

**MEMORIAL UNIVERSITY OF NEWFOUNDLAND**

**BOARD OF REGENTS**

The regular meeting of the Board of Regents was held on Thursday, December 8, 2005, in the Board Room of the University, Room A-2029, at 2:00 p.m.

**PRESENT:**

Mr. Lorne Wheeler, Chair  
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. Mary Broderick  
Ms. Ruth Canning  
Ms. Pat Coish-Snow  
Mr. Steven Cranford  
Dr. Wynanne Downer  
Ms. Sharon Duggan  
Ms. Dorothy George  
Ms. Ann Marie Hann  
Dr. Brendan Lewis  
Mr. Earl Ludlow  
Ms. Joan Pinsent  
Ms. Eleanor Swanson  
Ms. Eleanor Bennett, Secretary

**APOLOGIES:** Ms. Deanne Fleet, Mr. Douglas Moores, Mr. Dave Porter, Ms. Darlene Russell, and Mr. Harvey Short.

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

**1. MINUTES**

The Minutes of the meeting of the Board of Regents held on October 20, 2005, copies of which were circulated prior to the meeting, were approved by the Board.

**2. CHAIR'S REPORT**

### 1. Reappointment of Mr. Wheeler as Chair

The Board was advised that Mr. Wheeler had been reappointed as Chair of the Board for a further three years.

### 2. Appointment of Students to the Board of Regents

The Board received and reviewed background information pertaining to recommendations from student unions for appointments to the Board of Regents.

In accordance with paragraph 22(2)(d)(ii)(A)(B) and (C) of the Memorial University Act, four students are appointed by the Lieutenant-Governor in Council following a recommendation to the Lieutenant-Governor in Council by the Board following recommendation to the Board of one candidate each from the four students unions.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents recommends to the Lieutenant-Governor in Council the appointment of the following students to the Board:

Ms. Meghan Mitchell, from the Memorial University of Newfoundland Students' Union (MUNSU), for the remainder of Mr. Thom Duggan's term, effective immediately and expiring on January 30, 2007.

Mr. Stephen Winsor, from the Marine Institute Students' Union (MISU), for a term of two years, effective immediately.

Mr. Anas El-Aneed, from the Graduate Students' Union (GSU) for a term of two years, effective immediately.

### **3. PRESIDENT'S REPORT**

#### 1. President's Report 2004-05

The Board welcomed to the meeting Mr. Ivan Muzychka from the Division of Marketing and Communications. He provided a video presentation on

some of the Highlights of the President's Report for 2004-2005. The theme of this year's report is "What We Have Become." He advised that the report will be launched on December 9<sup>th</sup> and a copy of the report's highlights brochure and its accompanying DVD will be available to the Board shortly thereafter. The Board was advised that this year's report provides information on Memorial's innovative research, profiles students and faculty, and includes the University's complete financial statements and statistical reports. The report is also available on the University's website and includes information about Sir Wilfred Grenfell College, and the Marine Institute.

Following the presentation and a question and answer session, Mr. Wheeler thanked Mr. Muzychka for his informative presentation, and asked him to pass along the Board's appreciation to the staff in the Division of Marketing and Communications and others who were involved in the production of the report.

Mr. Muzychka left the meeting at this point.

## 2. Macleans and Globe and Mail Reports

The Board received a copy of the *Macleans* magazine which contained the 2005 rankings for Canadian Universities. The President noted that Memorial maintained its ranking of fifth place in the comprehensive category of Canadian Universities.

The President also referred to the *Globe and Mail* University Report Card in which Memorial received top ranking among medium-sized Canadian Universities.

## 3. Activity Report

Dr. Meisen reported on a number of activities in which he was involved since the last Board meeting.

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| Oct. 29 | He attended the Halifax Alumni Chapter "Rockers Society - Annual Newfoundland Night", a function which was attended by numerous MUN Alumni. |
| Nov. 7  | He participated in the Affinity Newfoundland dinner in Ottawa where Premier Danny Williams gave the keynote address.                        |
| Nov. 26 | He hosted the President's and Patrons Circle Reception where the special guest speaker was General Rick Hillier.                            |

- Nov. 16 He held his regular annual meeting with Government Deputy Ministers at the Rooms where discussions were held around further training of staff in their respective department as well as immigration strategy.
- Nov. 10 He attended a Memorial Day service which was held at the University.
- Nov. 11 He attended the Remembrance Day parade and service at the War Memorial.
- Nov. 20/21 He travelled to Happy Valley-Goose Bay where he met with Serco representatives regarding uses of the air base facilities.
- He met with Assistant Deputy Minister for Labrador and Aboriginal Affairs.
- He met with Dr. Elizabeth Penashue and visited an all Grade school (Peenamin MacKenzie) in Sheshatshiu.
- He held follow-up meetings regarding Labrador and Points North Strategy with members of the Labrador Metis Nation, Labrador Inuit Association and Innu Nation.
- Dec. 1 He addressed participants in the Harris Centre's Regional Workshop on the Kittiwake Economic Zone in New West Valley.

He reported on the ongoing search for the Director of Alumni Affairs and Development and advised that he anticipated a recommendation on this appointment would be made to the Board in the near future.

#### 4. Transparency and Accountability Act

The Board received and reviewed background information pertaining to the reporting requirements under *The Transparency and Accountability Act* (the *Act*). The Board was advised that the *Act* requires multi-year performance based plans for Memorial University of Newfoundland and the Memorial University Pension Plan. Included in the background information was correspondence from the Minister of Education providing time frames to meet the requirements.

#### 5. White Paper Implementation Update

The Board received and reviewed a summary of recommendations made by the White Paper and actions taken by the University since the White Paper was released by the Provincial Government on July 7, 2005. Dr. Meisen answered a number of questions regarding the actions taken to date by the University. He advised that this report will be carried forward with updates provided to the Board as they are completed.

#### 6. Varsity Athletics Report

The Board received and reviewed an Executive Summary of the Report of the Committee to Review the Reporting Relationship and Funding Mechanisms of the Varsity Athletics Program at Memorial University of Newfoundland (the Varsity Athletics Report).

The Board was informed that the Committee Report has been received. The Administration will hold consultations with internal stakeholders, special interest groups and sport and community organizations over the next couple of months. The full report is available on the University's web site. Recommendations will be forthcoming to the Board following the aforementioned consultations.

#### 7. Update on Labrador Initiatives

The Board received and reviewed a revised discussion document "Towards a Memorial University Strategy for Labrador and Points North". The Board was reminded that at its October 20, 2005 meeting it received and reviewed a report on strategic actions proposed for Labrador and Points North. The Board was advised that several new initiatives have been provided to the President, in particular, those related to the Marine Institute.

Dr. Meisen reported that he had met with representatives of the groups with whom the Board held discussions at the September 8 and 9, 2005 meeting in Happy Valley-Goose Bay. He suggested to them that they review the report with their colleagues and report back to him. He also noted that the search for a Director of the Labrador Institute is continuing.

#### 8. Update on Strategic Planning Process

The Board was updated on the ongoing Strategic Planning Process currently underway at the University. The Board was advised that a one-day forum on Key Strategic Issues (KSI) was held on November 4<sup>th</sup> for members of the University community. The key strategic issues identified were:

- Students: (Undergraduate enrolment; student success and student services, recruitment strategy; experiential learning and cooperative education; graduate studies; teaching and learning; distance education, and life long learning);
- Research;
- Program development/growth;
- Health, safety and the environment;
- Funding;
- Relationships, reputation, recognition and marketing;
- Administration (including infrastructure needs; information resources; resource allocation);
- The Library;
- People (including faculty and staff recruitment and retention: (Renewal and professional development, mandatory retirement);
- Internationalization;
- The needs of the Province.

The Board was advised that the KSI groups are revising their draft reports in light of discussions at the forum and the final reports will be disseminated shortly. Consultations with external stakeholders will be undertaken in the next phase of the planning. The Board was advised that it will receive a draft report following the University assemblies.

#### 9. Report on Registration for Winter Semester 2006

The Board received and reviewed an updated Registration Progress Report from the Registrar's Office regarding the Winter Semester 2006.

#### 10. Appointment to MUN Botanical Garden Board of Directors

The Board received and reviewed a recommendation for the appointment of Ms. Diana Dabinett to the Board of Directors of the MUN Botanical Garden. The Board was advised that the terms of appointment of Ms. Betty Hall, Ms. Valerie Newhook and Mr. Randy Bell had expired and Ms. Dabinett will fill one of the three vacancies.

After discussion, the following recommendation was passed:

#### **RESOLVED:**

That the Board of Regents approves the appointment of Ms. Diana Dabinett to the Board of Directors of the MUN Botanical Garden for a term effective immediately and expiring on October 31, 2008.

Ms. George left the meeting at 3:25 p.m.

11. Appointment to MURC Board of Directors

The Board received and reviewed a recommendation for the appointment of Mr. Ryan Sicord to the Memorial University Recreation Complex (MURC) Board of Directors. The Board was advised that Ms. Erica Murton, representing the Marine Institute Students' Union, had resigned from the MURC Board and that Mr. Sicord would be appointed in her place.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the appointment of Mr. Ryan Sicord as the representative of the Marine Institute Students' Union to the Board of Directors of the Memorial University Recreation Complex, for a one-year term commencing December 9, 2005.

12. Appointments to Marine Institute Industry Advisory Committee

The Board received and reviewed a recommendation for the renewal of appointments to the Marine Institute Industry Advisory Board.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves an extension to the terms of the following members of the Marine Institute Industry Advisory Committee:

<b><u>Member</u></b>	<b><u>Sector</u></b>	<b><u>Term Expiry Date</u></b>
Capt. S.J. Hynes (Chair)	Marine Transportation	December 31, 2008
Mr. Gary Davis	Marine Transportation	December 31, 2007
Mr. Wayne Follett	Fisheries/Aquaculture	December 31, 2007
Ms. Iris Petten	Fisheries/Aquaculture	August 31, 2007
Mr. Rex Simmonds	Fisheries/Aquaculture	December 31, 2007
Mr. Bill Fleming	Oil and Gas	December 31, 2007
Mr. Philip Clark	Oil and Gas	December 31, 2007
Mr. Barry Roberts	Community	December 31, 2007
Mr. Greg Pretty	Union	December 31, 2007

These renewals were approved subject to any amendments with respect to staggering the expiry dates of some of the members for continuity purposes.

### 13. Update on Legal Matters

The Board received a brief update with respect to the Wanda Young case. The Board was advised that a detailed report on this case and all other legal matters currently involving the University was available for viewing and retained in the Office of the Vice-President (Administration and Finance).

## **4. FINANCE COMMITTEE MEETING**

The Board received and reviewed a copy of the Minutes of the Finance Committee meeting held on December 8, 2005, which were presented by Dr. Downer, Vice-Chair of the Committee, and approved by the Board. On the recommendation of the Finance Committee, the following resolutions were passed with respect to those items which required specific approval of the Board:

### Report of Special Meeting of Finance Committee

The Board was reminded that at its October 20, 2005 meeting it authorized the Finance Committee to convene a special meeting to review and finalize, on behalf of the Board of Regents, the budget submission to the Provincial Government for both the University and the Faculty of Medicine, for the fiscal years ending March 31, 2007/08/09.

The Board was advised that the Finance Committee met on October 28, 2005. At that meeting the Finance Committee, on behalf of the Board of Regents, reviewed and approved the budget submission to the Provincial Government for both the University and the Faculty of Medicine for the fiscal years ending March 31, 2007/08/09.

### Item A - Annual Budget Submission to the Provincial Government for Fiscal Years Ending March 31, 2007, 2008, 2009

The Board received and reviewed background information pertaining to the annual budget submission to the Provincial Government for the fiscal years ending March 31, 2007, 2008, 2009. The Board was advised that subsequent to providing the budget submission to Government, officials within the Department of Education requested that the University administration provide a ranking of its strategic initiatives. The officials also gave commentary on the likelihood of success for each of the

initiatives.

The University administration considered factors such as (a) its ability to reasonably commence certain capital projects within ascribed time limits, (b) the degree to which the timing of the funding of a project affects the ability to attract matching funds, and (c) the commentary of the officials. The Board received a summary of rankings of strategic initiatives and scheduling of capital projects which reflected the deliberations of the senior administration. It was noted that the strategic initiatives were approved by the Finance Committee but were not prioritized.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the University's budget submission to the Provincial Government for the fiscal years ending March 31, 2007, 2008, 2009, with the additional strategic priorities information requested by Government.

Item B - Mid-Year Financial Update

The Board was advised that a mid-year review of actual revenues and expenditures which showed projected tuition revenues are exceeding estimates by \$61,231. The final figure will depend on enrollments in the upcoming Winter Semester.

The Board was also advised that total expenditures for 2005/06 are expected to exceed budget in the Administration and Medicine Envelopes as a result of substantial increases in energy costs. The Provincial Government requested and was given details of the extraordinary energy cost increases. Government has indicated that energy cost relief will be forthcoming before year end. The Administration is projecting an overall balanced budget for the year.

Further updates will be provided at the next meeting of the Board.

Item C - Update to Policy S-5

The Board received and reviewed background information pertaining to revisions to the University's policy on the disposal of surplus University property (Policy S-5). The Board was advised that many of these changes were housekeeping in nature and were necessary for updating purposes only, while other changes were more substantive in nature.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves revisions to Policy S-5 - Surplus University Property.

Item D - New Policy C-10

The Board received and reviewed background information pertaining to a recommendation for the establishment of a new University policy for the transfer, disposal or surplus disposition of computer data storage devices and other computer media.

The Board was advised that the purpose of this policy, proposed by the Department of Computing and Communications, is to minimize the risks related to the inadvertent or unauthorized release of confidential information, intellectual property, or other sensitive information which may be stored on computer hard disks or other media, and to ensure compliance with federal and provincial privacy regulations. The new policy will provide guidelines governing the sale, transfer or disposal of old, obsolete damaged, non-functional or otherwise unneeded computers, computer storage devices, computer media, computer peripherals and computer software.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the establishment of a new Data Removal Policy - Policy C-10: Computers, Storage Devices and Media for Transfer, Disposal, or Surplus.

Item E - Increase in Hourly Rate for Instructors Teaching CEE Courses

The Board received and reviewed background information recommending an increase in the rates for instructors teaching Continuing Engineering Education (CEE) courses.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves an increase in rates for instructors teaching Continuing Engineering Education

Courses from \$30 to \$60 per hour (\$210 - \$420 per day) to a maximum of \$100 per hour (or \$700 per day).

Item G - Establishment of Positions

The Board received and reviewed background information pertaining to the establishment of the following positions:

(a) Director of Enterprise and Risk Management

**RESOLVED:**

That the Board of Regents approves a recommendation that the existing contractual position of Director of Enterprise Risk Management be made a permanent position.

(b) Administrative Staff Specialist I - Office of Research

**RESOLVED:**

That the Board of Regents approves the establishment of a new position on a permanent basis in the Office of Research, effective December 8, 2005, as follows:

OOR-015 - Administrative Staff Specialist I

(c) Web Editor - Marketing and Communications

**RESOLVED:**

That the Board of Regents approves a recommendation that the existing contractual position of Web Editor in the Division of Marketing and Communications be made a permanent position, effective December 8, 2005.

Item F - Investment Committee Annual Report

The Board received and reviewed the annual report of the Investment Committee. The mandate of the Committee is to advise the Finance Committee on an annual basis on policies intended to achieve the most attractive investment options available for short-term and long-term investment of operating and trust funds in accordance with Section 5 of the *Memorial University Act*.

**5. AUDITOR GENERAL REPORT**

The Board was given an update on the Auditor General's Report on the Review of the University and was advised that the Audit and Risk Management Committee met to review the initial findings of the Auditor General and the University's responses to the Report. The Board was advised that the final report and the University's formal responses to it will be submitted to the House of Assembly in late January.

## **6. CAMPUS PLANNING & DEVELOPMENT COMMITTEE MEETING**

The Board received and reviewed the minutes of the Campus Planning and Development Committee meeting held on December 8, 2005, which were presented by Mr. Ludlow, Chair of the Committee, and approved by the Board. On the recommendation of the Campus Planning and Development Committee the following resolutions were passed with respect to the items requiring specific approval by the Board:

### **1. Campus Master Plan Presentation**

The Board was advised that the Committee received a presentation and overview of the concepts of the Campus Master Plan that have been developed to date. The presentation included feedback from stakeholders, proposed new buildings as well as extensions to some existing buildings, proposed new roadways, improvements to the edges of the campus, improved pedestrian circulation, and sustainability.

### **2. Naming of the Dr. Joe Brown Aquatic Research Building**

The Board received and reviewed background information pertaining to a recommendation for the naming of the Dr. Joe Brown Aquatic Research Building. Dr. Brown was a professor in the Faculty of Science and Associate Director of the Ocean Sciences Centre (OSC) who passed away suddenly in September 2005. He worked with Memorial for 21 years and played a pivotal role in the creation of the aquaculture research and development facility at the OSC. He was a world renowned, highly respected researcher and left behind an impressive legacy of academic and applied work.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents approves a recommendation that the Aquaculture Research and Development Facility be named the Dr. Joe Brown Aquatic Research Building, in

accordance with the University's Naming Opportunities Policy.

### 3. Transfer of Land - Long Term Care Facility - SWGC

The Board was reminded that at its October 20, 2005 meeting it approved the transfer of land to the Province to accommodate the construction of the Long Term Care Facility (LTCF) in Corner Brook. Approval was provided on the basis that the conveyance contain restrictive covenants that would protect against unforeseen and potentially incompatible uses of the property at some future date. The Province subsequently indicated that it will not accept the transfer with the restrictive covenants as proposed or with any restrictive covenants. The University does not want to be viewed as impeding the construction of the LTCF and it is likely that Government would expropriate the property should a transfer without covenants not take place.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents approves the transfer of property for the Long Term Care Facility in Corner Brook to the Provincial Government utilizing the Conveyance as approved by the Board of Regents at its October 20, 2005 meeting, with the restrictive covenants removed.

The Board agreed with the Committee's recommendation that the University Administration write Government explaining the necessity of keeping an appropriate use of this land.

### 4. Update on Capital Projects

The Board was provided with an update on the progress of the following Capital Projects which are 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

## Sir Wilfred Grenfell College

- Academic Building Expansion Facilities Plan
- Long-Term Care Facility
- Corner Brook Curling Club Facilities
- Master Plan Update
- Pepsi Centre

### 5. Selection Advisory Committee Report - Energy Performance Contract

Mr. Ludlow declared a conflict of interest with this item and excused himself from the meeting during the discussion and voting.

The Board was advised that the Committee reviewed the Report of the Selection Advisory Committee on the Request for Proposals for Energy Performance Contract (EPC) Services for the St. John's Campus Facilities. Following the Committee's selection the University will negotiate an EPC with the proponent.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents approves a recommendation to select the firm of Honeywell as the preferred proponent to provide Energy Performance Contract Services for the St. John's Campus Facilities.

Further that the University Administration be authorized to enter into negotiations with Honeywell for Energy Performance Contract Services.

The Board agreed with the Committee's recommendation that the Administration report back to the Board on the details of the contract prior to its signing.

Mr. Ludlow rejoined the meeting at this point.

### **7. LABOUR RELATIONS MATTERS**

The Board received a verbal report on matters ongoing with both the staff and faculty unions at the University.

### **8. APPOINTMENTS COMMITTEE MEETING**

The Board received and reviewed a Report of the Appointments Committee meeting held on December 8, 2005, along with an addendum, which was presented by Ms. Aylward, Chair of the Committee, and approved by the Board.

Mr. Decker reported on the following ongoing recruitment processes:

- Director of Computing and Communications
- Director of Human Resources
- Director of Enterprise Risk Management

After discussion the following resolution was passed with respect to the appointment of the Director of Enterprise Risk Management:

**RESOLVED:**

That the Board of Regents approves the recommendation of the University Administration that Mr. David Head be appointed as the Director of Enterprise Risk Management, effective December 12, 2005.

**9. SENATE MATTERS**

The Board received a report on the regular meetings held by Senate on October 11, 2005 and November 8, 2005. 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*:

Item 17 Report of the Academic Council of the School of Graduate Studies  
(No. 17.1)

Item 18 Report of the Senate Committee on Undergraduate Studies  
(No. 18.1)

Item 28 Report of the Senate Committee on Undergraduate Studies  
(No. 28.1 to 28.4)

Item 29 Report of the Academic Council of the School of Graduate Studies  
(No. 29.1 to 29.3)

**ADJOURNMENT**

The meeting adjourned at 5:15 p.m.