

CONCORDIA UNIVERSITY
MINUTES OF THE OPEN SESSION
OF THE MEETING OF THE BOARD OF GOVERNORS

Held on Wednesday, September 26, 2001, immediately following the Closed Session,
in Room GM 407-1, SGW Campus

Attendance

Present: Mrs. Lillian Vineberg, *Chairwoman*, Dr. Steven Appelbaum, Ms. Barbara Barclay, Ms. Cristelle Basmaji, Ms. Joanne Beaudoin, Mr. Patrice Blais, Dr. William Byers, Mr. Alex Carpini, Dr. June Chaikelson, Mr. Howard Davidson, Me Rita de Santis, Dr. Terrill Fancott, Me Pierre Frégeau, *Observer*, Ms. Nicole Fauré, Mr. Leo Goldfarb, Mrs. Judith Kavanagh, Mr. Peter Kruyt, Ms. Christine Lengvari, Dr. Loren Lerner, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Rocci Luppisini, Sister Eileen McIlwaine Ph.D., Mr. Eric Molson, *Chancellor*, Mr. Sami Nazzal, Mr. John Parisella, *Vice-Chairman*, Mr. Alex G. Potter, Mr. Richard Renaud, *Vice-Chairman*, Mrs. Miriam Roland, Ms. Sabrina Stea, Mr. Jacques St-Laurent, Mrs. Mackie Vadamchino de Massy, Mr. Jonathan Wener

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

Absent: Mr. Alain Benedetti, Mr. Charles G. Cavell, Mr. Brian Edwards, Mr. George Hanna, Dr. Christine Jourdan, Mr. Paul Kefalas, Mr. Ronald Lawless, Mrs. Hazel Mah, Mr. Ivan Velan

Guests: Me Bram Freedman (Assistant Secretary General and General Counsel), Mr. Garry Milton (Executive Director, Rector's Cabinet), Mr. Zev Tiefenbach, (Coordinator, People's Potato)

DOCUMENTS CONSIDERED AND ATTACHED TO THESE MINUTES

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| BG-2001-7-D2 | Membership of the Standing Committees of the Board |
| BG-2001-7-D3 | Arts and Science Student Federation request for use of the Concordia name |
| BG-2001-7-D4 | Nomination letters regarding membership of the Search Committee for the Dean of the John Molson School of Business |
| BG-2001-7-D5 | Memo from Dean of Students regarding GSA fee increase |
| BG-2001-7-D6 | Recommendation from Senate regarding the adoption of the Policy on the establishment of tribunal hearing pools |
| BG-2001-7-D7 | Report of the Vice-Rector, Institutional Relations and Secretary-General |

1. Call to Order

The Open Session was called to order at 8:15 a.m.

1.1 Chairwoman's remarks

In light of the difficulties of the past few weeks, Mrs. Vineberg reiterated the importance of a knowledge-based society and emphasized the significance of tolerance and dialogue.

The Chairwoman greeted the four undergraduate student representatives who had been elected in Closed Session: Ms. Sabrina Stea, Ms. Cristelle Basmaji, Mr. Patrice Blais and Mr. Sami Nazzal. She welcomed their participation and looked forward to their creative input in Board matters.

1.2 Approval of the Agenda

The agenda was approved as submitted.

1.3 Approval of the Minutes of the Open Session of the previous meeting (June 20, 2001)

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

R2001- 67 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held on June 20, 2001, be approved.*

2. Business arising from the minutes not included on the agenda

There was no business arising from the minutes.

3. Presentation: Mr. Zev Tiefenbach, Coordinator of the People's Potato

Mrs. Vineberg introduced Mr. Zev Tiefenbach, Coordinator of the People's Potato, and invited him to address the Board. A copy of the financial report for the year ending May 31, 2001 was handed out for Governors' information.

The People's Potato Project was founded two year ago. It is a student-run food service providing three vegetarian meals a day for approximately 400 to 500 students. There are huge line-ups, demonstrating the need of this vital service. Mr. Tiefenbach thanked Mr. Di Grappa who had been instrumental in the relocation of the serving space on the 7th Floor of the Hall Building. In closing, Mr. Tiefenbach expressed his gratitude to the Board of Governors and Vice-Rector Di Grappa for supporting the People's Potato's endeavour.

Mrs. Vineberg thanked Mr. Tiefenbach for his presentation and commended him for not only having developed this initiative but for having carried it through.

4. Membership of Standing Committees of the Board

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

R2001-68 *THAT the membership of the Standing Committees of the Board of Governors, set out in Board Document BG-2001-7-D2, be approved.*

5. Request for use of the Concordia name

While supporting the motion, Mr. Blais pointed out that he had reviewed the Federation's constitution and had denoted some accountability issues that should be tightened up in the Articles of Incorporation.

Mr. Potter, who had served on the Ad Hoc Concordia Use of Name Committee, mentioned that this was the first time he was completely comfortable with supporting this type of motion because he had sufficient and relevant information on which to base his decision.

Upon motion duly moved and seconded (Stea, Potter), it was unanimously RESOLVED:

R2001-69 *WHEREAS the Arts and Science Student Federation is seeking corporate status under the name "Concordia University Arts and Science Student Federation Inc./ Fédération des associations étudiantes de la faculté d'arts et sciences de l'Université Concordia inc.";*

WHEREAS the objects of the Federation are to foster academic and social development among all Arts and Science students while simultaneously projecting a positive image of Concordia University as an academic institution;

WHEREAS the Federation has submitted the information stipulated in the guidelines set out in article 7 of the Policy on the use of the name Concordia University and related insignia, also known as Policy SG-4, and following review by the Dean of Students and the Assistant Secretary-General and General Counsel, is judged to be in conformity thereof;

THAT the Board of Governors authorize the "Concordia University Arts and Science Student Federation / Fédération des associations étudiantes de la faculté d'arts et sciences de l'Université Concordia inc." the use of the "Concordia" name subject to the requirement that the Federation ensures that in all of its publications, communications and stationery it is explicitly stated that the Federation is an independent entity that does not form part of Concordia University; and

THAT the Board of Governors reserves the right to withdraw this authorization at any time at its sole discretion.

6. Election of the members to the Advisory Search Committee for the Dean of the John Molson School of Business

In order to expedite the process, Dr. Lightstone apprised Governors that the advertisement for the position had been published prior to the formation of the committee.

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

R2001-70 *WHEREAS, in accordance with the Rules and Procedures for Senior Administrative Appointments adopted by the Board of Governors on January 17, 2001, the composition of the Search Committee for the position "Dean of the John Molson School of Business" was established on June 20, 2001;*

THAT the following persons be elected as members of the Search Committee for Dean of The John Molson School of Business:

Dr. Jack Lightstone, Provost and Vice-Rector, Research, as Chair;

Mr. Peter Kruyt, a Governor representing the community-at-large and Dr. Christine Jourdan, a Governor and faculty member representing a faculty other than the John Molson School of Business, both recommended by the Executive Committee of the Board;

Dr. Martin Singer, a Dean from a faculty other than the one whose deanship is being searched, recommended by the Executive Committee of the Board;

Drs. Steven Appelbaum, Michel Laroche, Michel Magnan, and William Taylor, all full-time faculty members from the John Molson School of Business, elected by the full-time faculty in the John Molson School of Business;

Mr. Samuel Clement, a member of the regular part-time faculty, nominated by election by the part-time faculty of the John Molson School of Business;

Ms. Shirley Masterson, a member of the administrative and support staff from a unit reporting to the Dean of the John Molson School of Business, nominated in conformity with the Electoral College policy;

Mr. Mathieu Amin, a graduate student nominated by the Commerce Graduate Students' Association;

Ms. Cristelle Basmaji, an undergraduate student nominated by the Commerce and Administration Students' Association;

THAT, Ms. Heather Adams-Robinette, Assistant to the Secretary of the Board of Governors and Senate, act as Secretary to the Search Committee;

THAT, once the Search Committee has begun its work, the Chair of the Committee report progress to the Board every month; and

THAT the Chairwoman of the Board be authorized to appoint a replacement for any member who may resign, such appointment to be made in consultation with the constituency of the member who has resigned.

7. Graduate Students' Association (GSA) Fee

Upon motion duly moved and seconded (Luppicini, Nazzal), it was RESOLVED with one opposed and one abstention:

R2001-71 *WHEREAS pursuant to a referendum held in May 2001, members of the Graduate Students' Association (GSA) voted in favour of increasing the GSA fee from \$37.00 to \$50.00, to be implemented in September 2001;*

THAT the Board of Governors authorize the University to collect a fee of \$50.00 from all student members of the GSA, to be implemented with registration for the Fall term of 2001 (2001/2).

8. Recommendation from Senate regarding the adoption of the Policy on the establishment of tribunal hearing pools

Me Freedman apprised the Board that the effect of the policy will be to replace the six existing hearing pools under the various academic codes with a single student pool and a single faculty pool. This policy was reviewed by a task force, the faculty councils and student associations, the Academic Programs Committee of Senate as well as Senate, which is now recommending its adoption to the Board.

Mr. Blais conveyed the opinion of the Accreditation Agent, Mr. Guy Major, that the exclusion of independent students from the hearing pool contravenes Article 32 of the *Act respecting the Accreditation and Financing of Students' Associations*.

Further to a query by Dr. Chaikelson, Dr. Lightstone defined an independent student as an individual who registers on a course by course basis but has not applied to, nor been admitted into, a program. In order to simplify matters, Dr. Chaikelson suggested that the term "independent student" be renamed "independent learner".

Upon motion duly moved and seconded (Lowy, Renaud), it was RESOLVED with two opposed and one abstention:

R-2001-72 *THAT, upon Senate's recommendation, the Policy on the establishment of the tribunal hearing pools, as outlined in Document BG-2001-7-D6, be approved.*

9. Progress report on the Search Committee for the Dean of Graduate Studies and Research

Dr. Lightstone, Chair of the Search Committee, informed Governors that the Committee has adopted its rules of functioning. He reminded the Board that the advertisement for the position had been published during the summer. The Committee will meet again after the mid-October application deadline.

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

10.1 Report on compliance with fiscal requirements

Chief Financial Officer Larry English reported that, upon review, he had concluded that appropriate procedures were being applied in the computation and remittance of taxes withheld from employees, employers' contributions, and GST and QST claims. Mr. English specified that the University had complied with its statutory obligations: (i) in the area of employee and employer remittances under federal and provincial tax legislation, for the period from May 26, 2001 to August 31, 2001 inclusive; and (ii) as regarded the Federal Goods and Services Tax and the Québec Sales Tax, the University had claimed rebates (net of amounts payable) for the period from May 1, 2001 to July 31, 2001 inclusive.

Mr. English stated that the University's procedures had ensured full compliance with statutory fiscal obligations.

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

Mr. Di Grappa related a slow but steady improvement in the status of environmental health and safety at Concordia. Nonetheless, there is still more to be done. The Vice-

Rector was pleased to report that the mould problems in the VA Building have finally been corrected. Over \$500,000 was spent to correct this situation.

A complete summary of the *Quarterly environmental health and safety report on due diligence* had been deposited with the Secretary of the Board.

11. Report of the Standing Committees

11.1 Audit Committee (July 9, 2001)

In the absence of the Chair and the Vice-Chair, Mr. Carpini was pleased to report on behalf of the Audit Committee. At the July 9 meeting, the external auditors presented their 2000-2001 audit plan, which outlined the financial reporting responsibilities of the University and of the external auditors. The Director of Internal Audit also gave an interim update on the internal audit plan.

11.2 Real Estate Planning Committee (August 30, 2001)

Mr. Wener, Chair of the Committee, indicated that tremendous progress has been made regarding the building projects. The demolition of the York Theatre was now completed. The planning and design are moving ahead at a feverish pace. A construction committee has been formed to assist the Real Estate Planning Committee and to perform an audit function for the awarding of contracts. The construction of the Science Building at Loyola is on schedule and on budget.

12. Report of the Rector

Dr. Lowy indicated that he would report first on the University's positive developments and then on the events that have made the headlines in past weeks.

With regard to the positive developments, enrolment has increased by 7%. A total of 28,000 full-time and part-time students have chosen Concordia, which translates into about 18,000 FTEs. This increase is important because funding is enrolment-driven. It is also an indication that our programs are appealing. However, Dr. Lowy pointed out that this increase was not accomplished by lowering standards since the GPA of new students has remained stable. Further, student retention is up, and as a result, the graduation rate, based on the full-time student complement, is closer to the objective set out in the Performance Contract signed with the Ministry of Education.

With reference to faculty, Dr. Lowy reported on the ongoing hiring process of full-time tenure-track research-oriented faculty members in every field. He added that over 90% of Concordia full-time professors now hold a PhD. The Rector then informed Governors of the increase in the number of research grants since 1995, while stressing that we are still not where we could be with regards to research productivity.

The accumulated deficit of \$38 million in 1995 has been eliminated. Concordia, one of the few debt-free Quebec universities, will continue to operate with a balanced budget. The Concordia University Foundation, which had \$8 million in 1995, currently has over \$60 million in its coffers and \$32 million in receivables. Dr. Lowy concluded the first part of his report by stating that the University is on sound footing and its reputation has, on the whole, improved in the last decade.

On the subject of recent events, Dr. Lowy indicated that while a harmonious relationship had prevailed between the student government and the administration during the first three years of the Rector's mandate, this relationship has been strained the last two years because of the CSU's confrontational stance.

The Rector then related the difficulties encountered in recent weeks. Namely, he has been receiving numerous communications from concerned parents, alumni and university supporters regarding the content of two CSU publications, *Uprising 2001-2002* and *The Unabridged*. He read some excerpts from both publications pertaining to accusations that the University supports war and genocide, the encouragement of stealing and non-payment of rent, etc. He noted that the statement portraying the Advisor of Rights and Responsibilities, Ms. Sally Spilhaus, as a racist is ridiculous, pointing out that Ms. Spilhaus had been forced out of South Africa because of her anti-apartheid activities. Dr. Lowy mentioned that disparaging remarks caused some companies to withdraw from the business school and engineering career fairs.

Referring to the ongoing tensions linked to the Middle East situation, and in order to bridge the community together in a constructive manner, Dr. Lowy announced the establishment of a "dialogue committee", which will be co-chaired by Dr. Jack Lightstone and Dr. Nabil Esmail.

In response to a comment by Mr. Nazzal, Dr. Lowy gave a detailed account on the two issues that had made headlines this summer with respect to the University's decision not to allow the use of University premises for the Solidarity for Palestinian Human Rights rally and bazaar as well as the exclusion of two individuals from the campus.

A very lengthy discussion ensued during which many Governors, including representatives of the community-at-large, alumni, faculty, staff as well as the GSA and CASA Presidents, expressed their concerns, dismay and disapproval of the CSU actions and statements, which resulted in Mr. Carpini moving a motion that the Board of Governors affirm its strong support with regards to the Rector's actions and leadership.

Upon motion duly moved and seconded (Carpini, Barclay), it was RESOLVED with three opposed:

R-2001-73 *THAT the Board of Governors reaffirm its absolute support for the leadership and the actions taken by the Rector with respect to CSU matters.*

Referring to a recent conversation Mr. Di Grappa had had with a member of the CSU executive at which time the latter had told him "in two weeks you will be in big trouble", Mr. Di Grappa asked Ms. Stea if this comment was addressed to him personally or to the University. Since Ms. Stea was not in a position to give a clear answer, she was asked to look into the matter and report back to the Board.

13. Reports of the Vice-Rectors

13.1 Provost and Vice-Rector, Research

Because of the late hour, Dr. Lightstone waived his report.

13.2 Vice-Rector, Services

Owing to the lateness of the hour, Mr. Di Grappa waived his report.

13.3 Vice-Rector, Institutional Relations and Secretary-General

The written report of Prof. Danis was included in the Board documentation.

13.4 Chief Financial Officer

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

14. Correspondence

There was no correspondence to report.

15. Any other business

Mrs. Vineberg informed Governors of the change of the date of the January 2002 Board meeting. The Board will meet on January 23, 2002 rather than on January 16.

16. Date of next meeting

Mrs. Vineberg informed Governors that the next regular meeting of the Board would be held at 8 a.m., on October 17, 2001, in Room GM 407-1, on the SGW Campus.

18. Adjournment

The Open Session adjourned at 10:15 a.m.

Submitted by Danielle Tessier, Secretary of the Board of Governors and Senate, for approval by the Board at its meeting of October 17, 2001