

Dr. Timmons abstained from the vote and requested that their vote be recorded in these minutes.

6987. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE

A. Canada Games – also on the Campus Planning and Development Committee agenda

Due to time constraints, this item was deferred to a future meeting of the Board.

B. Campus Master Plan

Due to time constraints, this item was deferred to a future meeting of the Board.

6988. EXECUTIVE COMMITTEE

A. Appointment of Student Representative of the Grenfell Campus Students' Union (GCSU)

The Board received and reviewed background information pertaining to the appointment of the student representative as nominated by the Grenfell Campus Students' Union (GCSU).

Board members were advised that Section 22(2)(d) of the *Memorial University Act* reads as follows:

- “(2) The Board shall consist of
- (d) 4 members appointed by the Lieutenant-Governor in Council being full-time students of the University who:
 - i. meet the requirements set out in the regulations, and
 - ii. are recommended to the Lieutenant-Governor in Council by the Board following recommendation to the Board of one candidate each from the following student unions:
 - A. the Memorial University of Newfoundland Students' Union
 - B. the Graduate Students' Union
 - C. the Marine Institute Students' Union
 - D. the Grenfell Campus Students' Union”

Further, Section 30(3) of the *Memorial University Act* reads as follows:

- “(3) In the case of an appointed member the person appointed shall hold office only for the remainder of the term for which his or her predecessor was appointed.”

The Grenfell Campus Students' Union has nominated Mr. Luke Thibeau to replace Mr. Jorge Campos who resigned from the Board December 16, 2022 and whose term was to expire on May 18, 2023.

After a discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents accept the nomination of Mr. Luke Thibeau as requested by the GCSU and that the Board recommend his appointment to the Lieutenant-Governor in Council for a term of office in accordance with the Act.

B. Appointment of Student Representative as nominated by the Marine Institute Students' Union (MISU)

The Board received and reviewed background information pertaining to the appointment of the student representative as nominated by the Marine Institute Students' Union (MISU).

Board members were advised that Section 22(2)(d) of the Memorial University Act reads as follows:

“(2) The Board shall consist of

(d) 4 members appointed by the Lieutenant-Governor in Council being full-time students of the University who:

- i. meet the requirements set out in the regulations, and
- ii. are recommended to the Lieutenant-Governor in Council by the Board following recommendation to the Board of one candidate each from the following student unions:

- A. the Memorial University of Newfoundland Students' Union
- B. the Graduate Students' Union
- C. the Marine Institute Students' Union
- D. the Grenfell Campus Students' Union”

Further, Section 30(3) of the Memorial University Act reads as follows:

“(3) In the case of an appointed member the person appointed shall hold office only for the remainder of the term for which his or her predecessor was appointed.”

The Marine Institute Students' Union has nominated Mr. Aiden Parsons as their representative on the Board of Regents. Background information is attached.

After a discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents accept the nomination of Mr. Aiden Parsons as requested by the Marine Institute Students' Union and that the Board recommend his appointment to the Lieutenant-Governor in Council for a term of office in accordance with the Act.

6989. GOVERNANCE COMMITTEE

A. Collegial Governance

This item was deferred to a future meeting of the Board.

6990. PRESENTATION TO THE BOARD

A. Vice-President (Indigenous), Portfolio Update

Ms. Catharyn Andersen, Vice-President (Indigenous), provided the Board with a presentation with regard to the Vice-President (Indigenous) portfolio.

Following a question and answer period, Mr. Barnes on behalf of the Board, thanked Ms. Andersen for her very informative presentation (a copy of which is located in the Board files).

6991. EXECUTIVE COMMITTEE

At this point, Dr. Allen, Mr. Philpott, Dr. Brett, and Dr. Sutherland left the meeting.

A. "CBC Investigates" Story March 8, 2023

Mr. Barnes noted that Dr. Vianne Timmons, President and Vice-Chancellor conducted an interview with CBC regarding her Indigenous heritage and noted that it was released by CBC on March 8, 2023. In addition, he noted that the President also released a Gazette Article on Indigenous ancestry via the MUN Newsline in advance of the CBC interview. At this point, Mr. Barnes provided Dr. Timmons an opportunity to brief the Board regarding the interview and the statement to the MUN community.

Following Dr. Timmons overview of the recent interview, a lengthy question and answer period ensued.

At this point, Dr. Timmons, Dr. Bose, Ms. Andersen and Mr. Worsfold left the meeting.

6992. ANY OTHER BUSINESS

A. Date of Next Meeting

The Chair advised that the next regular meeting of the Board of Regents is scheduled to be held on Wednesday, May 17, 2023.

B. Last meeting for five members of the Board of Regents

Mr. Barnes noted that this is the last meeting for several members of the Board of Regents which includes himself, Ms. Michelle Baikie, Ms. Karen McCarthy, Mr. Joe Dunford and Ms. Eleanor Swanson. The Chair also noted that he is continuing to communicate with the Minister of Education regarding Board renewal in the context of the expiration of term of office for these members of the Board on March 22, 2023.

ADJOURNMENT

The regular meeting adjourned at 6:04 p.m.

CHAIR

SECRETARY

DATE