

**MEMORIAL UNIVERSITY OF NEWFOUNDLAND**

**BOARD OF REGENTS**

A meeting of the Board of Regents was held on Thursday, February 5, 2004 in the Tudor Room of the Glynmill Inn Corner Brook at 2:30 p.m.

**PRESENT:**

Dr. Georgina Hedges, Vice-Chair  
Dr. Axel Meisen, President and Vice-Chancellor  
Dr. Michael Collins, Acting Vice-President (Academic)  
Gail Aylward  
Hayward Blake  
Leigh Borden  
Lisa Browne  
Calvin Butt  
Sam Chaulk  
Dorothy George  
Ed Kelly  
Nancy Kelly  
Dr. Brendan Lewis  
Joan Pinsent  
Dave Porter  
Darlene Russell  
Roxana Vernescu  
Eleanor Bennett, Secretary

**APOLOGIES:** Dr. John Crosbie, Chancellor, Sharon Duggan, Leslie Galway, Earl Ludlow, Allison North, Dave Porter, Andrea Quinlan, Harvey Short 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:** Dr. H.E.A. (Eddy) Campbell, Vice-President (Academic) Designate, Mr. Kent Decker, Vice-President (Administration and Finance), and Mr. Glenn Collins, Acting Vice-President (Administration and Finance).

**1. WELCOME**

Dr. Hedges welcomed Dr. Campbell and Mr. Decker to the meeting and congratulated them on their recent appointment to the University. They were attending their first Board meeting since being appointed Vice-President (Academic) and Vice-President (Administration and Finance), respectively. Mr. Decker commenced his appointment on February 1,

2004, while Dr. Campbell will take up his appointment on May 1, 2004.

## **2. MINUTES**

The minutes of the regular meeting of the Board of Regents, held on December 11, 2003, and the confidential minutes of the special meeting held on December 19, 2003, copies of which were circulated prior to the meeting, were approved by the Board.

## **3. LABOUR RELATIONS UPDATE**

Dr. Hedges welcomed to the meeting Mr. Gerard McDonald, Director of Human Resources. He provided an update of Labour Relations issues, in particular, those regarding the University's preparation for collective bargaining with the various NAPE and CUPE staff bargaining units. He reviewed the current status of each individual group and addressed the potential impact of Provincial Public Sector Bargaining as it relates to the various University groups. He identified possible areas of concern for the unions as well as those for the University and commented on each.

In conclusion, Mr. McDonald reviewed the Government's opening position with NAPE. He advised that subsequent updates will be provided to the Labour Relations Committee and the Board as they develop.

Dr. Hedges thanked Mr. McDonald for his very informative report and he left the meeting.

## **4. ACTION TAKEN ON BEHALF OF THE BOARD**

### **1. Campus Planning and Development Committee**

The Board was reminded that at the December 11, 2003 meeting it granted authority to the Campus Planning and Development Committee to consider 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 Board was advised that the Campus Planning and Development Committee held a special meeting on December 18, 2003 and, following review of the Evaluation Report of the Selection Advisory Committee, recommended the appointment of AMEC E & C Services Ltd. to provide Architectural /Engineering Consulting Services for the extension to the School of Music Building.

### **2. Finance Committee**

The Board was reminded that it granted authority to the Finance Committee at its meeting on October 16, 2003 to review and approve the University's budget submission to the Provincial Government, after it had been finalized by the administration of the University. The Board was

advised that the Finance Committee held a special meeting on December 19, 2003 and, following review, approved the University's budget submission to Government for the fiscal years ending 2005/2006/2007. In addition, the Finance Committee, on behalf of the Board, approved the submission to Government for the 2004-2005 budget estimates for the Faculty of Medicine.

## **5. CHAIR'S BUSINESS**

### **1. Thanks to Mr. Collins**

Dr. Hedges noted that this was the final meeting for Mr. Collins who had served in the capacity as Acting Vice-President (Administration and Finance) since May 1, 2003. On behalf of the Board, she thanked him for his invaluable assistance with the work of the Board and its committees during the period of his appointment.

### **2. Membership on Board Committees**

Dr. Hedges advised that Ms. Vernescu has agreed to serve on the Finance and Campus Planning and Development Committees, and Ms. North has agreed to serve on the Appointments and Labour Relations Committees. She noted that further appointments to committees will be made after the vacancies on the Board have been filled.

### **3. Management Agreement with Genesis Group Inc.**

Dr. Hedges advised that on December 17, 2003 there had been a ceremony for the signing of the Management Agreement between the University and Genesis Group Inc. She noted that this was the first of the Separately Incorporated Entities to reach an agreement with the University.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents ratifies the management agreement reached between Memorial University of Newfoundland and Genesis Group Inc.

### **4. Site for July Board Retreat**

Dr. Hedges asked the Regents to give some thought to a location for the Board retreat, which is normally held the latter part of July each year.

### **5. "Downhomer" Magazine**

Dr. Hedges noted that the January edition of the "Downhomer" Magazine featured an interview with Dr. Meisen. She remarked that the article was a very positive one for the University.

## **6. PRESIDENT'S REPORT**

### **1. Activity Report**

The President reported on the following:

On December 17, 2003, he, along with Dr. Hedges and Mr. Short, met with Minister Ottenheimer for a follow-up discussion to the November 20<sup>th</sup> meeting with the Premier regarding financial aspects of the University.

On December 18, 2003, he met with the Minister of Justice, Mr. Tom Marshall, regarding the search for the Principal of Sir Wilfred Grenfell College.

January 7 - 9, 2004, he traveled to South Korea to attend the naming of the Husky FPSO – The Sea Rose. While there, he discussed research and development initiatives for marine transportation of compressed natural gas; explored the possibility of development of marine simulators with HKM; collaborated with the National University of Pusan in gas processing.

January 10 - 12, 2004, he visited the Mannheim University of Applied Sciences and met with two Memorial students who are attending the University of Mannheim. He explored the possibility of collaboration in the development of Process Engineering at Memorial University.

January 13 - 16, 2004, he attended the meeting of the Harlow Campus Board of Trustees and a luncheon in honour of Dr. Alan Perry's service as Chair of the Board of Trustees. While there, he met with Memorial students at Harlow and their instructors. In addition, he met with a major donor and representatives of the Gulf University (Bahrain).

January 22, 2004, he attended a Pre-Budget Consultation Roundtable hosted by Federal Finance Minister Ralph Goodale.

January 22, 2004, he was interviewed on "Out of the Fog" and gave his reaction to Premier Williams' Budget address of January 5<sup>th</sup>.

January 27, 2004, he attended a Pre-Budget Consultation Roundtable hosted by Provincial Finance Minister Loyola Sullivan. He emphasized the major contributions the University is making to the financial, economic, intellectual and social life of the province.

January 29, 2004, he addressed the St. John's Rotary Club. His talk was entitled "Achievement and Action."

## **2. Update on Legal Matters**

Dr. Meisen provided an update on current legal matters currently before the University.

## **3. Report on Registration**

The Board received and reviewed a report of the final registration for the Winter semester 2004 and the implications of final registration data on the 2003-04 budget. Dr. Meisen noted that compared to the end of the registration period in the Winter semester 2003, the data shows a 2.5% increase for the St. John's campus, a 6.7% increase for Sir Wilfred Grenfell College and a 4.6% increase for Distance Education, with an overall increase of 3% in course registrations. Coupled with the increased registrations in the Spring and Summer semester and the Fall semester, the projected revenues have been exceeded by \$400,000, which represents a revenue increase of 7.2%. These funds will be used primarily in support of teaching.

## **4. Board of Directors of MURC**

The Board received and reviewed a recommendation for the appointment of Ms. Jill Pitcher to the Board of Directors of the Memorial University Recreation Complex (MURC). Ms. Pitcher will be the Graduate Students' Union representative on the Board and she will replace Ms. Gwyneth Pryse-Phillips, who resigned. Ms. Pitcher's appointment will be for the period commencing February 5, 2004 and ending May 31, 2005.

After discussion, the following resolution was passed:

### **RESOLVED:**

That the Board of Regents approve the appointment of Ms. Jill Pitcher to the Board of Directors of the Memorial University Recreation Complex for the period commencing February 5, 2004 and ending May 31, 2005.

## **5. Board of Directors of MUN Botanical Garden**

The Board received and reviewed a recommendation for the appointment of Ms. Pamela Pippy and the extension of the appointment of Dr. Luise Hermanutz to the Board of Directors of the MUN Botanical Garden. Ms. Pippy's appointment will be for the period commencing February 5, 2004 and ending October 31, 2006. She replaces Ms. Leslie Grattan, who resigned. Dr. Hermanutz's appointment will be extended for the period commencing January 1, 2005 and ending December 31, 2006.

After discussion, the following resolution was passed:

## **RESOLVED:**

That the Board of Regents approve the appointment of Ms. Pamela Pippy to the Board of Directors of the MUN Botanical Garden for the period commencing February 5, 2004 and ending October 31, 2006.

Further that the Board approve an extension of the appointment of Dr. Luise Hermanutz to the Board of Directors of the MUN Botanical Garden for the period commencing January 1, 2005 and ending December 31, 2006.

## **6. Strategic Framework Report**

The Board received a progress report of the Strategic Framework for the University at the December 11, 2003 meeting of the Board. At that time it was decided to defer discussion on the report until the February 5, 2004 meeting.

Dr. Meisen provided a power-point presentation entitled "Achievements and Issues". He began by observing that the total student enrollment for 2003 exceeded 17,000 students, 61% of whom were female. While Memorial University currently has the distinction of being the largest university in Atlantic Canada, this may change. Dalhousie University has plans to grow its enrolment by some 30%, thereby approaching 20,000 students. Dr. Meisen provided some statistics on graduates of Memorial University. There have been in excess of 50,000 students who have graduated from the institution thus far. Over 70% of all alumni reside in Newfoundland and Labrador. Regarding the 2001 graduating class, 73% were residents of Newfoundland and Labrador and in 2002, 75% were employed, a large majority of whom are employed in fields related to their academic background, 12% were engaged in further study, 10% were unemployed and 3% were engaged in other activities. To assist our graduates with employment, he highlighted the upgraded Career Development Centre, which provides support in a state-of-the-art environment.

He reported on major areas of fundraising, referring to the \$20 million Inco Innovation Center, the \$2 million Husky Energy Chair in Oil and Gas Research, and the \$1.2 million Petro-Canada Music Hall. He reported on a number of Memorial's research successes, using Cod Aquaculture and Psoriatic Arthritis as examples. He reported that Memorial has set a target of \$75 million in research income by the year 2006. Last year Memorial reached \$52 million, this year it is expected to exceed \$60 million. He provided a summary of the funds that have been attracted to the Province in the past two years, which have totaled \$287 million, including \$134 million from the Atlantic Innovation Fund and associated sources.

In concluding, Dr. Meisen identified six major issues for future consideration and discussion:

1. Student Enrolment
2. Academic Initiatives
3. Funds for Infrastructure and Research
4. Excellence and Internationalization
5. Helping our Province Grow - People and Investment
6. Finances

Following a question and answer session Dr. Hedges thanked Dr. Meisen for his very informative presentation.

## **7. APPOINTMENTS COMMITTEE**

A report of the Appointments Committee meeting held on February 5, 2004, along with an addendum, was presented by Ms. Aylward, Chair of the Committee, and accepted by the Board.

## **8. PENSIONS COMMITTEE**

The Board received and reviewed background information pertaining to a recommendation from the Pensions Committee for approval in principle regarding the execution of a Pension Transfer Agreement between Memorial University of Newfoundland and the Government of Canada with respect to the transfer of pension service between the *Memorial University Pension Plan* and the Public Service Superannuation Plan. The position of the University administration is that the University's draft Pension Transfer Agreement be approved in principle by the Board as the basis for discussion with the Government of Canada. Such approval was sought on the understanding that a final draft of the Pension Transfer Agreement will be reviewed and approved by the Board before it is formally executed.

After discussion, the following resolution was passed:

### **RESOLVED:**

That the Board of Regents grant approval in principle to the execution of a Pension Transfer Agreement between Memorial University of Newfoundland and the Government of Canada with respect to the transfer of pension service between the *Memorial University Pension Plan* and the Public Service Superannuation Plan. A final draft of the Pension Transfer Agreement is to be reviewed and approved by the Board of Regents before it is formally executed.

## **9. REPORT ON AD HOC COMMITTEE ON RFP LEGAL SERVICES**

The Board received and reviewed the Report of the Ad Hoc Committee to Examine Request For Proposals for Legal Services, which was presented by Dr. Lewis, Chair of the Committee. He advised that six proposals were initially received however, one was rejected because it did not meet a specification contained in the RFP document. After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the recommendation of the Ad Hoc Committee on RFP for Legal Services that the firms of McInnes Cooper, Stewart McKelvey Stirling Scales, and Pool Althouse be selected to continue to provide legal services to the University for a period of three years, effective March 1, 2004.

Ms. Aylward, Mr. Butt, Mr. Blake, Ms. Vernescu, Ms. George, Ms. Russell and Mr. Collins left the meeting at 4:10 p.m.

**10. FINANCE COMMITTEE**

A draft of the Minutes of the Finance Committee meeting held on February 5, 2004, copies of which were circulated at the meeting, was presented by Ms. Pinsent, Vice-Chair of the Committee, and accepted by the Board. The following resolutions were passed with respect to the items requiring specific Board approval:

**Item A - Update on Mid Year Financial Report**

The Board received an update of the forecasted financial results for the fiscal year ended March 31, 2004, reflecting a small deficit that will be more than offset by an increase in tuition revenue. The President provided the Board with the background information regarding the Government's request to claw back \$3.2 million in pension indexing. He advised that he would be bringing the matter to the attention of the Deputy Minister for further discussion with a view to having the matter resolved.

**Item B - Establishment of Enterprise Risk Management Structure**

The Board received and reviewed background information pertaining to a recommendation for the establishment of an Enterprise Risk Management Structure. The principal duties of the unit, which is intended to coordinate all of Memorial's risk management activities, include enterprise risk management, internal audit and insurance, and would require the establishment of 2.5 positions. They are as follows: Director of Risk Management; Risk Analyst, and Administrative Support (shared position). The Director would report to the Vice-President (Administration and Finance), and serve as ex-officio Secretary to the Audit Committee. The Enterprise Risk Management structure will be implemented on a two-year contractual basis beginning April 1, 2004. After the first year it will be reviewed to assess the degree to which it is meeting its goals and objectives as set by the Vice-President (Administration and Finance), in consultation with the Audit Committee. The budget approved for Risk Management for 2003-2004 is \$332,000, which will cover salary and operating costs and retain external auditing services.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the establishment of an Enterprise Risk Management structure as outlined below:

- (a) The principal duties of the unit will be to coordinate all of Memorial's risk management activities, including enterprise risk management, internal audit, and insurance.
- (b) The unit will be implemented on a two year contractual basis, effective April 1, 2004, with a review after the first year to assess the degree to which it is meeting its goals and objectives as set by the Vice-President (Administration and Finance), in consultation with the Audit Committee.
- (c) The establishment of the following 2.5 positions:
  - Director of Risk Management (this position to be absorbed by the existing Coordinator position);
  - Risk Analyst; and
  - Administrative Support (shared support).
- (d) The unit will report to the Vice-President (Administration and Finance). The Director will serve as ex-officio Secretary to the Audit Committee.

### **Item C - Establishment of Position**

The Board received and reviewed background information pertaining to the establishment of the position of Coordinator, University Liaison (Academic Advising Centre, Office of the Registrar) on a permanent basis.

After discussion, the following resolution was passed:

#### **RESOLVED:**

That the Board of Regents approve the establishment of the following position on a permanent basis in the Office of the Registrar:

ROF-051 - Coordinator, University Liaison

### **Item D - Amendment to the University's Travel Policy**

The Board received and reviewed background information pertaining to a recommendation for an amendment to the University's Travel Policy with respect to airport taxi travel.

After discussion the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve an amendment to the University's Travel Policy to increase the maximum reimbursable airport taxi or mileage charges from \$20 to \$30, effective February 5, 2004.

**11. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE**

A report of the Campus Planning and Development Committee meeting held on February 5, 2004 was presented by Mr. Kelly, Chair of the Committee. The following matters were discussed:

**Item 1 - Safety Report**

The Board received and reviewed background information pertaining to the University's Safety Report, prepared by Mr. Darrell Miles, Director of Facilities Management. The report provided an overview of the Safety Management System currently in place at Memorial and addressed compliancy aspects with regulatory agencies and accident and incident statistical information pertaining to the safety performance of the University's operations. Construction contract protocols were also included in the report. The President commented that while the statistics reported are good, there is room for improvement.

Mr. Kelly acknowledged the efforts of Mr. Collins and Mr. Miles, in the preparation and presentation of this report. He noted that Mr. Ludlow, who was unable to attend the meeting, had also concurred with the report.

**Item 2 - Update on Capital Projects**

The Board was provided with updates on the following capital projects which are underway or being planned:

- ▶ Inco Innovation Centre
- ▶ Sir Wilfred Grenfell College Exhibition Centre
- ▶ Sciences Research Building - Functional Space Planning Study
- ▶ Queen Elizabeth II Library Renovations - Functional Space Planning Study
- ▶ School of Music Expansion

**Item 3 - Status Report on Legal Proceedings re SWGC Arts and Science Building**

The Board received and reviewed a status report on the legal proceedings between the Government of Newfoundland and Labrador and Burnac Corporation regarding the SWGC Arts and Science Building.

## **12. SENATE**

The Board received copies of the minutes of regular and special meetings of Senate held on December 9, 2003 and the minutes of the regular meeting of Senate held on January 13, 2004. 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:

### **December 9, 2003 Regular Meeting:**

Item 48 - Report of the Senate Committee on Undergraduate Studies  
(Item 48.1 to 48.8)

Item 49 - Report of the Academic Council of the School of Graduate Studies

Item 53 - Amendments to the Constitution of the School of Nursing

The Board received and reviewed a recommendation from Senate to approve an amendment to this constitution. The following resolution was passed:

#### **RESOLVED:**

That the Board of Regents, on the recommendation of Senate, approve the amendments to the Constitution of the School of Nursing.

Item 54 - Amendments to the Constitution of the Faculty of Science

The Board received and reviewed a recommendation from Senate to approve an amendment to this constitution. The following resolution was passed:

#### **RESOLVED:**

That the Board of Regents, on the recommendation of Senate, approve the amendments to the Constitution of the Faculty of Science.

Item 56 - Amendments to the Constitution of the School of Pharmacy

The Board received and reviewed a recommendation from Senate to approve an amendment to this constitution. The following resolution was passed:

#### **RESOLVED:**

That the Board of Regents, on the recommendation of Senate, approve the amendments to the Constitution of the School of Pharmacy.

### **January 13, 2004 Meeting:**

Item 64 - Report of the Senate Committee on Undergraduate Studies  
(Item 64.1 to 64.3)

Item 65 - Report of the Academic Council of the School of Graduate Studies  
(Item 65.1 to 65.4)

With respect to the new Faculty of Education Doctor of Philosophy Program, Mr. Kelly congratulated Dr. Meisen and all those who were instrumental in implementing the doctoral program in Education.

### **13. OTHER BUSINESS**

#### **Order of Canada Appointments**

The Board was advised that three members of the University community had been appointed to the Order of Canada. Dr. Ron Rompkey, Research Professor in the Department of English Language and Literature, had been appointed an Officer of the Order of Canada. Ms. Susan Knight, Alumna of the Year 2000, and Ms. Donna Butt, honorary doctorate, were appointed as Members of the Order of Canada.

The Secretary was requested to write the individuals and congratulate them on receiving their prestigious honours.

#### **ADJOURNMENT**

The meeting adjourned at 5:20 p.m.