

MEMORIAL UNIVERSITY OF NEWFOUNDLAND

BOARD OF REGENTS

A meeting of the Board of Regents was held on Thursday, December 11, 2003, in the Board Room of the University at 2:30 p.m.

PRESENT:

Dr. Georgina Hedges, Vice-Chair
Mr. John Crosbie, Chancellor
Dr. Axel Meisen, President and Vice-Chancellor
Dr. Evan Simpson, Vice-President (Academic)
Gail Aylward
Hayward Blake
Leigh Borden
Lisa Browne
Calvin Butt
Sam Chaulk
Leslie Galway
Ed Kelly
Nancy Kelly
Dr. Brendan Lewis
Earl Ludlow
Allison North
Joan Pinsent
Dave Porter
Andrea Quinlan
Darlene Russell
Harvey Short
Roxana Vernescu
Eleanor Bennett, Secretary

APOLOGIES: Sharon Duggan, Dorothy George and Susan Wood.

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: Glenn Collins, Acting Vice-President (Administration and Finance).

1. WELCOME

The Acting Chair welcomed Ms. North to her first meeting since being appointed and extended best wishes during her term as a Regent.

2. MINUTES

The minutes of the meeting of the Board of Regents, held on October 16, 2003, copies of which were circulated prior to the meeting, were approved by the Board.

3. CHAIR'S REPORT

1. Resignation of Lorelei Stanley-Newton

The Acting Chair read a letter from Ms. Lorelei Stanley-Newton advising of her resignation from the Board due to work and other University commitments. The Secretary was asked to convey the Board's appreciation to her during her tenure as a Regent.

2. Condolences

The Acting Chair advised that Mrs. Margaret Phalen had passed away recently. Mrs. Phalen was the wife of Dr. E. J. Phalen, a former Chair of the Board. The Secretary was requested to write Dr. Phalen to extend condolences to him and his family on behalf of the Board.

3. Meeting with Premier Williams

The Acting Chair reported on a meeting she and the President had had with Premier Williams on November 21st. She advised that Dr. Meisen had provided a full and comprehensive overview of the University during the two hour meeting. She noted that they were very well received and that the Premier was very supportive of the future endeavours of the University.

4. Attendance at Signing of Autism Society Lease

Dr. Hedges advised that she and the President had attended the signing of a lease agreement with the Autism Society of Newfoundland and Labrador for the construction of the Shamrock Farm Centre for Autism. She circulated a brochure pertaining to the Autism Society and the capital campaign which had recently been launched by the Society to raise the \$1.5 million needed to construct the Centre.

4. PRESIDENT'S REPORT

1. Appointment of Chair of CCFI

The Board received and reviewed background information pertaining to this item and the following resolution was passed:

RESOLVED:

That the Board of Regents confirm the appointment of Mr.

Gabe Gregory as the Chairman of the Canadian Centre for Fisheries Innovation (CCFI) for the period commencing June 1, 2003 and ending May 31, 2005.

2. Reappointments/Appointment to MURC Board

The Board received and reviewed background information pertaining to this item and the following resolution was passed:

RESOLVED:

That the Board of Regents approve the following reappointments to the Board of Directors of the Memorial University Recreation Complex (MURC) for the period commencing November 14, 2003 and ending November 13, 2006:

Mr. Mike Donovan
Dr. Penny Moody-Corbett
Mr. Peter Morris

Further, that the Board approve the appointment of Dr. David Behm, School of Human Kinetics and Recreation, to the Board of Directors of MURC for the period commencing December 11, 2003 and ending December 10, 2006.

3. Appointments to Harlow Campus Trust Board

The Board received and reviewed background information pertaining to this matter. The Board was advised that the term of office of Dr. Alan Perry as Chairman of the Harlow Campus Trust will expire on January 13, 2004. The Harlow Trustees, at their meeting on November 4, 2003, recommended that Professor Michael Gibbons, who has been a Trustee since July 1996, assume the Chairmanship. Dr. Perry will continue with the Harlow Campus Trust as a Board member.

The Secretary was requested to write Dr. Perry and thank him for his contribution to the Trust during his time as its Chairman.

After discussion the following resolution was passed:

RESOLVED:

That the Board of Regents confirm the appointment of Professor Michael Gibbons as Chairman of the Harlow Campus Trust for the period commencing January 14, 2004 and ending January 13, 2007.

Further, that the Board approve a recommendation that, following completion of his term as Chairman, Dr. Alan

Perry be appointed as a member of the Harlow Campus Trust for the period commencing January 14, 2004 and ending January 13, 2007.

4. Extension of Appointments - Newfoundland Quarterly Foundation Board

The Board received and reviewed background information pertaining to this matter and, after discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve an extension of the following appointments to the Board of Directors of the Newfoundland Quarterly Foundation for the period commencing January 1, 2004 and ending December 31, 2004:

Dr. Aidan Maloney
Dr. Ron Sparkes
Dr. John Fraser
Dr. Bernice Morgan
Ms. Patricia O'Brien
Ms. Linda Bartlett
Mr. David Bradley

5. Extension of Appointments - MUN Botanical Garden Board

The Board received and reviewed background information pertaining to this matter. After discussion the following resolution was passed:

RESOLVED:

That the Board of Regents approve an extension of the following appointments to the Board of Directors of the MUN Botanical Garden:

For the period commencing November 1, 2003 and ending October 31, 2006:

Ms. Valerie Newhook
Mr. Randy Bell
Mr. Beni Malone
Ms. Betty Hall

For the period commencing January 1, 2004 and ending December 31, 2004:

Dr. Luise Hermanutz

Further, that the Board confirm the appointment of Mr. John Wheeler as Chair of the Board of Directors of the MUN Botanical Garden, for the period commencing October 1, 2003 and ending September 30, 2006.

6. Appointments to C-CORE Board

The Board received and reviewed background information pertaining to this item and was advised that the Board of Directors of C-CORE had approved the appointment of two new directors to its Board: Dr. Ray Gosine, Dean of the Faculty of Engineering and Applied Science, and Mr. Wayne Thistle, former Vice-President (Administration and Finance) and Legal Counsel. The appointments are effective for a three-year term, commencing November 28, 2003.

7. Update on Winter Registration

The Board received and reviewed a progress report pertaining to the Winter Semester 2004 Registrations, which was outlined in a memo from the Registrar's Office. Dr. Meisen noted that compared to the same time last year enrollments are up for all campuses. He further noted that tuition fee incomes are within the budget projections.

8. Petro-Canada Donation to School of Music

Dr. Meisen advised that Petro-Canada donated \$1.2 million to the University to fund the construction of a new music rehearsal and performance hall to be added to the existing M.O. Morgan Music Building. The new facility will be known as the Petro-Canada Hall. The announcement was made on November 19th at a ceremony in the D.F. Cool Recital Hall. Among those attending were Mr. Gordon Carrick, Vice-President, East Coast Petro-Canada, Mr. John Ottenheimer, the newly appointed minister of Youth Services and Post-Second Education and the President.

9. Procedures for Appointing Students to the Board of Regents

The Board received and reviewed a summary of negotiations between MUNSU and the Dean of Student Affairs and Services regarding the establishment of a process to guide the nomination and recommendation of student appointments to the Board of Regents. The President advised that discussions are continuing and a written procedure is being developed. When completed, the guidelines will be provided to the Board.

10. Report of Activities

The President reported on the following activities:

- ▶ October 20th - Spoke at the Ocean Innovation Conference (OIC) held in St. John's.
- ▶ October 23rd - Co-Hosted ENERSEA reception celebrating the announcement of the \$4 million Centre for Compressed Natural Gas.
- ▶ October 28th - Addressed the North West Rotary Club of St. John's at a luncheon.
- ▶ November 1st - 5th - Attended the Harlow Board of Trustees meeting and a function in London for MUN alumni and friends. The guest speaker at the Alumni event was Sir Howard Davis, Director of the London School of Economics and former Governor of the Bank of England.
- ▶ November 6th and 7th - Memorial co-hosted with CBC a reception for the Massey Lecture, which was given by Dr. Tom King, well-known author on aboriginal issues.
- ▶ November 29th - Hosted a lecture by David Dodge, Governor of the Bank of Canada.
- ▶ November 21st - Attended a meeting with Premier Williams regarding the University.
- ▶ November 27th - Attended the Chancellor's Circle Event for donors, hosted by Mr. and Mrs. Crosbie, where the Brass Band from the School of Music performed.
- ▶ December 4th -5th - Visited the Frecker Program in St. Pierre. The President noted that he was very impressed with the program offered in this modern facility. He congratulated Peter Ayres, Head of the Department of French and Spanish, and Dr. David Graham, Dean of Arts, for fostering the development of the Frecker Program.
- ▶ December 7th - Hosted the President's Circle event for the next level of donors at the Anglican Cathedral where the MUN Choir performed.
- ▶ December 9th - Attended the signing of a Lease agreement with the Autism Society of Newfoundland and Labrador.

11. Macleans

The Board received a copy of the Macleans magazine which contained the 2003 rankings for Canadian Universities. The President noted that

Memorial ranked fifth out of eleven in the overall rankings for Comprehensive Universities.

12. President's Report

The Board welcomed Victoria Collins, Director of University Relations, and Ivan Muzychka, News Service Manager, to the meeting. Mr. Muzychka provided the Board with a power-point presentation of the President's Report 2003 entitled "Where we are". A copy of the report's highlights brochure and its accompanying CD, was distributed to the Board. Mr. Muzychka noted that the report was compiled as an accountability document and will be used as a promotional tool to present the University in its diverse forms. He highlighted several of the accomplishments of the past year in the areas of teaching, research, and community service.

Following the presentation and a question and answer session, the Acting Chair thanked Mr. Muzychka for his informative presentation, and thanked Ms. Collins and her staff for their efforts in compiling the report.

Mr. Muzychka and Ms. Collins left the meeting at this point.

13. *Globe and Mail* Article

The President apprised the Board of an article appearing in the December 11th issue of the *Globe and Mail* concerning a report that the validity of original research data of Dr. Ranjit Chandra was in question. The research being challenged was conducted by Dr. Chandra while he was a professor at Memorial's faculty of medicine. Dr. Chandra resigned from the University in 2002 following a period of leave without pay. The President noted that research integrity is very important to the University and advised that there is a policy in place and penalties to be enforced should a person be found guilty. The President advised that Dr. Chandra is currently residing outside Canada.

5. APPOINTMENT OF VICE-PRESIDENT (ACADEMIC) AND PRO VICE-CHANCELLOR

The Board received and reviewed the report of the search committee for Vice-President (Academic). The President reported on the work of the committee, which he had chaired, and recommended the appointment of Dr. H.E.A. (Eddy) Campbell to the position.

After discussion, the following resolution was unanimously passed:

RESOLVED:

That the Board of Regents approve the appointment of Dr. H.E.A. (Eddy) Campbell as Vice-President (Academic) and Pro Vice-Chancellor, for the period commencing May 1,

2004 and ending August 31, 2009, renewable.

Further, that Dr. Campbell be appointed as Professor, with tenure, in the Department of Mathematics and Statistics, effective May 1, 2004. Dr. Campbell's compensation package is as approved by the Executive Compensation Committee.

6. APPOINTMENT OF VICE-PRESIDENT (ADMINISTRATION AND FINANCE)

The Board received and reviewed the report of the search committee for Vice-President (Administration and Finance). The President reported on the work of the committee which recommended the appointment of Kent Decker to the position.

After discussion, the following resolution was unanimously passed:

RESOLVED:

That the Board of Regents approve the appointment of Kent Decker as Vice-President (Administration and Finance), effective February 1, 2004, in accordance with the compensation package as approved by the Executive Compensation Committee.

Mr. Crosbie left the meeting at this point.

7. AD HOC COMMITTEE REPORT - RFP LEGAL SERVICES

Dr. Lewis, Chair of the Committee, presented a verbal report of the meetings of the Ad Hoc committee held on December 9th and 11th. He advised that a request for proposals had been drafted and will appear in the newspapers on December 13th. The deadline for responses is January 12, 2004. Dr. Lewis anticipated that the committee would have evaluations and recommendations completed before the February 5th Board meeting and that the contracts would be awarded before the end of February 2004 as scheduled.

Dr. Lewis pointed out a situation that has arisen wherein there might be a potential conflict of interest due to the fact that the law firm with which Mr. Crosbie is associated intends to submit a proposal. After discussion, the Board agreed that should a law firm, which is associated with a member of the Board of Regents, or which otherwise might be in a potential conflict of interest position, decide to submit a proposal, then the committee will request full disclosure from that firm in its proposal. In turn, the committee will ensure that the Regent/s in question will not play any role in the preparation, evaluation, selection, or approval process for the provision of legal services to the University.

8. STRATEGIC FRAMEWORK PROGRESS REPORT

The Board received and reviewed a draft progress report of the Strategic Framework dated December, 2003. Dr. Simpson recommended that the Board revisit this document at the February 2004 meeting.

9. FINANCE COMMITTEE MEETING

A draft of the Minutes of the Finance Committee meeting held on December 11, 2003, copies of which were circulated at the meeting, was presented by Mr. Short, Chair of the Committee. The following resolutions were passed with respect to the items which required specific approval of the Board:

Item A - Mid-Year Financial Report

The Board received and reviewed an update of the annual budget and was reminded that at its July 23, 2003 meeting, the Board approved the annual budget estimates projecting a balanced budget. Upon completion of a review of the actual versus projected revenues and expenditures for the year, the administration confirmed that the University is tracking slightly ahead on revenues and although the academic units are constantly dealing with cost pressures, the Vice-Presidents are confident that a balanced budget will be achieved. A further update will be provided at the February 2004 meeting of the Board.

Item B - Application of US Dollar Currency to Non-Tuition University Fees and Charges

The Board received and reviewed background information pertaining to this matter. The Board previously approved an agreement between the School of Nursing, the Division of Distance Education and Learning Technologies (DELT) and American Learning Solutions (ALS). Under this agreement, ALS acts as agent for recruiting American students into the BN (Post-RN) Program. The course fees were denominated in US currency at \$308 US per credit hour. At the request of ALS and for the convenience of American students, it is proposed to designate certain non-tuition university fees and charges in US dollars. ALS students would pay the same rate in US funds as other students pay in Canadian dollars. A modest increase in fee revenue should result.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve levying the following fees and charges for American students in US dollars:

Tuition-related fees; Student-organization fees; Fees and charges pertaining to appeals.

Item C - Report on Special Fees for Cohort/On-Site Graduate Program Delivery

The Board received and reviewed a report, prepared by the Dean of Education, since the start of this program. The Board previously approved the establishment of non-refundable special fees for cohort/on-site graduate courses offered in various locations in Newfoundland and Labrador. The Board subsequently resolved that the approval of the actual amount in each case would be delegated to the Senior Executive of the University and it was agreed that the Finance Committee would be provided with updates on each offering. The report showed that the total special costs involved in relation to the offerings were offset by the fees charged.

Item D - Dissolution of the School of Continuing Education

The Board received and reviewed background information pertaining to this matter. The Board was advised that in April 2001, the Executive Director of the School resigned from the position. The Vice-President (Academic) established, on an interim basis, two autonomous divisions: The Division of Distance Education and Learning Technologies (DELTA) and the Division of Lifelong Learning (LLL). Over the intervening years, the two divisions have proven their viability as separate entities. DELTA is responsible for the development and offering of credit courses, and technological support for on-campus teaching, while LLL is responsible for the development and offering of non-credit courses. The financial implications of the split are cost neutral.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve the dissolution of the School of Continuing Education and, in its place, the establishment of two separate divisions: The Division of Distance Education and Learning Technologies (DELTA) and The Division of Lifelong Learning (LLL).

Further, that the Board approve the creation of the position of Director for each Division on a permanent basis.

Item E - Establishment of Position

The Board received and reviewed background information pertaining to a recommendation for the establishment of a position in the Faculty of Medicine.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve the establishment of the following position in the Research and Graduate Studies Division of the Faculty of Medicine on a permanent basis, effective November 1, 2003:

MED-210 - Intermediate Clerk Stenographer

Mr. Crosbie rejoined the meeting at this point.

Item E - Audit Committee Report

The Board received and reviewed the Minutes of the Audit Committee meeting of November 20, 2003 which were presented by Ms. Browne, Chair of the Committee, and accepted by the Board.

Item F - Budget Submission to Government

The Board was reminded that at its October 16, 2003 meeting it granted authority to the Finance Committee to review and approve the University's budget documents for submission to the Provincial Government, after they had been finalized by the senior administration of the University. The Board was advised that the University's budget documents would be presented for the consideration of the Finance Committee on behalf of the Board within the next couple of days. The action taken on behalf of the Board by the Finance Committee will be reported to the Board at its next meeting.

10. APPOINTMENTS COMMITTEE REPORT

The report of the Appointments Committee meeting held on December 11, 2003, along with an addendum, was presented by Ms. Aylward, Chair of the Committee, and accepted by the Board. The following resolution was passed with respect to the following appointments:

RESOLVED:

That the Board of Regents approve the following appointments:

Dr. James Rourke to be Dean of the Faculty of Medicine for a five-year term, effective April 1, 2004.

Dr. Sandra LeFort to be Director of Nursing for a five-year term, effective January 1, 2004.

Dr. Sharon Peters to be Acting Dean of the Faculty of Medicine for the period commencing January 1, 2004 and ending on March 31, 2004.

11. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE MEETING

The minutes of the Campus Planning and Development Committee meeting held on December 11, 2003, copies of which were circulated at the meeting, were presented by Mr. Kelly, Chair of the Committee, and accepted by the Board.

Item A - Naming of Room

The Board received and reviewed background information pertaining to a request to name the Women's Studies Seminar Room, SN4087, in honour of Sally Jacobsen Davis in recognition of her contribution to the University and the community.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents approve the naming of the Women's Studies Seminar Room, SN4087, as the "Sally Davis Seminar Room", in recognition of the contribution made by Ms. Davis to the University and the community.

Item B - RFP Consulting Services - School of Music Extension

Mr. Kelly advised the Board that the Evaluation Report of the Selection Advisory Committee on the request for proposals for architectural engineering consulting services for the extension to the School of Music Building was expected to be available within the next week. Because the next regular meeting of the Board of Regents was not scheduled until February 5, 2004, he requested that the Board grant authority to the Campus Planning and Development committee to consider this report in the interim and decide on a successful proposer.

After discussion, the following resolution was passed:

RESOLVED:

That the Board of Regents grant authority to the Campus Planning and Development Committee to consider, on its behalf the Evaluation Report of the Selection Advisory Committee, on the Request for Proposals for Architectural/Engineering Consulting Services for the Extension to the School of Music Building and to appoint the consulting firm. The action taken by the Campus Planning

and Development Committee, on behalf of the Board, will be reported to the Board at its February 5, 2004 meeting.

Item C - Update on Capital Projects

Mr. Kelly reviewed the following ongoing Capital Projects with the Board:

- ▶ INCO Innovation Centre
- ▶ Sir Wilfred Grenfell College Exhibition Centre
- ▶ Sciences Research Building - Functional Space Planning Study
- ▶ Queen Elizabeth II Library
- ▶ School of Music Expansion
- ▶ Arts and Science Recladding Project - Sir Wilfred Grenfell College

Item D - Update on Fatal Electrical Accident in Engineering Building

The Board was provided with the details of an electrical accident that occurred in the Engineering Building on November 25th, which resulted in the death of an employee of an external contractor. The Board was advised that a thorough investigation of this accident by both the University and the Provincial Department of Labour is being conducted. It is anticipated that a report on the University's internal investigation will be available to the Board at its February 5, 2004 meeting.

12. EMPLOYEE WELLNESS AND ACTIVE LIVING REPORT

The Board received and reviewed an update on this matter. By way of background, the Board was advised that the Department of Human Resources formed a working group in May 2002, which included representatives from all key employee constituencies across the University, as well as pensioners. The mandate was to assist the Department in the development of a long-term approach to the promotion of wellness and active living within the University. The Department of Human Resources and the Working Group conducted a significant amount of research regarding the potential benefit of a wellness and active living program, and by June 2003 had identified what they felt should be the University's strategic priorities in this area, as well as a program of specific initiatives.

In consultation with the University's senior administration, the Department has now finalized a program of specific activities which will be communicated and implemented on a pilot basis over the next several weeks. The report provided a complete overview of the University's plans and activities, as well as a more detailed description of the extensive analysis and research behind the approach which has been adopted by the University.

13. PENSIONS COMMITTEE REPORT

The Board received and reviewed an update regarding the activities of the Pensions Committee and the status of current pension plan issues. The update was presented by Mr. Butt, Chair of the Committee.

By way of background, the Board was advised that several pension plan issues are being addressed by the Committee and the Department of Human Resources. Among the topics which are reviewed in the report are the following:

- ▶ Investment performance of the University Pension Plan
- ▶ Status of market timing investigations involving Putnam Investment Management
- ▶ Status of proposed amendments to the Memorial University Pensions Act
- ▶ Status of proposed changes to the Pensions Benefits Act Regulations
- ▶ Federal pension transfer agreement
- ▶ Incoming portability to the Memorial University Pension Plan
- ▶ Consultation process on joint trusteeship
- ▶ Remission order from Canada Customs and Revenue Agency

14. SENATE MINUTES

The Board received copies of the minutes of Senate meetings held on October 14, 2003 and November 18, 2003. Approval was given to the following items requiring Board approval under Section 56(h) (courses of study) and 56(s) (making or altering a rule or regulation) of the Act:

October 14, 2003 Meeting:

Item 17 Report of the Academic Council of the School of Graduate Studies (17.1 to 17.7)

November 18, 2003 Meeting:

Item 30 Report of the Senate Committee on Undergraduate Studies (30.1 to 30.4)

Item 31 Report of the Academic Council of the School of Graduate Studies (31. 1)

15. OTHER BUSINESS

1. Last Board meeting for Dr. Simpson

The Acting Chair noted, with regret, that Dr. Simpson would be stepping down as Vice-President (Academic) and Pro Vice-Chancellor on December 31, 2003 and that this would be the last Board meeting that he would be attending. The Board thanked Dr. Simpson for his contributions to the work of the Board. The following resolution was passed:

RESOLVED:

That the Board of Regents of Memorial University of Newfoundland acknowledge with sincere gratitude the outstanding service given to the University by Dr. Evan Simpson as Vice-President (Academic) and Pro Vice-Chancellor between 1998 to 2003.

2. Separately Incorporated Entities Committee

Dr. Hedges noted that the SIE committee had reached an agreement with the first of the SIEs, namely the Genesis Group Inc. She advised that a ceremony for the signing of the management agreement with Genesis Group Inc. was scheduled for December 17th.

ADJOURNMENT

The meeting adjourned at 6:10 p.m.