

**MEMORIAL UNIVERSITY OF NEWFOUNDLAND**

**BOARD OF REGENTS**

The regular meeting of the Board of Regents was held on Thursday, September 11, 2008, in the Board Room of the University, Room A-2029, at 2:00 p.m.

**PRESENT:**

Mr. Gil Dalton, Chair  
Ms. Mary Broderick, Vice-Chair  
Dr. Eddy Campbell, Acting President  
Dr. Michael Collins, Acting Vice-President (Academic)  
Ms. Julie Browne  
Ms. Gaylene Buckle  
Ms. Pat Coish-Snow  
Mr. Brian Dalton  
Mr. Rex Gibbons  
Ms. Jennifer Guy  
Mr. John Hogan  
Mr. Jim Keating  
Ms. Jeannette Lundrigan  
Mr. Ken Marshall  
Mr. Darek Moreau  
Mr. Tony Roche  
Ms. Eleanor Swanson  
Ms. Kathie Thoms  
Ms. Tina Parady, Secretary

**APOLOGIES:** Chancellor Rick Hillier, Mr. Martin Gould, Mr. Jim Igloliorte, Dr. Vinod Patel, Ms. Rosellen Sullivan, Ms. Melissa Squarey

**PRESENT BY INVITATION:**

Mr. Kent Decker, Vice-President (Administration and Finance), and Dr. Christopher Loomis, Vice-President (Research)

**5480. MEETING CALLED TO ORDER**

The meeting was called to order at 2:00 p.m. by Mr. Dalton, Chair.

**5481. WELCOME TO NEW REGENTS**

Mr. Dalton congratulated and welcomed Ms. Julie Browne, Mr. John Hogan, Ms. Jennifer Guy, Mr. Ken Marshall and Mr. Rex Gibbons to their first meeting. They had been elected by the MUN Alumni Association for a three-year term, effective September 1, 2008. Mr. Dalton also congratulated Ms. Swanson on being re-elected to the Board for a further three years.

**5482. COMMITTEE MEMBERSHIP**

The Chair advised that membership of all Board Committees were currently under review and assignment to Committees is in progress. All members were asked to provide the Secretary with their preference for a particular committee.

**5483. SAFETY MOMENT**

The Chair reminded the Board that at the beginning of each meeting, the Board would observe a safety moment which would be presented by the Acting President. Today's Safety Moment included an update on the food safety precautions taken by Memorial University with regard to the Listeriosis situation.

**5484. APPROVAL OF THE AGENDA**

The agenda for the meeting was approved, as amended.

**5485. MINUTES**

The Minutes of the regular meeting of the Board of Regents held on July 17, 2008, a copy of which was circulated, were approved by the Board.

**5486. CHAIR'S REPORT**

Dr. Campbell and Dr. Dr. Loomis left the meeting during the discussion of this item.

1. Report of the Executive Compensation Committee

Mr. Decker provided an oral report of the meetings of the Executive Compensation Committee held from August 13 to September 9, 2008 in person, by teleconference and electronically. The Board received and reviewed background information pertaining to the approval of a compensation agreement between Memorial University of Newfoundland and Dr. H.E.A. Campbell, Acting President and Vice-Chancellor of Memorial University.

After discussion, the following resolution was passed:

**WHEREAS** the Executive Compensation Committee has negotiated and reached agreement with Dr. Campbell regarding his remuneration and benefits as Acting President of Memorial University, subject to Board approval;

**AND WHEREAS** the Executive Compensation Committee recommends that the Board approve the contract as presented at the September 11, 2008 meeting;

**BE IT RESOLVED** that the Board of Regents approve the contract between Dr. Campbell and the University as recommended by the Executive Compensation Committee and that the Chair of the Board is hereby authorized to sign the said contract on behalf of Memorial University.

2. Update on the Presidential Search

Mr. Decker left the meeting during the discussion of this item.

Mr. Dalton provided the Board with a report on the status of the Presidential Search to date.

3. Autonomy of Memorial University of Newfoundland

The Board received and reviewed a copy of a letter dated September 10, 2008 from Glenn W. Collins, Secretary of Senate advising that in response to the August 6, 2008 statement from the Board of Regents regarding Memorial University's autonomy, the following motions were approved by Senate on September 9, 2008:

"(1) (a) Senate affirms the principles of autonomy for Memorial University as given below from the "Statement of the Board of Regents regarding Memorial University's autonomy," August 6, 2008 ([http://today.mun.ca/news.php?news\\_id=4018](http://today.mun.ca/news.php?news_id=4018)):

"Memorial University, like the great majority of Canadian universities, must be free to operate at arm's length from government, while adhering to provisions that allow for appropriate government oversight and accountability. Autonomy is vital if our university is to fulfill its commitments to the people of Newfoundland and Labrador and beyond."

(b) Senate strongly supports the Board of Regents' recommendation to government "that it amend the Memorial University Act to better reflect the autonomy of the university ...".

(2) *Senate requests that the Board of Regents appoint an ad hoc Committee with membership from both the Board of Regents and Senate and with responsibility for recommending amendments to the Act to secure autonomy for the university.*

(3) (a) *Senate endorses in the strongest possible terms the Board of Regents' statement that "government's non-acceptance of the candidates and government's request that the Search Committee continue with its search before a formal recommendation could be made on the Board's*

*proposed appointee constitutes inappropriate interference in the normal process”.*

*(b) Although Senate regrets that unlike earlier presidential searches the current search process did not reach a stage for Senate to be consulted under Section 51 of the Memorial University Act, it wishes to go on record as endorsing as the “preferred candidate” of the Search Committee for President of Memorial University, Dr. Eddy Campbell . (“Statement from the Board of Regents regarding search for the next president,” August 6, 2008: [http://today.mun.ca/news.php?news\\_id=4019](http://today.mun.ca/news.php?news_id=4019))*

*(4) Senate requests that the Board of Regents use any and all means possible to secure and ensure the autonomy of Memorial University, and then, in the interest of the University’s need for confirmed leadership, it urges the Board of Regents to bring this presidential search process to a prompt and successful conclusion.*

After discussion, it was moved and seconded that:

In order to ensure that government is informed about the specific ways in which the Board might wish to recommend amendments to the Memorial University Act to secure and preserve autonomy for the University and to bring clarity to the role of government in the Presidential search process, **IT IS RESOLVED** that the Board of Regents accepts the recommendation of Senate dated September 9, 2008 to appoint an ad hoc Committee with membership from both the Board of Regents and Senate to recommend to the Board amendments to the Act necessary to accomplish these objectives.

**IT IS ALSO RESOLVED** to empower the Executive Committee of the Board to approve specific terms of reference and timelines for the ad hoc Committee and to appoint members to the ad hoc Committee. In the case of Senate members, the Executive Committee will request nominations from the Senate.

4. Executive Committee Meeting of the Board - October 16, 2008
  - (a) Notice of Motion regarding the Dissolution of the current Presidential Search Committee

Mr. Dalton reported that at a meeting of the Executive Committee of the Board of Regents held today at 12:30 p.m., it was agreed to forward to the Board a notice of motion that its October 16, 2008 meeting, the motion below regarding dissolution of the current Presidential Search Committee will be presented. This will provide an opportunity for the Search Committee to meet in the next month to debrief and outline thoughts and recommendations for future presidential

searches.

**Proposed Motion:**

*"The Board of Regents is on record as indicating that government's non-acceptance of the candidates for President and government's request that the Presidential Search Committee continue with its search before a formal recommendation could be made on the Board's proposed appointee constituted inappropriate interference in the search process. The Board is also on record as recommending to government that it amend the Memorial University Act to better reflect the autonomy of the University and to be more in line with appointment practices at other Canadian universities. Since it may take some considerable time to resolve these issues, it is resolved that the Board dissolve the current Presidential Search Committee and thank its members for the conscientious manner in which it conducted its affairs.*

*When the Board is satisfied that a resolution to these questions of autonomy has been achieved, it will turn its attention to the creation of a new Presidential Search Committee."*

5. Canadian Association of University Teachers

The Board received and reviewed a copy of a letter dated September 10, 2008 from Ms. Penni Stewart, President and Mr. James Turk, Executive Director, Canadian Association of University Teachers (CAUT) with regard to the autonomy of Memorial University of Newfoundland. The Chair circulated a draft reply for the Board's review. After discussion, the Chair was authorized to send the reply on behalf of the Board to Ms. Stewart and Mr. Turk of CAUT.

Dr. Campbell, Mr. Decker, Dr. Loomis and Dr. Collins returned to the meeting at this point.

6. Chancellor and Spouse Travel, Establishment of Guidelines

The Chair advised the Board that a policy will be established with regard to the Chancellor and spouse travel. Further information would be forthcoming at the next meeting.

**5487. ACTING PRESIDENT'S REPORT**

1. Update on Activities Relating to the University's Strategic Plan
  - (i) Enrolments and Applications

The Board received and reviewed background information pertaining to activities

relating to the University's Strategic Plan.

The Board was reminded that at its meeting held on February 1, 2007, it approved the University's Strategic Plan. The Plan articulates 29 goals around five pillars upon which to continue to build the university. These are: students (**P1**); research (**P2**); needs of the province (**P3**); conditions for success (**P4**); institutional responsibility (**P5**).

It was noted that the President will report regularly to the Board on achievements and initiatives in support of the pillars.

Dr. Collins then advised the Board on the progress of student registration progress.

(ii) Report on Memorial University's Activities in Support of the Ocean Sector

An Executive Summary of a Report on Memorial University's Activities in Support of the Ocean Sector was also distributed to the Board. Dr. Campbell noted that the report is currently in draft form as figures are being finalized and invited members of the Board to provide feedback on the Oceans report.

(iii) President's Activities

A report on the activities of the President over the period July 17-September 3, 2008 was distributed for the information of the Board.

2. Appointments to the Memorial University Recreation Complex (MURC) Board of Directors

The Board received and reviewed background information pertaining to the appointments of the Board of Directors of the Memorial University Recreation Complex (MURC).

Following a brief discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the following appointments to the Board of Directors of the Memorial University Recreation Complex (MURC):

Mr. Bill Thistle be reappointed to the Board for a 3 year term effective November 14, 2008;

Mr. Mike Donovan be reappointed for a 2 year term effective November 14, 2008;

Mr. Sandy Hickman be appointed as the City of St. John's representative for a 2 year term effective October 19, 2008;

Dr. Lilly Walker be reappointed for a 3 year term effective July 21, 2008.

3. Appointments to the CCFI Board of Directors

The Board received and reviewed background information pertaining to reappointments to the Board of Directors of the Canadian Centre for Fisheries Innovation.

The terms of sixteen members of the Board of Directors of the CCFI expired on July 1, 2008. Four members of the Board retired and the Chairman has requested that the appointments for the remaining 12 members be extended for another year. The Chairman has also requested the appointment of five more individuals for a three year term.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves an extension of the terms of appointment of the following members of the Board of Directors of the Canadian Centre for Fisheries Innovation (CCFI) for the period July 1, 2008 to June 30, 2009:

Mr. Ray Andrews  
Mr. Ross Butler  
Mr. Gabe Gregory  
Mr. Dave Bonnell  
Dr. Robert Lucas  
Ms. Caroline Davis  
Mr. Gerard Chidley  
Mr. Frank Hennessey  
Mr. Sandy Roche  
Mr. Jean-Guy-d'Entremont  
Ms. Siobhan Coady  
Ms. Rachel Ritchie

It was further resolved that Mr. Gabe Gregory be reappointed Chairman of the Board.

It was further resolved that the following new directors be appointed for a three year period effective July 1, 2008:

Mr. Patrick McGuinness  
Ms. Christine Penney  
Mr. Blaine Sullivan  
Mr. Steven Stewart

Ms. Sabrina Wyatt

4. Appointment of MUNSU Representative to the Board of Regents

The Board received and reviewed a recommendation from the Memorial University of Newfoundland Students' Union for the appointment of Adam Daniels as their representative on the Board of Regents.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents accept the nomination of Adam Daniels as requested by the Memorial University of Newfoundland Students' Union as its representative on the Board of Regents and recommend his appointment to the Lieutenant Governor in Council for a term of two years effective September 11, 2008.

**5488. FINANCE COMMITTEE MEETING**

The Minutes of the Finance Committee meeting held on September 11, 2008, were presented by Ms. Pat Coish-Snow, Chair of the Committee. Ms. Coish-Snow noted that while the Committee did not have a quorum, the items were discussed and the Committee agreed that the items be forwarded to the Board for approval.

The following resolutions were passed with respect to the items requiring specific approval of the Board:

Item 3063 - Implementation of the "Provincial Template" for Non-bargaining Unit Employees

The Board received and reviewed background information pertaining to the 2008 "Government Template" salary increases for non-bargaining employees including Executive, Management, Professional and excluded personnel.

Following consideration of this matter, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approve the implementation of the "Provincial Template" with increases of 8%, 4%, 4% and 4% provided to all non-unionized staff effective April 1, 2008 and the subsequent 3 years. Increases of the same percentages will apply to Executive effective September 1 of each year in accordance with their traditional anniversary date for such increases.

Item 3064 - Assisted Education Leaves

The Board was informed that approval for assisted educational leaves rests with the Appointments Committee of the Board of Regents. At a meeting held on September 24, 2004, the Board of Regents delegated the authority to approve leaves without pay to the Director of Human Resources. In keeping with established practice and policy, it would be consistent for the Board to delegate authority for assisted leaves. Due to the financial impacts, it is being recommended by the Finance Committee that the authority to approve assisted educational leaves be delegated to the Vice-President (Administration and Finance).

After a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the recommendation that authority for approving assisted educational leaves will be delegated to the Vice-President (Administration and Finance).

Item 3065 - Mandate to Renew Collective Agreements

The Board received and reviewed background information pertaining to a recommendation to obtain the mandate to renew six (6) Support Staff Collective Agreements for the next four (4) years. The Board was advised that the six (6) staff bargaining units with expired Collective Agreements are as follows:

		<u># of</u> <u>Employees</u>	<u>Expiry Date</u>
CUPE 1615	Administrative, Instructional, Technical & Technical Support Personnel	850	March 31, 2008
NAPE 7801	Maintenance	130	March 31, 2008
NAPE 7804	Custodial	120	March 31, 2008
NAPE 7803	Campus Enforcement and Patrol (CEP)	70	March 31, 2008
NAPE 7850	MI Support Staff	140	March 31, 2008
NAPE 7405	MI Instructors and Technical Assistants	220	August 31, 2008

Following a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the recommendation that the University conclude four (4) year Collective Agreements with the six (6) support staff bargaining units with increases in accordance

with the Provincial template as set out in the Board submission and that the local issues be negotiated in accordance with the parameters also set out in the Board submission.

Item 3066 - Market Differential for Communications Coordinators

The Board received and reviewed background information pertaining to market differentials for Communications Coordinators.

Following consideration of the matter, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the proposed 2007 Communication Coordinator market differential with maximum salaries to be effective August 5, 2008.

Item 3067 - Amend the University's Rates of Pay for Student Employees and Delegation of Authority

The Board received and reviewed background information pertaining to the University's rates of pay for student employees and delegation of authority.

Following a brief discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves that the University's rates of pay for students be adjusted in accordance with the schedule outlined below:

Student Group	Current	Jan 1/09	July 1/09	Jan 1/10	Jul 1/10
Students employed in academically related or non-academic capacities in an academic semester or off semester.	\$8.50	\$9.00	\$9.50	\$10.00	\$10.50
Students employed as Lab demonstrators, Markers, IT Consultants, Student Supervisors, Terminal Assistants, Writing Centre Tutors.	\$10.50	\$11.00	\$11.50	\$12.00	\$12.50
MUCEP Students	\$8.50	\$9.00	\$9.50	\$10.00	\$10.50

It was further resolved that the Board of Regents approve the recommendation that authority be delegated to the Senior Executive to approve future student pay rate increases in order to maintain the \$0.50 differential over the provincial minimum wage.

Item 3068 - Conversion of Contractual Positions to Permanent

The Board received and reviewed background information pertaining to a recommendation to convert contractual positions to permanent within the University position complement.

The Board was advised that funding is available in the 2008/2009 operating budget of the respective departments to support these permanent positions.

After discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the conversion of the following positions to permanent within the University position complement:

School of Social Work  
SWK-010 - Secretary

Faculty of Medicine  
MED-224 - Research Assistant II

Department of Human Resources  
HRS-056 - Secretary  
HRS-057 - Human Resources Administrator

Alumni Affairs and Development  
AAD-019 - Development Officer  
AAD 020 - Development Officer

School of Nursing  
SON-017 - Senior Clerk

Faculty Relations  
LBR-009 - Faculty Relations Advisor

Student Housing, Food and Conference Services  
UHO-019 - Manager, Conference Services

Item 3069 - New Position of Director of International Programs (Faculty of Business Administration)

The Board received and reviewed background information pertaining to the Faculty of Business Administration whereby the Faculty wishes to restructure to support the growth and expansion of its international programs and activities. The Faculty is proposing two changes – integration of the Centre for International Business Studies (CIBS) and the Fellow in International Business into an International Programs Office and the creation of the position of Director of International Programs (Business). The Board was advised that the Faculty is not seeking any additional funding from the university to support the International Programs Office position or the Director of International Programs position.

After a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the approved the integration of the Centre for International Business Studies and the Fellow in International Business into an International Programs Office. Further, the Board approves the creation of the position of Director of International Programs (Business) with responsibility to manage and direct all activities related to the development, operation and administration of international programs and activities in the Faculty of Business Administration.

**5489. APPOINTMENTS COMMITTEE MEETING**

The Board received and reviewed the Reports of Action of the Appointments Committee meeting held on September 11, 2008 and May 26, 2008, which was presented by Ms. Broderick, Chair of the Committee, and approved by the Board.

Dr. Collins informed the Board that he had given notice of his intention to step down as Acting Vice-President (Academic) in October 2008. The Chairman acknowledged the immense contribution made by Dr. Collins during his nearly 40 years of service at the University. The Chair on behalf of the Board thanked him for his many years of dedicated service to the University and wished him well in his retirement.

In this regard he proposed the adoption of following resolution, which was passed unanimously:

**RESOLVED THAT** the Board of Regents of Memorial University of Newfoundland acknowledges and thanks Dr. Michael Collins for his many years of dedicated service to the University with sincere gratitude and appreciation for the outstanding contribution made

by Dr. Collins during his nearly 40 years of service at the University.

In reply, Dr. Collins thanked the Board for their tremendous support and remarked that he thoroughly enjoyed his work and associations with the University and the Board.

**5490. CAMPUS PLANNING AND DEVELOPMENT COMMITTEE MEETING**

The Minutes of the Campus Planning and Development Committee meeting held on September 11, 2008, were presented by Ms. Broderick, Chair of the Committee. Ms. Broderick noted that while the Committee did not have a quorum, the items were discussed and agreed that the items be forwarded to the Board for approval.

The following resolutions were passed with respect to the items requiring specific approval of the Board:

1. Capital Projects Update

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

St. John's Campus

- Energy Performance Contract
- New Residences
- Residence Renovations
- Alumni House Extension
- Mount Scio Road Renovations
- Newfoundland & Labrador Centre for Interdisciplinary Research in Human Genetics
- Faculty of Medicine Building Extension, HSC

Marine Institute

- Holyrood Marine Base

Sir Wilfred Grenfell College

- Corner Brook Curling Club Facilities (Rec Plex)
- New Residence

The Board was advised that projects are on time and on budget and was also advised that there were no safety related incidents reported by contractors since the last meeting.

2. Ronald McDonald House

The Board received and reviewed background information pertaining to the lease of university owned land to facilitate the construction of a Ronald McDonald House.

Following discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the administration's proposal to enter into negotiations for the execution of a land lease between the University and Ronald McDonald House Charities.

**CAMPUS PLANNING AND DEVELOPMENT COMMITTEE MEETING (cont'd)**

3. Safety Update, April 1 - August 31, 2008

The Board received and reviewed a Safety Update for the period April 1 to August 31, 2008. The report provided an interim safety update which included key statistical information that is currently being tracked.

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

4. Consulting Services for a Functional Space Planning Study for Newfoundland and Labrador Centre for Interdisciplinary Research in Human Genetics) NLCIRG

The Board received and reviewed background information pertaining to consulting services to provide a Functional Space Planning Study for a new Interdisciplinary Research Centre in Human Genetics.

After a brief discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents gives authorization to negotiate a commission for a Functional Space Planning Study for the Newfoundland and Labrador Centre for Interdisciplinary Research in Human Genetics with PHB Group and their specialist sub-consultant, Norr Limited.

**5491. LABOUR RELATIONS MATTERS**

1. Implementation of the "Provincial Template" for Non-bargaining Unit Employees

This item was discussed under the Finance Committee meeting, Item 3603.

2. Mandate to renew Collective Agreements

This item was discussed under the Finance Committee meeting, Item 3605.

3. MUNFA Update

Dr. Campbell provided a verbal update on MUNFA negotiations.

4. LUMUN Update

The Board received and reviewed background information pertaining to the delegation of authority to the Labour Relations Committee to approve the financial offer for negotiations with LUMUN.

After a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the delegation of authority to the Labour Relations Committee to approve a financial offer to LUMUN.

**5492. POLICY OVERSIGHT COMMITTEE**

1. Incidental Amendments to Policies

The Board received and reviewed background information pertaining to incidental amendments to policies. The Board received and reviewed an interim report on the work of the Policy Pilot Project, 2007-2008.

Following a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the delegation of authority to make incidental changes to policy documents to the senior administration with the proviso that any such changes will be reported to the Policy Oversight Committee.

2. New Policy - Privacy

The Board received and reviewed background information pertaining to the new policy entitled "Privacy".

The Board was reminded that Memorial University takes seriously its responsibilities with respect to various pieces of privacy legislation (ATIPPA, the Privacy Act and PIPEDA). The University has established an Office of the Information Access and Privacy Protection Coordinator; it has developed a set of privacy compliance tools; it has been developing an Enterprise Privacy Strategy and it has engaged consulting services to prepare *Memorial Privacy Project: Findings and Recommendations*, one recommendation of which is the establishment of a comprehensive privacy policy and related procedures for Memorial.

The Board was advised that to assist units of the University with following the policy and the related legislation, a set of procedures have been developed to guide such things as establishing and administering privacy measures within units; checking privacy compliance; correcting/annotating personal information; and managing a privacy breach. It was also noted that in accordance with the "*Development, Approval and Administration of University Policies*", the Privacy policy development followed the policy framework process.

The Policy Oversight Committee reviewed the policy at its meeting on August 21, 2008 and is now recommending its approval by the Board. The Board submission also included the following documents:

- Proposal for a New or Revised Policy;
- Policy Development Report;
- Policy Statement; and
- related Procedures

It was noted that there are minimal costs associated with implementing this policy.

After a discussion, the following resolution was passed:

**RESOLVED:**

That the Board of Regents approves the new policy titled Privacy, its related Procedures as well as the Implementation Plan to be effective immediately.

**ADJOURNMENT**

The meeting adjourned at 5:00 p.m.