

MINUTES OF THE OPEN SESSION
MEETING OF THE BOARD OF GOVERNORS

Held on Wednesday, January 15, 2003, immediately following the Closed Session,
in Room GM 407-1, SGW Campus

Attendance

Present: Mrs. Lillian Vineberg, *Chairwoman*, Mr. Alain Benedetti, Mr. Normand Beauchamp, Dr. Louise Brunette, Me Gerald C. Burke, Dr. William Byers, Mr. Alexander Carpini, Mr. Baljit Singh Chadha, Dr. June Chaikelson, Mr. Youri Cormier, Mr. Chae Dickie-Clark, Mr. Howard Davidson, Me Rita de Santis, Mr. Brian Edwards, Me Pierre Frégeau, *Observer*, Ms. Sabine Friesinger, Ms. Suzanne Gouin, Mr. George Hanna, Mr. Peter Kruyt, Dr. Lawrence Kryzanowski, Ms. Christine Lengvari, Dr. Loren Lerner, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Rocci Luppicini, Mr. Peter G. McAuslan, Sister Eileen McIlwaine Ph.D., Mr. Desmond O'Neill, Mr. John Parisella, *Vice-Chairman*, Mr. Alex G. Potter, Mr. Richard Renaud, *Vice-Chairman*, Mrs. Miriam Roland, Mr. Jacques St-Laurent, Mrs. Mackie Vadicchino 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: Mr. Charles G. Cavell, Dr. Terrill Fancott, Mr. Leo Goldfarb, Mrs. Judith Kavanagh, Mr. Eric Molson, *Chancellor*

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-2003-1-D1	Report on the events of September 9, 2002
BG-2003-1-D2	Action Plan
BG-2003-1-D3	Presentation on Planned and Deferred Giving
BG-2003-1-D4	Revised membership of the Standing Committees of the Board
BG-2003-1-D5	Report of the Rector
BG-2003-1-D6	Memo regarding a revision to the Policy on the Establishment of the Tribunal Hearing Pools

1. Call to Order

The Open Session was called to order at 8:14 a.m.

1.1 Chairwoman's remarks

Mrs. Vineberg waived her remarks.

1.2 Approval of the Agenda

Mrs. Vineberg informed the Board that two items have been added. Firstly, item 6A entitled Revision to Article 9 of the Policy on the Establishment of Tribunal Hearing Pools. The document relating to this matter has been placed before Governors under number BG-2003-1-D6. The second addition, under item 6B, is a motion from Mr. Dickie-Clark regarding tables in the lobby of the Hall Building, the text of which is included on the yellow motion sheet.

Mr. Cormier mentioned that his request to add his emergency motion regarding Hillel, which he had distributed at the December Board meeting, had been denied by the Chairwoman prior to the meeting because the General Counsel had advised her that this matter was being heard before the Courts. Mr. Cormier indicated that he did not wish the Board to discuss the legality of Hillel's actions but rather their appropriateness and whether Hillel had infringed the principles outlined in the University's protocol regarding acceptable public expression.

Me Freedman stated that his advice not to include this motion stood, given that the whole subject matter was before the Courts. Me Burke supported Me Freedman's opinion, adding that the University was named as a *mise-en-cause* in the lawsuit, which is even more reason for the Board not to discuss this matter.

Upon motion duly moved and seconded (Vadacchino de Massy, Burke), it was RESOLVED with two opposed (Cormier, Virk):

R2003-3 *THAT the Agenda be approved as revised, to include Items 6A and 6B.*

1.3 Approval of the Minutes of the Open Session of the previous meeting (December 11, 2002)

On page 2, under item 1.3, Ms. Virk asked that the Secretary of the Board reproduce the exact wording of Mr. Hanna's comment to which she had taken offence, which she said was to the effect that he told her "*if she wanted to take it to the extreme then perhaps she should not be associating with the Board or make everybody wear something on their head and perhaps the young lady should not be associating with men who are members of the Board*". Mr. Hanna informed the Board that after the meeting he had emailed an apology to Ms. Virk. The Secretary of the Board stated that in her view she had captured the essence of Mr. Hanna's comment.

Mr. Cormier also asked that an interjection by Dr. Chaikelson to the effect that he (or the students) was hijacking the meeting be added into the Minutes, although he could not specifically identify in which part of the Minutes he wanted this to be added.

The Chairwoman opined that the spirit of Mr. Hanna's comment had accurately been reflected and therefore she did not feel that an amendment to the Minutes was warranted. She added that the Minutes are not verbatim accounts of the meeting. Dr. Lightstone stated that the tradition at the Board and Senate was to summarize the discussion leading up to the decision.

Upon motion duly moved and seconded (Potter, Benedetti), it was RESOLVED with three opposed (Cormier, Friesinger, Virk):

R2003-4 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held December 11, 2002, be approved as submitted.*

2. Business arising from the Minutes

2.1 CSU Operating operating budget

Mrs. Vineberg indicated that she had not received the CSU's operating budget, while specifying that it will be presented to the Board should it be received. Ms. Friesinger reminded Governors of the conditions stated at the last meeting under which the CSU budget would be disclosed, that is upon the release of the eConcordia and the Concordia Foundation budgets to the students.

Dr. Lowy responded that eConcordia and the Concordia Foundation are separate legal entities. As a result, the formal budgets will not be available until they are disclosed by their governing bodies. Nonetheless, Dr. Lowy stated that Mr. Cormier had contacted Marcel Danis's office and had had a chance to look at the budgets on an informal basis. Mr. Cormier appreciated the openness of the administration and said that he looked forward to the exchange regarding this matter.

Dr. Byers indicated his discomfort with the above, warning that it is unwise to barter with the students on these issues. Mr. Edwards stated his belief that the student fees were higher at Concordia than at other comparable Quebec and Canadian universities. Therefore, he felt it was important that the Board see the CSU budget to ascertain the appropriateness of the level of funding of the CSU in relation to the size of the University.

Mr. Dickie-Clark attempted to raise an issue in connection with the budget of eConcordia and the Concordia Foundation. However, the Chair ruled that the line of questioning was out of order.

3. Presentation regarding Planned and Deferred Giving

Mrs. Vineberg invited Ms. Christine Lengvari, the Chair of the Planned Giving Committee, to make her presentation. Ms. Lengvari was pleased to report that planned giving is alive and well and informed the Board of the efforts towards establishing a program that will benefit the University for years to come.

She thanked Mr. David Brown, Director, Gift Planning, for his tireless work as well as the other members of the Planned Giving Committee, namely Mrs. Miriam Roland, Me Bram Freedman, Ms. Cynda Heward, Mr. Marcel Dupuis, and Mr. Roddy Doucet.

Ms. Lengvari mentioned the three-pronged approach, comprised of the planned giving brochure, copy of which had been included in the Board mailing, the planned giving telephone campaign, during which selected alumni will be solicited, and the personal ask, which consists in personally soliciting each of the key constituencies of the University as well as its graduates. Ms. Lengvari, as a Concordia graduate and Governor having made a planned gift herself, appealed to other Governors to consider making a planned gift. She stated that the objective was to turn little givers into big givers and invited Mr. Glenn McHugh, an associate of hers, to explain the various ways that this could be achieved.

Mr. McHugh indicated that planned giving could be done through bequests, gifts of life insurance, gifts in kind such as property or securities, charitable annuities, trusts, RRSPs and RRIFs. Planned giving is often done during estate planning. He then gave examples on how gifting can allow to rearrange assets or endowments in order to create more wealth for heirs and charitable foundations while optimizing tax credits.

Ms. Lengvari thanked Governors for their attention and concluded by inviting them to fill out the coupon-réponse in the handout so that they may receive more detailed information regarding planned giving.

4. Presentation regarding the Undergraduate National Case Competition

Ms. Seanna Miller, CASA's Vice-President Academic and Student Affairs, addressed the Board to relate the importance of the case competition, which was founded in 2002. She indicated that the competition was run by students for students and constituted a great opportunity to bridge the gap between academics and the business community while enhancing the University's image across the country. Ms. Miller added that the case competition also allows JMSB students to benchmark themselves against other universities.

Mr. Arif Igdebeli, President of the JMSB Undergraduate National Case Competition, was pleased to inform the Board that 15 universities were participating in this year's competition. He indicated that the competition is a bilingual event and affords many networking opportunities for its participants. The competition, open to all undergraduates from all Canadian universities, is a two-day event during which two cases are presented by each team. Aggregate score determines the final rankings. The budget for this year has been set at \$28,000, of which \$16,500 has been secured through sponsorships. However, another \$11,500 is required to meet the budget. Mr. Arif encouraged Governors to consult the handout which contains various sponsorship options to help finance the competition. Mrs. Vineberg congratulated Ms. Miller and Mr. Igdebeli and wished them luck with their endeavor.

5. Revised membership of Standing Committees of the Board

Mrs. Vineberg informed Governors of further changes to the composition of the Communications Committee.

Upon motion duly moved and seconded (Lowy, Renaud), it was unanimously RESOLVED:

R2003-5 *THAT the updated membership of the standing committees of the Board of Governors be approved as set out in Document BG-2003-1-D4, as revised.*

6. Election of an administrative and support staff representative to the Employee Benefits Committee

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

R2003-6 *THAT, on the recommendation of the Electoral College, Mr. René Lalonde be elected to the Employee Benefits Committee as a representative of the administrative and support staff for the period beginning immediately and ending on December 31, 2003.*

6A. Revision to Article 9 of the Policy on the Establishment of Tribunal Hearing Pools

Upon motion duly moved and seconded (Lowy, Kruyt), it was unanimously RESOLVED:

R2003-7 *THAT, subject to Senate's recommendation on January 17, 2003, the revision to Article 9 of the Policy on the Establishment of the Tribunal Hearing Pools (Policy BD-6) be approved, as set out in Document BG-2003-1-D6.*

6B. Motion regarding tables in the lobby of the Hall Building

It was moved by Mr. Dickie-Clark, and seconded by Mr. Cormier, that the ban on information and display tables in the lobby and on the mezzanine be lifted and the space given back for student use.

Mr. Dickie-Clark referred to the last motion on the yellow sheet regarding tabling issues. He indicated that this was the text of the original motion he had brought forth in October and recognized that some of the "whereases" were out of date. However, it was clear to him that students need space in publicly visible, high traffic areas. This is how students can attract attention to the activities of various clubs, conferences, etc.

Mr. Dickie-Clark said he is well aware of plans to build a student center, but this will take years and students require space now. He could not understand exactly why the ban had been passed and opined that the administration should find other ways to deal with those students who do not comply with tabling and poster policies. In his view, a blanket ban constituted an unfair punishment for all students. As a result, he was asking the Board to lift the ban on tabling in the lobby in the Hall Building.

Regarding tabling on the mezzanine, Mr. Dickie-Clark said that although the Board had lifted the ban in October, the policy of the Dean of Students was restrictive, only allowing tables on the mezzanine on Mondays.

In response to the above, the Rector stated that this matter was normally an operational issue that would not have come before the Board. However, since the Board had taken action last Fall following the events of September 9, it is appropriate for the Board to discuss this issue. Dr. Lowy then gave his reasons why the motion should be defeated, reiterating the importance of unimpeded access to escalators and elevators.

Mr. Cormier spoke in favor of the motion, arguing that the ban was harming clubs, that the University had not created the new student space it had promised and that tables in lobby was a way to create a sense of community.

In response to Mr. Cormier's comment, Vice-Rector Di Grappa spoke of a proposal to allocate student space on the 7th floor of the Hall Building, in the context of a plan to convert the mezzanine into a food court. However, Mr. Di Grappa had not heard back from the Executive of the CSU.

Given that the Board had lifted the ban on the mezzanine, Mr. Wener suggested that reference to the mezzanine be removed from the motion, to which Mr. Dickie-Clark agreed. The question was called by Dr. Chaikelson, seconded by Mr. Potter. The vote was taken and the majority of Governors was in favor of proceeding with the vote on the main motion.

However, the main motion, moved by Mr. Dickie-Clark, seconded by Mr. Cormier, *that the ban on information and display tables in the lobby be lifted and the space given back for student use*, was defeated by a majority (Cormier, Dickie-Clark, Friesinger and Virk requesting that their votes in favor of the motion be recorded into the Minutes).

7. Report from the Rector

Since the Rector's Report had been distributed in advance to all Governors under Document BG-2003-1-D5, Dr. Lowy would not speak to this report but indicated he would gladly answer any questions.

Ms. Friesinger stated for the record that the motion to ban Hillel had been vetoed by the CSU Executive Council. Hillel has been asked to sign a statement of principles, as well as every other student group under the CSU umbrella, if they wish to obtain funding from the CSU.

7.1 Report on the events of September 9, 2002

The report on the events of September 9, 2002, was placed before Governors bearing number BG-2003-1-D1. Given that the report is quite voluminous, Dr. Lowy asked that Governors read it and indicated that this will be fully addressed and discussed at the February Board meeting.

7.2 Action Plan

Dr. Lowy read the document entitled Action Plan, which had been placed before Governors as Document BG-2003-1-D2. He then invited questions from Governors.

Mr. Dickie-Clark attempted to ask a question regarding security concerns relating to the September 9 event. The Chairwoman ruled him out of order, emphasizing that the report would be discussed at the next Board meeting.

Ms. Friesinger queried Dr. Lowy if the University will respond to the CSU's calling for an independent enquiry on discrimination and racism on campus. Dr. Lowy answered that while undoubtedly some Muslim and Jewish students have felt intimidated at times, he has never seen any evidence nor does he believe that systematic racism or discrimination exists on campus. Thus, to call for an enquiry at the present time, even if the finding was that there is no racism or discrimination, would perpetuate the negative image of the University produced by recent events and hinder attempts to restore Concordia's reputation in the external community.

Ms. Friesinger replied that we should move beyond the public relations argument, while stating that not dealing with the problem is only contributing to accentuate it. Dr. Lowy added that he had asked Donald Boisvert, prior to his resignation, and Peter Côté, to be on the lookout for any evidence of racism or discrimination, but no such evidence has been brought to his attention.

With regards to the specific actions underway outlined in the Action Plan, Dr. Byers applauded the initiative to establish a Centre for International and Cross-Cultural Dispute Resolution and noted that their proposal could possibly mesh with existing University initiatives.

With regards to item 3c of the Action Plan, Mr. Cormier asked if the University would reverse the ban of the non-students should they be acquitted of criminal charges. Me Freedman responded that there was no connection between any criminal charges and those non-students banned.

Mr. Cormier asked if Donald Boisvert had invoked any other reasons for resigning his position as Dean of Students, besides those indicated in item 6 of the Action Plan. It was indicated to Mr. Cormier that such a question was not appropriate.

Referring to item 5 of the Action Plan, Mr. Cormier asked the Rector to disclose the new conflict-management advisor's remuneration. Dr. Lowy indicated he did not know the eventual cost relating to the implementation of the Action Plan.

In response to a question from Mr. Potter regarding the Board's role in determining policies, Dr. Lowy replied that although the Board does not have a deciding role in all of the administrative policies, they can be brought forth for information purposes. Mr. Potter expressed his view that some of the problems are derived from the academic policies, namely the absence of a clear definition of a student and the lack of clear guidelines regarding the rights of part-time students.

In response to a query from Ms. Virk, the Rector said that the students had not been consulted before the hiring of Ms. Gabel and that the latter reports to the Rector. Ms. Virk noted the absence of a timeline in the Action Plan. Dr. Lowy indicated that Dr. Bertrand's mandate is for six months and therefore he hopes that the specific a review of the Student Affairs Office and the search for a Dean of Students can be concluded within this timeframe.

Lastly, Ms. Virk queried Dr. Lowy on the type of evidence he requires regarding racism on the campus. She commented that Hillel had not apologized for its actions. She further opined that the University has not taken concrete steps and she felt that this ties into the Action Plan. Dr. Lowy answered that Dr. Bertrand will be meeting with various administrators and students and these issues can be addressed and dealt with at that time.

8. Reports of the Vice-Rectors

8.1 Provost – Dr. Jack Lightstone

In reference to item 11 of the above-discussed Action Plan, Dr. Lightstone commented on how we take for granted the positive effects of the University's diversity. He explained how the diverse ethnic and cultural backgrounds add to the richness and uniqueness of the Concordia classroom with interchanges of knowledge, ideas and understanding. The proposed Center for International and Cross-Cultural Dispute Resolution should deal with conflict resolution while trying to raise our level of self-conscientiousness.

8.2 Vice-Rector Services – Mr. Michael Di Grappa

Mr. Di Grappa had stepped out of the meeting.

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

Prof. Danis apprised the Board that the CUFA collective agreement was in the process of being ratified.

8.4 Chief Financial Officer – Larry English

Mr. English indicated that a complete budget update will be presented at the next Board meeting.

9. Correspondence

There was no correspondence addressed to the Board.

10. Any other business

There was no other business to bring before the Board.

11. Next meeting

The next regular meeting of the Board of Governors will be held on Wednesday, February 12, 2003, at 8 a.m., in Room GM 407-1, on the SGW Campus.

12. Adjournment

The meeting adjourned at 9:55 a.m.

Danielle Tessier
Secretary of the Board of Governors