

MINUTES OF THE OPEN SESSION
MEETING OF THE BOARD OF GOVERNORS

Held on Wednesday, December 11, 2002, immediately following the Closed Session,
in Room GM 407-1, SGW Campus

Attendance

Present: Mrs. Lillian Vineberg, *Chairwoman*, Dr. Steven Appelbaum, Mr. Alain Benedetti, Mr. Normand Beauchamp, Dr. Louise Brunette, Me Gerald C. Burke, Mr. Alexander Carpini, Dr. June Chaikelson, Mr. Youri Cormier, Mr. Chae Dickie-Clark, Mr. Howard Davidson, Me Rita de Santis, Ms. Suzanne Gouin, Mr. George Hanna, Mrs. Judith Kavanagh, Ms. Christine Lengvari, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Peter G. McAuslan, Sister Eileen McIlwaine Ph.D., Mr. Desmond O'Neill, Mr. Alex G. Potter, Mrs. Miriam Roland, Mr. Jacques St-Laurent, Mrs. Mackie Vadacchino de Massy, Mr. Ivan Velan, Ms. Sobia Virk, Mr. Jonathan Wener

Officers of the University: Prof. Marcel Danis, Mr. Michael Di Grappa, Mr. Larry English, Dr. Jack Lightstone

Absent: Dr. William Byers, Mr. Charles G. Cavell, Mr. Baljit Singh Chadha, Mr. Brian Edwards, Dr. Terrill Fancott, Me Pierre Fréreau, *Observer*, Ms. Sabine Friesinger, Mr. Leo Goldfarb, Mr. Peter Kruyt, Dr. Loren Lerner, Mr. Rocci Luppicini, Mr. Eric Molson, *Chancellor*, Mr. John Parisella, *Vice-Chairman*, Mr. Richard Renaud, *Vice-Chairman*

Also present: Me Bram Freedman (Assistant Secretary General and General Counsel), Mr. Garry Milton (Executive Director, Rector's Cabinet)

Documents associated with the Minutes

BG-2002-11-D3	Memo from Mr. Peter Côté concerning the Student Emergency Food Fund Appeal
BG-2002-11-D4	Audited Financial Statement for the year ended on May 31, 2002
BG-2002-11-D5	Rapport financier annuel for the year ended on May 31, 2002
BG-2002-11-D6	État du traitement of Concordia's senior administrators
BG-2002-11-D7	Amendment to the banking resolution with respect to the Bank of Montreal
BG-2002-11-D8	Memo regarding tuition fee increase for the International Aviation MBA
BG-2002-11-D9	Memo regarding tuition fee increases for the graduate programs attached to the Goodman Institute of Investment Management

1. Call to Order

The Open Session was called to order at 8:10 a.m.

1.1 Chairwoman's remarks

Mrs. Vineberg waived her remarks.

1.2 Approval of the Agenda

Mr. Cormier asked that some emergency motions be added to the Agenda. Mrs. Vineberg stated that they would be considered under item 13: Any other business.

Upon motion duly moved and seconded (McIlwaine, Lengvari), it was unanimously RESOLVED:

R2002-114 *THAT the Agenda be approved as submitted.*

1.3 Approval of the Minutes of the Open Session of the previous meeting (November 20, 2002)

Ms. Virk mentioned that she had emailed the Secretary of the Board, requesting that it be noted in the Minutes that her absence from the last Board meeting was for religious reasons, given that alcohol was being served.

Mrs. Vineberg apprised the Board of a meeting she had with Ms. Virk and Sister McIlwaine and the ensuing exchange of correspondence between them to find a way which would allow Ms. Virk to attend the meeting despite the serving of alcohol. Following this exercise, Ms. Virk had informed Mrs. Vineberg that she would attend the meeting according to a table arrangement proposed by Mrs. Vineberg, and if it proved non functional, she would excuse herself.

Nonetheless, one week prior to the meeting, Ms. Virk told Mrs. Vineberg that she would not attend the Board meeting because she had an important class that she could not miss. As a result, Mrs. Vineberg did not feel a change in the Minutes was appropriate. Sister McIlwaine stated that it was quite clear to her that Ms. Virk's final decision not to attend the meeting was because of her class and therefore she did not favor a change in the Minutes.

Ms. Virk responded that she was being overly polite and used her class as an excuse, the true reason of her non-attendance being a matter of religious observance. Mr. Cormier opined that not serving alcohol during the dinner could have been an easy concession and would have been the respectful thing to do. Mr. Potter commented that this is not the place to iron out this matter while adding that the reasons for absences are not documented in the Minutes.

Mr. Hanna interjected that he had difficulty with insisting on accommodations for certain parts of religious observance and not others. Ms. Virk requested that it be noted that she took offence to Mr. Hanna's comment.

Mrs. Vineberg ended the discussion by stating that she hoped Ms. Virk would visit the site of the May meeting to see if the proposed table arrangement would be an acceptable solution which would accommodate Ms. Virk's religious observance while not impeding on others.

Upon motion duly moved and seconded (Benedetti, Vadicchino de Massy), it was RESOLVED with one opposed (Ms. Virk specifically requesting that her dissent be recorded into the Minutes):

R2002-115 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held November 20, 2002, be approved as submitted.*

2. Business arising from the Minutes not included on the Agenda

Dr. Appelbaum noticed that the CSU operating budget was not on the Agenda, in spite of the fact that some Governors had asked to see it at the October meeting and at the last meeting. He felt it was crucial that the Board be made aware of the budget before it approves any future student fee increases. Mrs. Vineberg asked that this be provided for the January Board meeting.

At the request of Mr. Cormier, speaking privileges were granted to Mr. Adam Slater, a CSU councilor, who said that the CSU is a privately constituted corporation under section III of the Quebec Companies Act. As such, it has no obligation to produce its budget for the Board of the University. Nonetheless, in a spirit of accountability and transparency, the CSU would produce its budget provided that eConcordia and the Concordia Foundation would release their budgets. Dr. Lowy and Mrs. Vineberg stated this should not be a problem.

However, Me Freedman informed Mr. Slater that eConcordia and the Concordia Foundation are also private corporations, and as a result, any request for the disclosure of their budgets must be approved by their respective Board of Directors. Dr. Appelbaum added this is not a quid pro quo situation and reminded Mr. Slater that the Board had made its request because the CSU had asked it to approve the collection of increased students' fees. Mr. Cormier replied that all students contribute to eConcordia and the Concordia Foundation and thus need to see their budgets.

3. Presentation regarding the Student Emergency Food Fund Appeal

Mrs. Vineberg introduced Mr. Peter Côté, former coordinator of Multi-Faith Chaplaincy and newly appointed Interim Advisor on Rights and Responsibilities.

Mr. Côté addressed the Board regarding the Student Emergency Food Fund Appeal. He mentioned that it had begun several years ago as the Christmas Basket Drive. Poverty prevents students from achieving their academic goals and completing their studies. Single-parent students have difficulty providing for their children. Last year about \$18,000 was raised from staff, faculty and Board members to help 300 students.

Mr. Côté urged Governors to give generously to this worthy cause. Every cent raised goes directly to help students in need. He closed his presentation by stating that while the University offers many important services such as counseling and advising, these services are not beneficial to a hungry student. Mr. Côté thanked the Board members for their time and conveyed his best wishes for the holiday season.

4. Approval of recommendations of the Audit Committee

4.1 Approval of Concordia University's Financial Statements for the year ended on May 31, 2002

Upon motion duly moved and seconded (Benedetti, Appelbaum), it was unanimously RESOLVED:

R2002-116 *THAT, on the recommendation of the Audit Committee, the Report and Financial Statements for the fiscal year ended May 31, 2002, reported on by Concordia's external auditors Samson, Bélair, Deloitte Touche, and as outlined in Board Document BG-2002-11-D4, be approved; and*

THAT any two members of the Board of Governors be designated to sign the Financial Statements on behalf of the University.

4.2 Approval of the *Rapport financier annuel* for the year ended on May 31, 2002

Upon motion duly moved and seconded (Benedetti, Appelbaum), it was unanimously RESOLVED:

R2002-117 *THAT, on the recommendation of the Audit Committee, the “Rapport financier annuel” of Concordia University for the fiscal year ended May 31, 2002, as summarized in Board Document BG-2002-11-D5, be approved;*

THAT the Chairwoman of the Board of Governors, Mrs. Lillian Vineberg, and the Rector and Vice-Chancellor, Dr. Frederick Lowy, be designated to sign the “Rapport financier annuel” on behalf of the University; and

THAT the University be authorized to submit the said “Rapport” to the Ministry of Education of Québec.

4.3 Approval of the *État du Traitement* (Statement of Salaries) of Concordia's senior administrators

Upon motion duly moved and seconded (Benedetti, Appelbaum), it was unanimously RESOLVED:

R2002-118 *THAT, on the recommendation of the Audit Committee, the État du Traitement (Statement of Salaries) set out in Board Document BG-2002-11-D6, be approved for submission to the Ministry of Education of Québec.*

4.4 Approval of the projected audit fees for the fiscal year ending on May 31, 2002

Upon motion duly moved and seconded (Benedetti, Appelbaum), it was unanimously RESOLVED:

R2002-119 *THAT, on the recommendation of the Audit Committee, the audit fees for the fiscal year ending on May 31, 2002 be approved and that payment of said fees be authorized.*

Mr. Benedetti informed Governors that the Audit Committee will be seeking proposals in the New Year for external auditors for the 2002-2003 fiscal year and will report back to the Board.

5. Amendment to the banking resolution with respect to the Bank of Montreal

Upon motion duly moved and seconded (Lowy, de Santis), it was RESOLVED with one abstention:

R2002-120 *WHEREAS the Board of Governors adopted a banking resolution with respect to the Bank of Montreal at its meeting of June 21, 1995 as amended on August 7, 1996, October 16, 1996, and June 19, 2002; and*

WHEREAS the University has since established the position of Director, Restricted Funds and Finance;

*BE IT RESOLVED THAT Article 2 of the banking resolution be amended to include this position and shall read as follows: "THAT for all accounts, any two of the Rector, the Vice-Rectors, the Secretary-General, the Chief Financial Officer, the Controller, the Director of Accounting Operations, the Director, Budget Planning and Control, the Manager, Processes, Systems and Policies and the **Director, Restricted Funds and Finance** be authorized for and on behalf of the University..."*

6. I^{MSB} tuition fee increase – International Aviation MBA

Dr. Lowy mentioned that this program is not funded by the Ministry of Education. The increase in the tuition fee is to reflect the market rate. Assurances have been given by the John Molson School of Business that enrolment will not be adversely affected by the proposed increase.

In response to a query by Mr. Dickie-Clark, Dr. Lightstone said that this program, like most University executive programs, has been privatized since its inception, meaning that it is neither subject to the government fee structure, nor subsidized by the government.

Upon motion duly moved and seconded (Lowy, O'Neill), it was unanimously RESOLVED:

R2002-121 *THAT, upon recommendation of Rector's Cabinet, the tuition fee in the International Aviation MBA (AMBA) and the Global Aviation MBA (GAMBA) be increased from \$25,000 US to \$28,000 US for the one-year program, effective September 1, 2003 (2003/2).*

7. IMSB tuition fee increase – Graduate programs attached to the Goodman Institute of Investment Management

Dr. Lowy said that these graduate investment programs are also privatized and are taken primarily by executives wishing to receive additional specialized training beneficial to their careers.

Further to a question by Mr. Dickie-Clark, Dr. Lowy explained the University's tuition fee structure, namely for the core programs which are funded by the Ministry of Education as contrasted with the courses under Continuing Education and the specialized programs which are not government-funded. Dr. Lightstone added further explanations in relation to Concordia's position with the Government regarding the subsidies and claw-backs for international students in non-privatized programs. However, he pointed out that the aforementioned understanding does not affect the amount of tuition paid by international students but rather the amount of funding received by the University.

Mr. Dickie-Clark thanked Dr. Lowy and Dr. Lightstone for the aforementioned explanations but stated the importance of having the lowest possible tuition fees for students.

Upon motion duly moved and seconded (Lowy, Benedetti), it was RESOLVED with two abstentions:

R2002-122 *THAT, upon recommendation of Rector's Cabinet, the tuition fees be adjusted in the three programs in the Goodman Institute of Investment Management as follows, effective June 1, 2003 (2003/1):*

- *Graduate Diploma in Investment Management: The tuition and other fees for the 30-credit program are set at \$1070 per credit;*

- *Master's in Investment Management: The tuition and other fees for the 45-credit program are charged in three (3) equal installments over a period of three (3) years, at a cost of \$16,000 per year; and*

- *Master's in Business Administration (Investment Management Option): The tuition and other fees for the 57-credit program are charged in three (3) equal installments over a period of three (3) years, at a cost of \$16,000 per year.*

8. Reports on Concordia's compliance with certain legal obligations

8.1 Report on compliance with fiscal requirements

Chief Financial Officer Larry English reported he was satisfied with the procedures followed for computing and remitting taxes withheld from employees and employers' contributions as well as for GST and QST claims, and that the University had fully complied with its statutory fiscal obligations. A copy of his written report for the three-month period ending November 30, 2002 was deposited with the Secretary of the Board of Governors.

8.2 Report on compliance with environmental legislation and health and safety regulations

Vice-Rector, Services Michael Di Grappa reported that the *Quarterly environmental health and safety report on due diligence*, dated December 2, 2002, had been deposited with the Secretary of the Board of Governors. He mentioned that the last quarter had been occupied with the investigation and evaluation of the safety elements of the September 9 demonstration, emergency planning and issues relating to building construction and the impending move of the Science Departments to Loyola. A contract construction worker on the Science Complex sustained injuries after falling from a scaffold. The CSST investigated and the required corrections were made immediately.

Following the events of September 9, subsequent internal investigations have identified the need to formalize and upgrade the volunteer emergency responder system, upgrade the training and emergency procedures for security personnel and improve the internal communication plan. Mr. Di Grappa indicated that a formal report will be published in the New Year.

9. Report from Standing Committees

9.1 Real Estate Planning Committee

The Chair of the Real Estate Planning Committee, Mr. Jonathan Wener, reported that the Committee had met yesterday to review at great length the status of the various construction projects. Mr. Wener said that the Science Complex is on time, on budget and near completion.

The Engineering and Computer Science and Visual Arts Building is also on budget and moving ahead, despite a one-month delay due to contract negotiations. The second phase of that project has been awarded and the tender process is ongoing for the third phase. Mr. Wener informed the Board that an increase in the size of the building, in order to meet the needs of the Fine Arts component of the building, will likely cause an increase in the overall cost of the building, estimated at \$6 million.

Mr. Wener apprised the Board that the Committee spent a significant amount of time discussing student housing. The Committee looked at various alternatives and hopes to be in a position to report within the next two years the creation of 180 to 300 new student accommodations. Mr. Wener said that the Committee is also looking into identifying options for an on-campus student services center.

In response to a question from Mr. St-Laurent, Mr. Wener stated that the expected occupancy date of the Engineering and Computer Science and Visual Arts Building could be as early as September 2004 depending on weather conditions, but more realistically the occupancy date would be January 2005. The Dean of Engineering and Computer Science is kept apprised of the status of the construction through monthly meetings.

Me Gerald Burke, the representative of the Association of Alumni of Sir George Williams University, commented on the trend in the 70's and 80's to refer to the Sir George Williams campus as the downtown campus. He then read a motion which was adopted by the Board on February 14, 1990 which stated that the downtown campus be formally recognized as the Sir George Williams Campus. Me Burke quoted several recent articles which refer to the Sir George Williams Campus as Le Quartier Concordia and wondered why the University's administration was not following the resolution adopted by the Board. He asked for assurances that the downtown campus will continue to be known officially as Sir George Williams Campus in all University statements and publications.

Dr. Lowy reassured Me Burke that the name Sir George Williams campus is used in all internal communications and the administration is not attempting to do away with the Sir George Williams name. Vice-Rector Di Grappa stated that the name Quartier Concordia was proposed by the architects to designate the area encompassing the Engineering and Computer Science and Visual Arts Building and the John Molson School of Business Building. Me Burke reiterated the importance of using the proper nomenclature.

10. Report from the Rector

Dr. Lowy apprised the Board of his recent trip to Europe, with stops in Paris, Lyon and London. He mentioned the creation of an alumni chapter in Paris. Dr. Lowy also attended a conference of university presidents from Canada and France. While the conference was quite interesting, Dr. Lowy was disconcerted and astonished by his Canadian and French colleagues' impressions and ideas about what had taken place on September 9 at Concordia. Some expressed concern while others were critical of the situation.

Dr. Lowy stated that the University had received a flurry of publicity regarding the CSU Council decision to take action against Hillel. All the negative publicity has been damaging to the University's reputation. The University is perceived as a place of turmoil and conflict, as anti-Arab or anti-Semitic, depending on which side of the conflict one is on. Dr. Lowy reiterated that the overwhelming majority of students are not involved in this conflict and feel their education is being subverted by this excessive attention. The administration must take steps to protect the value of the University's degrees. Dr. Lowy mentioned that this negative publicity has had repercussions on fundraising.

An internal enquiry has been conducted into the September 9 events. Individuals have been identified and charged under the Code of Rights and Responsibilities. Dr. Lowy indicated his intention to present a report at the next Senate and Board meeting. He emphasized the importance of opening dialogue and taking positive steps to reconcile differences and strive to make positive use of our diversity. Other Governors acknowledged Dr. Lowy's comments regarding the University's reputation across Canada and abroad, having themselves received similar comments. Ms. Vadicchino de Massy suggested that Dr. Lowy take the opportunity at the upcoming MBA Case Competition to address the members of the business community. Several Governors were adamant that the administration take control of the situation and be more firm in its dealings with the CSU.

11. Reports of the Vice-Rectors

11.1 Provost – Dr. Jack Lightstone

Dr. Lightstone reported on the University's fulfillment of its commitments under the performance contract. The University had set goals regarding research, enrolment, graduation rate and hiring of full-time faculty. Although the final figures are not yet available, Dr. Lightstone reported the registration of 22,000 FTE's, an impressive increase from the 1999-2000 figure of 17,723. The number of full-time faculty members has risen from 675 in 1999-2000 to 813, just a little below the 825 target. With respect to research grants, in 1999-2000 Concordia had stagnated at \$16.5 million (excluding grants from the CFI), while the current level of grants is \$20.1 million. The University has met its objective regarding the student retention rate. As a result of the foregoing, Dr. Lightstone indicated that the University is doing very well in terms of its academic plan.

However, Dr. Lightstone warned the Board that the adverse publicity will certainly affect enrolment as well as the ability to attract top-notch faculty members. Dr. Lightstone remarked that the University has always had a very diverse population. The current conflict is within a restricted population. In his view, the problem is exacerbated by the fact that the CSU leadership is conflicted between its role of equally and fairly representing all students in a non-partisan way and its political ideology favoring one side over the other. This makes it difficult for the CSU to deal with the problem and is a major drawback which undermines any efforts towards achieving a modus vivendi. Dr. Lightstone opined that the heart of the problem lies in the fact that the CSU is not perceived as being an honest broker.

Mr. Cormier noted that there are contradictions in the statement of those who argue against the CSU. He pointed out that the CSU took swift action in other instances, namely when it uncovered a fraud at CJLO Radio and also when it discovered that the Association for Muslim Awareness had a link to racist materials on its website. He then asked to accelerate the meeting so that the motions he wanted to introduce under other business could be discussed.

Mr. Dickie-Clark reminded the Board that the CSU President has spoken vehemently against violence and had actively participated in developing the principles regarding acceptable public expression. He indicated that it is not constructive to blame the CSU. Hillel was recruiting for Israel and immediate action was required by the CSU to avoid an escalation of the tension. He added that outside groups such as B'Nai Brith are creating a great deal of publicity around this issue. In response to a question regarding whether due process was followed by the CSU, Mr. Dickie-Clark answered that the CSU had suspended Hillel's funding and was investigating. While Mr. Dickie-Clark had the floor, some Governors complained that his comments were not in order, given that he was addressing the Board under the Vice-Rector's report. Mrs. Vineberg ruled him out of order.

11.2 Vice-Rector Services – Mr. Michael Di Grappa

Mr. Di Grappa apprised the Board that a three-day strategic planning process, in which 70 members of the internal and external community would take part, will be held next week concerning the future direction of the Department of Recreation and Athletics.

11.3 Vice-Rector, Institutional Relations and Secretary-General – Prof. Marcel Danis

Prof. Danis reported that, pending ratification, agreement has been reached yesterday with respect to the CUFA negotiations. The new collective agreement will be in effect

until June 1, 2007. He thanked Hal Proppe, chief negotiator on behalf of the University and June Chaikelson, chief negotiator on behalf of the union.

11.4 Chief Financial Officer – Larry English

Given the late hour, Mr. English waived his report.

12. Correspondence

There was no correspondence addressed to the Board.

13. Any other business

At 10:35, since quorum was lost, Mrs. Vineberg adjourned the meeting. Mr. Cormier urged Governors to take a copy of his emergency motions, while pointing out that the Board has accepted motions from the floor in the past when they are introduced by the Rector.

Danielle Tessier
Secretary of the Board of Governors