



Minutes of the Meeting of the Board of Governors
Open Session
March 20, 2007

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

Present: S. Van Schie, Vice-Chair
J. Leclerc, Secretary

J. Anderson	W. Anderson	A. Black	J. Charles
R. Dhalla	E. Gordon	R. Gotthilf	S. Hennessey
J. Hoskins	J. Lederman	H. Milan	S. Narine
W. Norrie	S. Reddy	D. Ruth	G. Sran
T. Strutt	E. Szathmáry	D. Ward	

Assessors Present:

M. Gallant	M. Steeds	J. Whiteley
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Officials Present:

E. Goldie	D. Jayas	C. Keachie	R. Lobdell
D. McCallum			

Regrets:

D. Ames	R. Kerr	J. Keselman	T. Sargeant
J. Simons			

1. Announcements - none
2. Minutes
 - 2.1 Open Minutes

It was noted that page 6, second line from the bottom should be revised to read, "It was moved by Mr. Narine.....", as opposed to, "It was moved by Mr. Narnie....".

It was moved by Mr. Anderson, seconded by Mr. Reddy:

THAT the minutes of the January 30, 2007 Open Session meeting be approved as corrected.

CARRIED

2.2 Business Arising

Ms. Gotthilf commented that in the January 30, 2007 minutes, it was noted that she asked if student debt in the Faculty of Law had increased after the surcharge was implemented. Ms. Gotthilf mentioned that Dr. Szathmáry indicated that she would look into it, and asked if this information was available? Dr. Szathmáry responded that she will report back to the Board of Governors at a later date. She noted that this is a complicated issue, as all student debt is not necessarily about University debt and the date is not readily available.

3. From Executive Committee - none

4. From Academic Affairs Committee

4.1 Change of Faculty Name: Faculty of Physical Education and Recreation Studies

Mr. Hennessey asked if there were any other comparisons in terms of enrollment to other post-secondary institutions with the same type of program?

Dr. Anderson responded that this type of faculty has variable naming throughout North America and kinesiology is often quite prominent as the name of this type of activity. Dr. Anderson commented that she did not know the enrollment data for different types of faculty but it is presumed that the name would help attract interested students.

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

THAT the Board of Governors approve the proposal of the Faculty of Physical Education and Recreation Studies to change its name to the Faculty of Kinesiology and Recreation Management effective July 1, 2007.

CARRIED

4.2 Chair Proposal: Chair in Health Services Design and Quality Improvement

As a point of clarification, Mr. Hennessey asked if \$3-million is going to be issued to the Chair in Health Services; he asked if there will be a working committee or a sub-department?

Dr. Anderson responded that the interest accrued from a \$3-million endowment trust will be used to support the Chair in this position. She further noted that the research would be from funded from other agencies.

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

THAT the Board of Governors approve the establishment of a Chair in Health Services Design and Quality Improvement.

CARRIED

5. From Finance and Administration Committee

5.1 Residence Board and Room Rates - 2007-2008

Ms. Gallant commented that she felt in the past the rationale for increased board and room rates has stemmed from wiring, and network improvements. Ms. Gallant asked how the rates

of residence compare to other housing in the area (not University).

Mr. Black commented that room rates in 2000/2001 increased by 2.0%; the next year it was 3.0%, then 3.0%, followed by 5% and 5% and 6% and then 8% and this year it is 5% for Arthur V. Mauro and 4% for the remaining residences. He commented is below the average for the last 5 years. The rationale for the increases each year has been roughly the same. Mr. Black noted that at the recent Finance and Administration Committee meeting, a remark was made in the material that even with these increases, some of the improvements that would be desirable are not supported by increases at this level. Mr. Black said that he asked if the rates were increased in order to satisfactorily maintain the facilities, what would the increases be. He commented that Administration will bring that information back to a future Finance and Administration Committee meeting.

Mrs. McCallum responded that the residences, like parking, the bookstore, and food services are ancillary services which are required to be self-supporting. Operating funds are not used to support the operation of those enterprises. Mrs. McCallum noted that the residences, with the exception of Arthur V. Mauro, which is newer but has a mortgage, are very old and have tremendous amount of deferred maintenance problems. She commented that the only source of money to repair those facilities is room rates. Mrs. McCallum noted that although the fee increases appear to be high, they do not come close to covering the cost of maintaining those facilities to the standard at which they should be maintained. She indicated that the University should be investing \$3.5-million in Tache Hall next year to address immediate deferred maintenance issues; the following year \$1.7-million, and the year after \$4.3-million. Mrs. McCallum noted that if students were charged the cost of upgrading the facility it would require a tremendous increase.

Mrs. McCallum added that surveys are done periodically to see the rates apartment blocks in the area are charging. However, this is not always a case of comparing apples to apples as the residence includes a student life program. There is also the convenience of being on campus, all utilities are paid for, and in some cases, housekeeping services are provided. Mrs. McCallum noted that the next time a comparison is completed, she will make the information available to members of the Board of Governors.

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

THAT the Board of Governors approve the board and room rates for 2007-08 for the Arthur V. Mauro Residence, Mary Speechly Hall, Taché Hall, and University College as presented.

CARRIED

5.2 Student Referendum: Faculty of Architecture

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

THAT the Board of Governors approve a \$75/year student contribution be assessed against the undergraduate students in the Faculty of Architecture for the next three years effective September, 2007.

CARRIED

5.3 Student Referendum: Department of City Planning

Mr. Dhalla commented on the tax treatment of the contributions. If the contribution was tuition it is a tax credit rather than a donation. He noted that a tuition payment instead of a tax deductible contribution would be a more favourable tax situation. Mrs. Goldie responded that for tax purposes, the contributions to endowment are treated as tuition fees.

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

THAT the Board of Governors approve a \$50/year student contribution be assessed against the graduate students in the Department of City Planning in the Faculty of Architecture for the next three years effective September, 2007.

CARRIED

5.4 Student Referendum: Department of Architecture

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

THAT the Board of Governors approve a \$50/year student contribution be assessed against graduate students in the Department of Architecture for the next three years effective September, 2007.

CARRIED

5.5 Student Referendum: Department of Interior Design

It was moved by Mr. Black, seconded by Mr. Anderson:

THAT the Board of Governors approve a \$50/year student contribution be assessed against graduate students in the Department of Interior Design in the Faculty of Architecture for the next three years, effective September, 2007.

CARRIED

5.6 Student Referendum: Clayton H. Riddell Faculty of Environment, Earth, and Resources

Mr. Reddy asked if there has ever been any discussion about what percentage of students ought to vote in order to make the referendum valid. Mr. Black responded that the Finance and Administration Committee came to the conclusion that people are offered an easy opportunity to vote. If they choose not to exercise that privilege then this cannot be misconstrued as support or no support for the referendum. Mr. Black noted that it is the people who vote that will form the basis upon which the Board of Governors will formulate its position.

Mr. Hennessey asked what determines eligibility to vote? Ms. Goldie responded that a student must be registered in the faculty whether it is part-time or full-time as an undergraduate student.

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

THAT the Board of Governors approve a \$2.41 per credit hour contribution be assessed against the students from the Clayton H. Riddell Faculty of Environment, Earth, and Resources for three years commencing September, 2007.

CARRIED

5.7 Student Referendum: Faculty of Education

It was moved by Mr. Black, seconded by Mr. Anderson:

THAT the Board of Governors approve a \$2.50 per credit hour contribution be assessed against the Faculty of Education students for two years commencing September, 2007.

CARRIED

Mr. Dhalla commented that it would be beneficial to members of the Board if there was information brought forward regarding the tax treatment of tuition fees should a scenario arise when the University is once again able to set its own rates. He suggested perhaps a one page fact sheet be distributed to members of the Board. Dr. Szathmáry responded that this will be raised at the Finance and Administration Committee.

6. **FROM OTHER COMMITTEES** - none

The Board of Governors received the following items for information:

8.1 **Annual Report of the University Discipline Committee**

Mr. Sran noticed that in the report there were some instances listed whereby the same offence occurred but different disciplinary actions were taken. Mr. Sran asked if there is a policy manual dealing with certain disciplinary actions and who assesses the penalties? Mrs. McCallum responded that she noted the instances of smoking of marijuana there seem to be a range of penalties. She noted that apparently there has been an attempt to standardize the penalties, and in some cases although the report may state the student was smoking marijuana, in fact the student was only in the room where marijuana was being smoked; therefore, the student received a warning but not a fine. Mrs. McCallum also indicated that the minimum penalty for smoking marijuana is a fine and probation. Probation means that any subsequent violation of community standards will result in immediate eviction. She further noted that there is a protocol that has been developed for the Residences. The protocol is documented, and is applied consistently.

Dr. Anderson commented that the full report of the University Discipline Committee is circulated enabling individuals to see that there are other people dealing with similar issues and that will help support the disciplinary actions to be consistent across campus.

Mr. Reddy noticed that included in the agenda material was a letter to Dr. Szathmáry from the Ruth Berry, Chair of the University Discipline Committee. He noted that page 59, item #3, "Although no cases of sexual harassment were reported this year, there is a marked increase involving threats and bullying with 2 incidents of threatening e-mail.....". Mr. Reddy also referenced the last line of item #3, "This kind of behaviour should not be tolerated at the University, and stronger penalties for these incidents should be assessed by the Disciplinary Authorities." He asked what kind of follow-up should occur after a recommendation of this nature?

Dr. Szathmáry responded that there is a University policy called the "Respectful Work and Learning Environment". She noted that when specific officers impose penalties they are required to report them. Dr. Szathmáry indicated that specific things do fall into place dependent upon the nature of the particular alleged violation. Mr. Leclerc added that the Office of the University Secretary compiles the information from the various discipline authorities to put

together the Annual Report of the University Discipline Committee. This report is distributed to Senate and to the Board of Governors, along with a wide distribution list which includes disciplinary authorities such as Deans, Directors, Department Heads. There is a range of disciplinary actions that can be assessed against the student who has committed an offense. Mr. Leclerc further noted that it is encouraged that the disciplinary authorities look back to these reports when assessing penalties to encourage consistency.

Mr. Ward referenced page 76 of the agenda material. He commented about the item which states that students brought unauthorized materials into a final examination. He noted there are 6 students who were disciplined for that particular offense and none of them appealed. Mr. Ward further noted that all of these students received a grade of 'F-CW' in course and were suspended from faculty for 1 year. He referenced page 75 where a student had the same offence as those listed on page 76, but this individual appealed which resulted in the grade of 'F-CW' changed to B+ when student completed an essay on academic integrity, and the suspension was cancelled. Mr. Ward noted that it seems unfair that those students who did not appeal end up getting suspended from the faculty for one year and a grade of 'F-CW' while the student who appealed received a B+ and a suspension cancelled upon completion of an essay on academic integrity. Mr. Ward wondered there were any inquiries made about this particular incident.

Mr. Leclerc responded that each case is assessed as it goes through the appeals process based on the facts presented. He further commented that if a student chooses to appeal, they have that available to them, although under the current student discipline bylaw, the same student who appeals takes the risk of receiving an increased penalty from the appeal authority.

Mr. Ward commented that if the report of the University Discipline Committee is used for the purpose of determining what a consistent penalty ought to be, this is not helpful because in this particular case, it does not list the reasons why this student was given such a lenient sentence whereas everyone else that did not appeal received a much more severe penalty.

Mr. Ward also referenced the covering letter on page 60 of the agenda material from Ruth Berry who is the Chair of the University Discipline Committee to Dr. Szathmáry. He noted that there appears to have been an aberration in 2003-2004 where in that year there was 3.4% of the entire student population was guilty of some type of inappropriate behaviour or dishonesty. Mr. Ward asked why in that year it was so much higher than in preceding and following years?

Mr. Leclerc responded that 2003-2004 was the last time that the misuse of computer facilities was considered a disciplinary action that was reported (including the spread of computer viruses). He added that before that it seemed to be a willful act; however, it was realized that computer viruses can be used to spread a virus without the user's knowledge.

Mr. Sran asked if professors give students the option of appeal their grade and what steps should be taken to appeal a disciplinary action?

Dr. Lobdell responded that the process is that whenever determination is made for fault and then a determination made for penalty, part of the penalty record is to explain to the student what the process is to appeal. Mr. Leclerc added that students are encouraged to contact the Student Advocacy Office for assistance.

8.2 Statement of Intent: Master of Physician Assistant Studies

11.1 President's Report

Dr. Szathmáry augmented her report highlighting several issues. She noted that the Legislature issued a press release which notes that the introduction of the 2007 budget will be on April 4, 2007. She also referenced the handout given at the meeting which is an excerpt from Senators' Statements from the meeting of the Senate where the Honorable Sharon Carstairs congratulated the University of Manitoba which celebrated its 130th birthday on February 28, 2007. Dr. Szathmáry also commented that the Honorable Mira Spivak also acknowledged the University of Manitoba's 130th birthday. She commented that the Hon. Mira Spivak's words captured what the University of Manitoba has contributed to Canada over the years, including alumni such as Mr. Robert Beattie, Senior Deputy Governor of the Bank of Canada, and Mr. James Coyne, Governor of the bank from 1955 to 1961. Dr. Szathmáry noted that both individuals had their signatures on Canada's dollar bill for a time during the 1950's.

Ms. Lederman noted that on page 133 of the agenda under the Faculty Architecture section of the President's Report, it is noted that there is a student who has designed a portable, inflatable water filtration unit. She asked if that is a design concept or is it patentable? Dr. Szathmáry responded that she did not know whether the student has chosen to take the design a step further. Dr. Szathmáry also noted that in the Faculty of Management, through the Asper Centre of Entrepreneurship, there have been over the past decade 17 business plans that actually have resulted in the production of companies that were actually created. Ms. Lederman understood that the University does have a Technology Transfer Office and wondered whether it would assist students in taking their designs further.

Dr. Jayas responded that it is the student's decision whether or not to take their designs further. He commented that in this particular case, he did not know if the student had taken it further. Dr. Jayas mentioned that the Technology Transfer Office offers a certificate program which is open to the students; this office also offers workshops for students and faculty which can provide information pertaining to how patenting is done, what steps to take if they are attending a conference, otherwise presenting their research findings.

Ms. Gotthilf referenced page 145 of the agenda material. She asked Dr. Szathmáry what occurred at the March 8th meeting with the Honourable Diane McGifford, Minister of Advanced Education. Dr. Szathmáry responded that the Minister was informed about the tuition fee referendum that was going to be taking place in the Faculty of Engineering.

Ms. Gallant noted that there have been several reports in local papers regarding on-line bullying in the Asper School of Business and some intimidation in the Faculty of Engineering. She asked if there was a follow-up to this or anything happening to deal with this situation?

Dr. Szathmáry responded that in terms of the cyber-bullying incident, the website has been shut down. She further noted that Dean Feltham, I.H. Asper School of Business, Dr. David Morphy, Vice-Provost (Student Affairs), Mrs. Debbie McCallum, Vice-President (Administration), Mr. Jim Raftis, Director of Campus Security, Mr. Don Stewart, Director of Student Counselling all met to discuss this matter. She noted that it was decided that Policy "Respectful Work and Learning Environment" would come into play. Dr. Szathmáry indicated that the former Equity Investigations Officer of the University returned and conducted an investigation whereby she sought to interview all 55 of the students who had actively contributed to the site. The investigation is ongoing and the University will deal with the matter as it continues in accordance with the relevant policies.

11.2 Report of the UMSU President

Mr. Sran noted that UMSU along with the University of Manitoba Libraries is partnering again to conduct a "food for fines" program. This program gives students the opportunity to donate non-perishable food items to the food bank to take up to \$20.00 off their library fines. Mr. Sran commented that the "Artwalk" project is in its third year, which is a chance for students to submit art to UMSU and have it displayed at various locations around campus. Mr. Sran also noted that on February 7th, 2007, along with other student groups, UMSU participated in the "Day of Action" with over 200 students from the University of Manitoba attending. He commented that the day was held to call on the governments for more funding the post-secondary education. Mr. Sran also indicated that UMSU is offering a new service offered called, "U-file"; which allows students a free tax service to help students prepare their tax returns.

Mr. Sran noted that the UMSU's Annual General Meeting will take place at the Bannatyne Campus on March 21, 2007 at noon, Theatre "B", Basic Medical Sciences Building.

Motion to Move to Closed and Confidential Session

It was moved by Mr. Black, seconded by Mr. Reddy:

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

CARRIED

Motion to Adjourn

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

THAT the meeting adjourn.

CARRIED

Chair

University Secretary