



**Minutes of the Meeting of the Board of Governors
Open Session
June 19, 2007**

The meeting was held at 4:00 p.m. in Room 160, Extended Education Complex.

Present: T. Sargeant, Chair
J. Leclerc, Secretary

J. Anderson	A. Black	J. Charles	R. Dhalla
E. Gordon	G. Hatch	R. Heinrichs	S. Hennessey
J. Lederman	M. McLean	S. Narine	W. Norrie
D. Ruth	G. Sran	T. Strutt	E. Szathmáry
S. Van Schie			

Assessors Present:

T. Booth J. Sealey

Officials Present:

E. Goldie C. Keachie R. Kerr J. Keselman
D. McCallum

Regrets:

H. Milan S. Reddy R. Sigurdson J. Simons
D. Ward

Also Present:

T. Hay G. Pasieka

1. Announcements

Mr. Sargeant welcomed the new members of the Board of Governors, Ms. Gwen Hatch, Ms. Janet Sealey, and although not present at the meeting, Dr. Richard Sigurdson. For the information of visitors, Mr. Sargeant explained the guidelines of conduct for the meeting of the Board of Governors.

2. Minutes

2.1 Open Minutes

It was noted that page 3, Item #11.1, 2nd paragraph, 4th line from the bottom, the word “**scheduled**” should be deleted.

It was moved by Mr. Black, seconded by Dr. Ruth:

THAT the minutes of the May 28, 2007 Open Session meeting be approved as corrected.

CARRIED

2.2 Business Arising

Included in the agenda on page 5 was a memo from Ms. Goldie which provided a response to a question regarding the School of Medical Rehabilitation’s Endowment Fund Advisory Committee. Ms. Goldie’s memo outlined the membership of the Advisory Committee for the information of the Board.

3. From Executive Committee - none

4. From Academic Affairs Committee

4.1 Report of the Senate Committee on Awards - (February 7, 2007)

It was moved by Dr. Anderson, seconded by Ms. Lederman:

THAT the Board of Governors approve the 12 new awards and 4 award amendments as set out in the report of the Senate Committee on Awards (February 7, 2007).

CARRIED

4.2 Report of the Senate Committee on Awards - Part A (March 7, 2007)

Regarding the amendments made to the University of Manitoba Employees Scholarship, Ms. Sealey asked if this information was circulated to employees at the University of Manitoba. Her concern was that the amendment includes a change that makes the scholarship requirements more rigorous. Ms. Sealey commented that the changes would be implemented immediately, and would be in effect for students that just completed the past regular session. She noted that these students would not have been informed of the change in criteria.

Dr. Szathmáry referenced page 24 of the agenda, “The Canada Revenue Agency has advised the University that the current academic requirements do not allow the Agency to consider the income from this award as anything but a taxable benefit for the employee.” She noted that this was the reason why the revision was immediately undertaken to go into effect as soon as possible. Dr. Szathmáry noted that she would find out if the Senate Committee on Awards has notified employee groups and report back to the Board.

Mr. McLean suggested that the Senate Committee on Awards should consider establishing one award that would qualify for a scholarship and one that would qualify as a taxable benefit, as those who would presently qualify may not in the future due to the changes in the award requirements.

It was moved by Dr. Anderson, seconded by Ms. Lederman:

THAT the Board of Governors approve the 7 new awards, 6 award amendments, and 1 award withdrawal as set out in the report of the Senate Committee on Awards (March 7, 2007).

CARRIED

4.3 Report of Senate Committee on Awards - (March 7, 2007) - Part B

Ms. Lederman referenced the submission form on page 25 of the agenda which states that, ".....the Senate Committee on Awards reviewed one new application that appears to be discriminatory under the Policy for *Non-Acceptance of Discriminatory Scholarships, Bursaries, or Fellowships.*" She asked for clarification of this matter. Dr. Szathmáry commented that the scholarship was originally established by Senate in order to promote talented students coming to the University of Manitoba. She noted that Senate would allow discriminatory scholarships under special conditions, as in this case. Ms. Lederman felt that the wording is unusual in this submission making it sound discriminatory but noted the human rights code permits actions that address the interest of a disadvantaged group.

Mr. Hennessey asked if this policy will be looked at. Mr. Sargeant commented that perhaps it might be time to review this policy and the way other policies are written to establish whether or not they are discriminatory. Mr. Sargeant asked that this concern be passed along to the Senate Committee on Awards.

It was moved by Dr. Anderson, seconded by Dr. Norrie:

THAT the Board of Governors approve the establishment of the *Marguerite and John Burrelle Memorial Aboriginal Scholarships* as set out in Appendix "A" of the report of the Senate Committee on Awards Part B (March 7, 2007).

CARRIED

4.4 Report of the Senate Committee on Awards - (April 4, 2007)

It was moved by Dr. Anderson, seconded by Dr. Ruth:

THAT the Board of Governors approve the seven new awards, six award amendments and two award withdrawals as set out in the report of the Senate Committee on Awards (April 4, 2007).

CARRIED

4.5 Bachelor of Jazz Studies

Ms. Gordon asked if this item will be forwarded to the Council on Post-Secondary Education (COPSE) for funding approval if the Board approves the submission. Dr. Kerr responded that there are two steps. He noted that initially a Letter of Intent is sent to COPSE to inform them that the University of Manitoba is planning to design a particular program. He further noted that approval from COPSE is required to design a new program. Dr. Kerr indicated that once the proposal for the new program comes to the Board and is approved, it be forwarded to COPSE and in some cases there may be requests for funding which also requires approval by COPSE.

It was moved by Dr. Anderson, seconded by Ms. Lederman:

THAT the Board of Governors approve the Proposal of the Faculty of Music to introduce a Bachelor of Jazz Studies (as endorsed by Faculty Council, September 5, 2005, and as recommended by the Senate Committee on Curriculum and Course Changes, January 15, 2007, and the Senate Committee on Planning and Priorities, March 4, 2007, and approved by Senate on May 23, 2007).

CARRIED

4.6 Student Discipline Bylaw

Regarding the proposed Student Discipline Bylaw, Mr. Sran felt there was no input solicited from either the University of Manitoba Students' Union (UMSU) or the Graduate Students' Union (GSA), in addition to broader student consultation in the Bylaw development process. Mr. Sran also felt there was no formal input from UMSU or the GSA regarding various discipline committees. He also felt there was a concentration of power in the hands of various administrative individuals on campus. Mr. Sran felt there were several instances of wording that seemed unclear with respect to student rights. Mr. Sran felt there were consultations including non-students, members of the University of Manitoba community, but these did not include students. Mr. Sran felt that due to the lack of student input, the proposed Student Discipline Bylaw is deficient in many areas. Mr. Sran also felt that another area of concern regarding the Bylaw process was the lack of involvement of UMSU or the GSA or the Residence Students' Associations in selecting representative to serve on various discipline committees. Mr. Sran also felt that the proposed Bylaw shifts power away from students and towards Administration. He felt that several other items in the proposed Bylaw curtail students' rights to a fair hearing, including clauses limiting students personal access to hearings, the potential of having a penalty worsened in an appeal, and the shift from requiring a two-thirds majority to a simple majority from the University Discipline Committee (UDC) to find a student guilty of an infraction.

It was moved by Mr. Sran, seconded by Mr. McLean:

THAT the Student Discipline Bylaw be sent back to the University Discipline Committee and that UMSU , the GSA, and the respective faculty and students councils be consulted.

Ms. Lederman asked what the process is for the development of a Bylaw and why stakeholder groups were not consulted. Mr. Leclerc responded that the Bylaw was first revised in 1998 and went to Senate in early, 1999. He noted that at that time, a number of students and faculty raised some concerns with the draft of the Student Discipline Bylaw; it was then referred back to the UDC. Mr. Leclerc commented that the Bylaw went before the UDC on two occasions in the last year for comment and consideration. Mr. Leclerc noted that the UDC is composed of fourteen members; seven students seven academic staff, and the President of the University (or designate) and the President UMSU (or designate). Mr. Leclerc noted that this Bylaw went to Senate in April, 2007 where there were amendments made at that time.

Mr. Dhalla asked what process would occur if the Bylaw was sent back. Mr. Leclerc responded that it would be sent back to the UDC as it was the originating Committee of this Bylaw.

Regarding the proposed Student Discipline Bylaw, Ms. Heinrichs asked if any formal consultations had taken place with the Graduate Students' Association (GSA) and the Residence Students' Associations. Mr. Leclerc responded that he was not aware of any formal

consultations taking place with these groups, but added that copies of the proposed Bylaw were shared among members of the Committee.

Mr. Sran noted that UMSU and GSA have identified up to twenty seven concerns with the Student Discipline Bylaw.

Ms. Sealey asked if there was a possibility that if the Student Discipline Bylaw is approved at this Board meeting, is there an agreement that it can go back to the UDC for further consideration, and a time-line be given to address the concerns raised by the students.

Mr. Leclerc responded that at Senate and the Senate Executive Committee's consideration of the Bylaw, other suggestions were made. He noted it was felt that the suggestions were important to consider, but that the suggestions could be considered once the Bylaw had been dealt with. He noted there will be review of the Bylaw by the UDC on a periodic basis.

Mr. McLean noted that nowhere in the Policy does it specifically say that the GSA can represent graduate students; in all cases it refers to UMSU representing students. Mr. McLean commented that as the GSA will become autonomous within the next couple of months, he felt that because the GSA and UMSU have twenty seven different concerns about the Bylaw, that it would be better for the GSA and UMSU to consult with the UDC and to then have something brought forward to the Board that will meet with everyone's agreement.

Ms. Heinrichs commented that as the person elected to represent students in the advocacy role at UMSU, she would not be satisfied with approving this Bylaw as is with the understanding of amendments taking place at a later date. She noted that there are a number of serious concerns about the proposed Bylaw that both UMSU and the GSA share. Ms. Heinrichs indicated that these concerns change some of the rights that students have on campus and would prohibit the appeal procedures that they can use.

Mr. Leclerc noted that the UDC met in August, 2006 and again in January, 2007; the Student Discipline Bylaw was recommended for approval at the March, 2007 meeting and then forwarded to Senate Executive, Senate, and then to the Board. He also noted that at its meeting in August, 2006, the UDC had discussed the draft Bylaw and at that time had a number of concerns. He stated those concerns were incorporated at the instruction of Dr. Ruth Berry, Chair of the UDC. Mr. Leclerc also noted that Legal Counsel was also consulted for their opinion regarding the Student Discipline Bylaw.

Mr. Dhalla asked if the Board votes against the motion and approves the Bylaw as presented, what avenues would UMSU have for raising their issues with respect to the Policy. He assumed that all Policies are open to debate. Mr. Dhalla commented that since there are student members on the Board, Senate, Senate Executive, and UDC that they would have an opportunity to raise their views and potentially put forward amendments that would see some of their desired changes take place. Mr. Leclerc responded that yes, concerns could be raised with the Chair of the UDC for consideration.

Mr. Sran's motion was then **DEFEATED**.

It was then moved by Mr. McLean, seconded by Mr. Sran:

THAT the motion be tabled until the next meeting of the Board of Governors on

September 18, 2007.

Mr. Black asked if the motion is not tabled, will the twenty seven suggested amendments be dealt with at this meeting. He felt it would be better to defer this motion to the next Board meeting to allow an opportunity to have a sense of what the most important items are rather than debate twenty seven items.

Mr. Strutt agreed with Mr. Black that the motion should be tabled providing the twenty seven suggested amendments would be listed in writing and distributed to members of the Board prior to the next meeting. Mr. McLean commented that the Board would be provided with the twenty seven items prior to the next Board meeting.

The motion was then **CARRIED**.

5. From Finance and Administration Committee

5.1 Operating Budget

Mrs. McCallum explained and highlighted in detail pertinent information included in the 2007-2008 Operating Budget.

A lengthy discussion took place regarding the Operating Budget. Many questions were raised and responses given regarding clarification of the budget material.

Mr. McLean asked about excess revenue over expenses. As listed on page 105, he asked about the audited statements over the last few years and noted that large sums of money have been continually listed. Mr. McLean indicated these amounts are recorded as "excess of revenues over expenses" in some places, and in other places are referenced to as, "general operating surplus before net transfers". Mr. McLean asked who determines the amount of appropriations to specific provisions of funds, and who determines how much and to what funds the remainder of the surplus is transferred to. In terms of the excess revenue over expenses, Mr. McLean asked why increases to provisional funds are being made at the same time that government and students are being told the University of Manitoba is underfunded; why are students being asked to pay more fees while there are excess revenues over expenses.

Mrs. McCallum responded that the University uses fund accounting; any expenditures that are of a capital nature such as the purchase of library books are transferred into the capital fund. She noted that it is money that is being spent but is reflected in a different fund. With respect to provisions, Mrs. McCallum noted that in some cases it is budgeted; for example, in the ancillary services they operate on a self-supporting basis. She indicated that they are not eligible for any capital funds. Therefore, these particular units budget for a certain percentage of their budget to go into provisions fund which accumulates and is used for various projects, such as parking lot upgrades.

Mr. McLean asked what percentage of the excess revenue over expenses that is eventually transferred was budgeted versus what was actually excess. Mrs. McCallum responded that she did not have the exact figure available at the meeting. However, she noted that one of the other transfers is related to faculties; if a faculty underspends their budget, there is a carryover policy. She also noted that the money is transferred into a provisions account and that money supports the carryover that is provided to the faculty in the following year.

With regard to the Faculty of Engineering, Ms. Heinrichs wondered why the University has chosen not to increase funding and why the additional tuition fee revenue has replaced increased funding that the University should have allocated from COPSE funding. Mrs. McCallum responded that what has been recommended for the Faculty of Engineering is \$416,400 of baseline money. She noted that this budget does not reflect the increased revenue from the tuition fee surcharge. Ms. Heinrichs also commented that it appeared that the Faculty of Education had barely received an increase, whereas it appears that the Faculty of Human Ecology's funding has decreased. She asked for clarification of these items. Mrs. McCallum responded that when there are vacancies in a faculty or school, the position and the associated baseline funds are pulled back centrally. She noted those funds may be returned to the faculty if the Vice-President (Academic) and Provost decides to replace those positions or they may be reallocated to another unit. Mrs. McCallum indicated that to see a decrease in funding such as in the case of the Faculty of Human Ecology, it represents staff turnover in the Faculty of Human Ecology. With regard to the Faculty of Education, Dr. Kerr responded that in terms of priorities of allocations of funds, choices had to be made and in this particular case, the Faculty of Education budget was left where it was.

Mr. Sran noted that last year there were concerns among some members of the Board that the lab fee increases proposed at roughly \$10.00/per credit hour would be viewed by the Government of Manitoba as a fee increase and would be opposed. Mr. Sran asked what is different this year and would the government oppose the fees. Mrs. McCallum responded that a number of discussions have taken place between the University and COPSE. She noted that the rationale for the laboratory fee was provided to COPSE. She provided the Board with examples of how the costs of laboratory materials have been increasing. Mrs. McCallum cited an example from the Department of Chemistry. She indicated that in 1992 the cost of 200 units of hydrochloric acid used in the Department of Chemistry was \$3,630; in 2006 this amount was \$14,199. Mrs. McCallum commented that these are costs that the Faculty has to incur without any additional revenues.

It was moved by Mr. Sran, seconded by Mr. McLean:

THAT the Board of Governors remove the \$25.00 dry lab fee and the \$30.00 web lab fee and use \$920,700 from the Fiscal Stabilization Fund to supplement the budget.

Mr. Sran noted that since 2003, the University has been using the Fiscal Stabilization Fund (FSF) for the purposes that it is intended for, such as supplementing the Budget. He noted that in March, 2005, there was roughly \$4.8-million in the FSF, and over \$1.1-million was taken out and in the same year over \$1-million was put back into the FSF. Mr. Sran indicated that this year the Fiscal Stabilization Fund is \$4.76-million. He commented that the funding should be used in order to avoid undue hardship on students who have to provide funding for the lab fees.

Mr. Black noted that the FSF is to be used for unexpected situations during the course of a budget year. He also indicated that at present the FSF is at a fraction of what it should ideally be in order to meet any fiscal issues that arise. Regarding lab fees, Mr. Black noted that these are continuing expenditures and not out of the ordinary. He commented if special funds are used for routine costs, this will deplete these special funds but there will still be a need to make the expenditures. Mr. Black felt that special funds should not be used to pay for things that are continuing expenditures.

Dr. Booth commented that UMFA is opposed to lab fees. He felt that students who use labs

pay lab fees, thereby separating them from those students who do not use labs and are therefore not required to pay these lab fees. Dr. Booth felt there should be a facility fee for all students or advocate for more money from the Province of Manitoba.

Mr. Sran's motion was then **DEFEATED**.

Mr. Sran spoke against the main motion. He felt that lab fees would create a more damaging situation to the University of Manitoba because in the past year there has been a decrease in enrollment in addition to a decrease in the number of credit hours students are taking. He also noted that adding additional costs for students attending the University of Manitoba will lead to a worsened situation for them, as opposed to drawing upon the Fiscal Stabilization Fund.

Ms. Charles commented that over the past two years she has noticed that consistently the Board has seen proposals from referendums held by students approving increases to endowment funds and increasing tuition revenues. She felt this shows an understanding on the part of students that it is imperative that money be put into the University of Manitoba in order to get something from it. Ms. Charles commented the reality is that post-secondary education is not free for everyone. She further noted it would be a better use of time to try to develop a scheme whereby students have fair warning of small fee increases rather than having no increases until such time as a large fee increase is placed upon students.

Ms. Heinrichs commented that the University of Manitoba exists to serve core academic functions, which include educating students and providing them with a high quality education which is accessible and affordable. She further indicated that the Province of Manitoba has increased funding dramatically but it needs to be increased further. Ms. Heinrichs stated that UMSU and the GSA will continue to advocate for further funding. She noted that in addition to public debt, many students also carry private debt which is accruing high amounts of interest. Ms. Heinrichs felt that the University of Manitoba can put forward a balanced budget that does not include a \$900,000 fee, and yet still come out with a surplus as has been done over the past few years.

It was moved by Mr. Black, seconded by Ms. Charles:

THAT the Board of Governors approve the Operating Budget based on Total Revenues and Expenditures of \$437,405,445 for the year ending March 31, 2008.

CARRIED

6. From Management Resources and Compensation Committee

6.1 President's Priorities, 2007-2008

Dr. Szathmáry and the Vice-Presidents left the room for this portion of the meeting.

Mr. McLean referenced priority 6.(c.), "Oversee the work of the Vice-President (Academic) and Provost, the Vice-President (Research) and the Vice-President (Administration) with reviewing the role played by graduate students in increasing the University's research intensiveness, including recommending changes as warranted". He felt that any review should include the graduate students that are involved first-hand in research.

Mr. Hennessey referenced priority 2, "Communicate more widely the opportunities and support

at the University of Manitoba for Aboriginal students". He commented that his hope is that the President will continue to look at exploring how programs can be improved in order to further increase the enrollment of Aboriginal student.

Dr. Ruth referenced priority 5, "Intensify fund-raising initiatives, with the involvement of the Vice-President (External), such that they include closing approaches that have been made but the decision of the potential benefactor has not yet been received." He felt it should be stated, "developing a mechanism which will ensure appropriate ongoing funding for the University's fund-raising activities." Dr. Ruth felt that even with the success of the University of Manitoba's Capital Campaign, fund-raising is a fairly ad-hoc activity; there is no mechanism whereby when funds are received or if there are areas for potential success, there should be a mechanism in place to put money into that particular activity in order to raise money for the University.

Mr. Sran commented that it is unfortunate to see that a priority that is not listed is for the President to meet with students such as members of UMSU and the GSA to work together on projects such as rebuilding the University of Manitoba community in addition to finding more funding for the University.

It was moved by Ms. Van Schie, seconded by Dr. Norrie:

THAT the Board of Governors approve the President's Priorities for 2007-2008 as follows:

- 1. "Undertake a comprehensive evaluation of the progress made towards the attainment of the goals that address the challenges of the Strategic Plan," *Building for a Bright Future*. The quote is taken directly from the planning document, which had been approved by the Board of Governors four years ago.**
- 2. Communicate more widely the opportunities and support at the University of Manitoba for Aboriginal students.**
- 3. Continue student recruitment initiatives that recognize that the "cohort" of traditional students is declining, and establish new initiatives if warranted.**
- 4. Lead the planning, with the involvement of the Vice-President (Administration), on campus development, including revitalization of existing buildings, and review of the plans and procedures the university employs to develop its lands.**
- 5. Intensify fund-raising initiatives, with the involvement of the Vice-President (External), such that they include closing approaches that have been made but the decision of the potential benefactor has not yet been received.**
- 6. With respect to increasing the research intensity of the University:**
 - a) Oversee the work of the Vice-President (Research) regarding the finalization of a plan to increase the University's overall level of research intensiveness;**
 - b) evaluate, and where appropriate implement, the results of the review of the Office of Research Services;**
 - c) oversee the work of the Vice-President (Academic) & Provost, the Vice-President (Research) and the Vice-President (Administration) in reviewing the role played by graduate students in increasing the University's research intensiveness, including recommending changes as warranted; and**
 - d) Oversee the work of the Vice-President (Administration) and the Vice-**

President (External) regarding finding more funds to support graduate students.

7. **Oversee the work of the Vice-President (Academic) & Provost regarding the incorporation of global and local civic responsibility into the ethos of the University. Without precluding deliberations on this matter, it could include effective internationalization of the University's curricula and administrative processes, and explore the possibility of including a local "service" component in the undergraduate student experience.**
8. **Lead the focus on government relations, involving the Associate Vice-President (External), in working with:**
 - a) **the Province on appropriate university funding levels that recognize the differing mandates of universities in Manitoba, including the use of dedicated transfer payments from the federal government;**
 - b) **the Federal Government to maximize access to federal funds;**
 - c) **the City of Winnipeg to re-activate the Joint Relations Committee that included representatives from the City and the University.**
9. **Continue overseeing the vice-presidents in concluding those priorities that may remain to be concluded from the priorities that may remain to be concluded from the priorities of the 2006-2007 year.**
10. **If requested by the President-Elect, work together on a transition plan for the new President's term, beginning July 1, 2008.**

CARRIED

7. From Audit Committee

7.1 Annual Financial Report, March 31, 2007

Mr. Gord Pasieka, Assistant Comptroller, explained and highlighted details of the Consolidated Financial Statements of the University of Manitoba for the fiscal year ending March 31, 2007. He noted that the report included the Auditor's Report, which is an unqualified report which means the University of Manitoba has successfully met its audit requirements. Mr. Tom Hay, Comptroller, also added some points for clarification.

Many questions were of clarification were asked regarding the Consolidated Financial Statements. Mr. Pasieka and Mr. Hay responded to questions and provided further clarification.

It was moved by Ms. Van Schie, seconded by Dr. Anderson:

THAT the Board of Governors approve the Consolidated Financial Statements of the University of Manitoba, for the year ended March 31, 2007.

CARRIED

The Board of Governors received the following items for information:

- 8.1 Statement of Intent for: Master of Physician Assistant Studies
- 8.2 Bachelor of Science in Geological Sciences (General)
- 11.1 President's Report
- 11.2 Report of the UMSU President

Mr. Sran noted that UMSU is in the process of planning the Student Orientation. He also indicated that UMSU is also working towards making UMSU spaces more environmentally sustainable. Mr. Sran mentioned that renovations at IQ's restaurant will include 99% recyclable material, such as carpet and wood. He also noted that members of UMSU and the Canadian Federation of Students (CFS) will be meeting with the Honorable Diane McGifford, Minister of Advanced Education, to discuss funding issues.

Motion to Move to Closed and Confidential Session

It was moved by Ms. Van Schie, seconded by Mr. Black:

THAT the Board of Governors move into Closed and Confidential session.

CARRIED

Motion to Adjourn

It was moved by Ms. Charles, seconded by Ms. Van Schie:

THAT the meeting adjourn.

CARRIED

Chair

University Secretary