



BG-2004-3

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

Held on Wednesday, April 21, 2004, immediately following the Closed Session,
in Room H-763, on the SGW Campus

Attendance

Present: Mr. Alain Benedetti, *Chair*, Dr. Steven Appelbaum, Me Gerald C. Burke, Mr. Alexander Carpini, Dr. June Chaikelson, Me Rita de Santis, *Vice-Chair*, Mr. Brian Edwards, Mr. Kamal Fox, Me Pierre Frégeau, *Observer*, Mr. John Hall, *Observer*, Mr. George Hanna, Mr. Noah Joseph, Mrs. Judith Kavanagh, Dr. William Knitter, Mr. Peter Kruyt, *Vice-Chair*, Ms. Patricia Lavoie, Ms. Christine Lengvari, Mr. Desmond O'Neill, Mr. John Parisella, Ms. Natalie Pomerleau, Mr. Alex G. Potter, Mr. Richard Renaud, Dr. Rhona Richman Kenneally, Mrs. Miriam Roland, Mrs. Suzanne Sévigny, Dr. Hani Shennib, Mr. Adam Slater, Mr. Jacques St-Laurent, Mrs. Mackie Vadacchino de Massy, Mr. Ivan Velan, Mrs. Lillian Vineberg

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

Absent: Mr. Normand Beauchamp, Dr. Rama Bhat, Mr. Charles G. Cavell, *Vice-Chair*, Hon. Baljit Singh Chadha, P.C., Dr. Sally Cole, Mr. Howard Davidson, Ms. Suzanne Gouin, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Eric Molson, *Chancellor*, Mr. Jonathan Wener

Guests: Me Suzanne Birks (Legal Counsel), Mr. Garry Milton (Executive Director, Rector's Cabinet)

1. Call to Order

The Open Session was called to order at 8:20 a.m.

1.1 Chair's remarks

Mr. Benedetti welcomed new Arts and Science faculty member representative, Dr. William Knitter, who was attending his first meeting. He also indicated that, in the absence of Dr. Lowy, Dr. Lightstone was Acting Rector.

1.2 Approval of the Agenda

Upon motion duly moved and seconded (Hanna, Burke), it was unanimously RESOLVED:

R-2004-3-6 *THAT the Agenda be approved as submitted.*

1.3 Approval of the Minutes of the Open Session of the previous meeting (March 18, 2004)

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

R-2004-3-7 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held on March 18, 2004, be approved as submitted.*

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

There was no business to report under this item.

3. Presentation by the Association of Alumni of Sir George Williams University

Mr. Gerald Burke introduced Messrs. Alexander Farrell and Robert Barnes, President and First Vice-President, respectively, of the Association of Alumni of Sir George Williams University. Mr. Farrell outlined the history and objectives of the Association, while emphasizing the important role and contribution of the alumni in several Concordia endeavors.

Mr. Farrell informed the Board that at its last meeting, the Association expressed concerns about the preservation of the Sir George Williams (SGW) name on the downtown campus. Accordingly, the Association adopted a motion to petition Concordia's Board of Governors to find appropriate means and locations for the public inscription of the name SGW on buildings on the downtown campus, to give the Association an opportunity to contribute to the work of the Communications Committee of the Board; and to make it clear that the SGW Campus applies to all present and future buildings and facilities on the downtown campus.

Mr. Farrell recognized that the Board had adopted a resolution in 1990 to the effect that the downtown campus is officially and permanently known as the SGW Campus and noticed that the SGW name is included on several banners. Nonetheless, the Association fears the SGW name is not catching on and that the memory of SGW will disappear, especially in light of the popular use of the term "Quartier Concordia" to designate the downtown campus.

Dr. Lightstone reassured Mr. Farrell that the academic constituency is well aware of the dual heritage and that it is much appreciated. Mr. Farrell agreed with this assessment but underlined the importance that the SGW name also be familiar to students and the general public. Mr. Parisella, the Chair of the Communications Committee, invited Mr. Farrell to attend the next committee meeting. The Board thanked Mr. Farrell for his presentation.

4. Election of additional members to the Evaluation Committee for the Vice-Rector, Services

Upon motion duly moved and seconded (Kruyt, Parisella), it was RESOLVED with one abstention (Slater):

R-2004-3-8 *THAT the following persons be elected as members of the Evaluation Committee for the Vice-Rector, Services:*

- *Dr. Terence Byrnes, representing the Faculty of Arts of Science, Dr. Dale Doreen, representing by the John Molson School of Business, Dr. Osama Moselhi, representing by the Faculty of Engineering and Computer Science, all full-time faculty members nominated by their respective Faculties;*
- *Prof. Michael Tremblay, representing regular part-time faculty members, nominated by the part-time faculty association;*
- *Ms. Lina Lipscombe, representing the administrative and support staff, nominated by the Electoral College;*
- *Mr. Adam Slater, representing the undergraduate students, nominated by the Concordia Student Union.*

5. Renaming of the Department of Computer Science (Document BG-2004-3-D1)

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

R-2004-3-9 *THAT, upon recommendation of the Faculty of Engineering and Computer Science and of Senate, the Board of Governors approve the renaming of the Department of Computer Science to the Department of Computer Science and Software Engineering, as set out in Document BG-2004-3-D1.*

6. Establishment of an Advisory Search Committee for a Rector and Vice-Chancellor

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

R-2004-3-10 *WHEREAS Dr. Frederick H. Lowy is in the penultimate year of his second consecutive term ending on May 31, 2005;*

BE IT RESOLVED THAT an Advisory Search Committee for the position of Rector and Vice-Chancellor be established in accordance with the composition set out in the Rules and Procedures for Senior Administrative Appointments (Policy BD-5):

- 1 *Chair;*
- 2 *Members of the Board representing the community-at-large or the alumni, recommended by the Executive Committee of the Board;*
- 5 *Full-time faculty members (2 from the Faculty of Arts and Science and 1 from the other Faculties), nominated by election by each Faculty;*
- 1 *Regular part-time faculty member, nominated by the part-time faculty;*
- 1 *Representative of the senior administration, recommended by the Executive Committee of the Board;*
- 2 *Students (one graduate and one undergraduate), nominated by their respective student associations;*
- 2 *Members of the administrative and support staff, nominated in accordance with the Electoral College Policy.*

THAT a person be designated by the Chair of Board of Governors to act as Secretary of the Committee;

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

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

7. Establishment of an Advisory Search Committee for a Dean of Fine Arts

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

R-2004-3-11 *WHEREAS Prof. Christopher Jackson is in the penultimate year of his second consecutive term ending on May 31, 2005;*

BE IT RESOLVED THAT an Advisory Search Committee for the position of Dean of Fine Arts be established in accordance with the composition set out in the Rules and Procedures for Senior Administrative Appointments (Policy BD-5):

- 1 *Chair;*
- 2 *Members of the Board, one of whom shall be a representative of the community-at-large or the alumni, the other shall be a faculty member from a Faculty other than the one whose deanship is being searched, recommended by the Executive Committee of the Board;*
- 4 *Full-time faculty members, nominated by election by the faculty at large in the Faculty where the position is being searched;*
- 1 *Regular part-time faculty member, nominated by election by the part-time faculty of the Faculty where the position is being searched;*
- 1 *Dean from a Faculty other than the one whose deanship is being search, recommended by the Executive Committee of the Board;*
- 2 *Students (one graduate and one undergraduate) from the Faculty where the position is being searched, nominated by their respective student associations;*
- 1 *Member of the administrative and support staff from the Faculty in question, nominated in accordance with the Electoral College Policy.*

THAT a person be designated by the Chair of Board of Governors to act as Secretary of the Committee;

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

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

8. Professional liability waiver for an in-house architect (Document BG-2004-3-D2)

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

R-2004-3-12 *THAT the declaration for the purposes of the Regulations respecting Professional Liability Insurance for members of the Ordre des architectes du Québec regarding in-house architect Kirsten Sutherland be approved, as set out in Document BG-2004-3-D2.*

9. Customs authorization (Document BG-2004-3-D3)

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

R-2004-3-13 *WHEREAS revised security standards under the U.S. Customs regulations require that all transborder transactions have strict identification, requiring a resolution of the Board of Governors authorizing the Director of the Bookstores to sign shipment manifests and authorizing Legal Counsel to certify the identity of the Director of the Bookstores;*

BE IT RESOLVED:

THAT the Director of the Concordia Bookstores be authorized to sign any and all shipping documents and that the Legal Counsel be authorized to certify said documentation; and

THAT the Board of Governors hereby ratifies the documentation signed by the Director of Bookstores, Ms. Lina Lipscombe, and the Legal Counsel, Me Suzanne Birks, on April 6, 2004 in relation to the sale of merchandises of approximately \$12,000 USD which occurred on April 13, 2004, the details of which are explained in Document BG-2004-3-D3.

10. Concordia Student Union (CSU) fee levies (Document BG-2004-3-D4)

At the outset, Ms. Pomerleau proposed to amend the text of the motion specific to Le Frigo Vert fee levy to incorporate the CSU By-Law modification. She read an amended version of the motion; however, this led to confusion and it was decided that each fee be discussed and voted on separately.

Le Frigo Vert fee levy

While some Governors felt that the wording of the question was misleading, Ms. Pomerleau replied that the question clearly stated a proposal from a \$1.70 per semester fee to a \$0.25 per credit fee and that students realized what they were voting for. Further to a query by a Governor, the Secretary of the Board pointed out that the exact wording of the motion together with the results of the referendum were confirmed by the Dean of Students in Document BG-2004-3-D3.

Upon motion duly moved and seconded (Pomerleau, Slater), it was RESOLVED by a majority:

R-2004-3-14 *WHEREAS, at a referendum held from March 23 to 25, 2004, members of the Concordia Student Union (CSU) voted in favor of changing the current Le Frigo Vert fee levy of \$1.70 per semester to \$0.25 per credit;*

WHEREAS the delay for contestation has now passed, and no contestation was filed in relation thereto;

BE IT RESOLVED:

THAT the Board of Governors authorize the University to discontinue the current fee levy of \$1.70 per semester for Le Frigo Vert; and

THAT the Board of Governors authorize the University to collect a fee of \$0.25 per credit for Le Frigo Vert from all undergraduate students, beginning with registration for the

Summer 2004 term (2004/1), in accordance with the University's billing, withdrawal and refund policy.

CSU By-Law Modification

Ms. Pomerleau moved a motion from the floor, seconded by Mr. Slater, that the University discontinue the current CSU fee of \$1.50 per credit, non-academic club fee of \$0.25 per credit, Arts matters fee of \$0.04 per credit and the I/EAC fee of \$0.06 per credit, and that the Board be authorized to collect a combined CSU fee of \$2.85 per credit.

Both Ms. Pomerleau and Mr. Slater referred to the University's obligation under the Accreditation Act to collect on behalf of and disburse to the student union the general assessment fee, when this fee is approved by By-Law by a majority of students voting at a referendum, as was done in the present case.

However, Mr. English indicated that the combined fee did not add up to \$2.85, pointing out that the Student Centre fee of \$1.00 per credit, which would be combined with the four other fees into the proposed \$2.85 CSU fee, had been approved by student referendum in 2003 but was never presented to the Board for authorization to be collected. Mr. English was opposed in principle to the combined fee as stated by Ms. Pomerleau because the \$1.00 Student Centre fee was to be managed by a foundation controlled by students. Moreover, notwithstanding the foregoing, the fact that the Student Centre fee was never approved for collection by the Board poses an implementation problem for the University. Thus, this fee must first be approved for collection by the Board before it can be combined with the four other fees into a \$2.85 CSU fee.

A discussion ensued, further to which Dr. Chaikelson moved, seconded by Mr. Carpini, to postpone this matter to the next meeting. The motion was approved by a majority.

11. Report and recommendation of the Code of Rights and Responsibilities (Documents BG-2004-3-D5, D6, D7 and D8)

Mr. Benedetti acknowledged the effort of Me Rita de Santis and all the members of the Code of Rights and Responsibilities Review Committee and invited Me de Santis to present her report on behalf of the committee.

Me de Santis reminded Governors that she had been mandated by the Board last Fall to undertake the review, further to Me Frégeau's resignation as Chair of the previous committee. She outlined the composition of the committee, comprised of 3 faculty members, including 2 Senators, 3 students, including one Senator, 2 members of the administrative and support staff, the Advisor of Rights and Responsibilities, the Secretary of the committee, Ms. Heather Adams-Robinette, and Me Stéphane Fillion, from Heenan Blaikie, who acted as legal counsel. The committee met weekly from January through March, and the draft presented to the Board is the result of a collegial effort.

Recognizing that Marcel Danis has vast responsibilities and wears many hats, including that of Secretary-General, Me de Santis conveyed the committee's concern that there was not a person whose main focus is governance as well as the administration of the Code and other policies and procedures. Thus, the committee recommends that the University appoint a Secretary-General who would have the overall responsibilities of overseeing all governance matters.

Me de Santis conveyed other recommendations, including the implementation of a policy on peaceful demonstration, more extensive training for all members of the tribunal hearing pools and tuition waiver for the members of the student tribunal pool. She emphasized that all members of the University community are subject to the rules and principles and benefit from the protection of the Code of Rights and Responsibilities. Me de Santis reminded Governors that the Code is a living document and that it can be amended from time to time when necessary. She then proceeded to review and explain the main modifications to the Code, section by section, and responded to questions.

Further to this review, several Governors expressed their gratitude to Me de Santis and the committee. A discussion ensued, during which it was agreed that Governors having amendments to propose would forward them to Me de Santis by May 7 at the latest, in order to allow sufficient time to reconvene a committee meeting to review said amendments and to redraft and resubmit a revised version of the Code for the May 20 Board meeting. Some Governors also expressed the wish that the Code be reviewed by Senate, as it was done during the 2001 review.

12. Report of the Rector (Document BG-2004-3-D9)

The Rector's written report was included in the Board documentation under BG-2004-3-D9.

13. Reports of the Vice-Rectors

13.1 Provost

13.2 Vice-Rector, Services

13.3 Vice-Rector, Institutional Relations and Secretary-General

13.4 Chief Financial Officer

Given the lateness of the hour, the aforementioned reports were waived.

14. Correspondence

There was no correspondence addressed to the Board.

15. Any other business

There was no other business to report.

16. Date of next meeting

The next meeting will be held on Thursday, May 20, 2004, at 4 p.m., on the Loyola Campus.

17. Adjournment

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

Danielle Tessier

Secretary of the Board of Governors