

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

Held on Wednesday, February 13, 2002, immediately following the Closed Session,
in Room GM 407-1, SGW Campus

Attendance

Present: Dr. Steven Appelbaum, Ms. Barbara Barclay, Ms. Joanne Beaudoin, Mr. Patrice Blais, Mr. Alex Carpini, Dr. June Chaikelson, Mr. Howard Davidson, Me Rita de Santis, Mr. Brian Edwards, Dr. Terrill Fancott, Ms. Nicole Fauré, Me Pierre Frégeau, *Observer*, Mr. George Hanna, Mrs. Judith Kavanagh, Mr. Peter Kruyt, Mr. Ronald Lawless, Ms. Christine Lengvari, Dr. Loren Lerner, Dr. Frederick Lowy, *Rector and Vice-Chancellor*, Mr. Rocci Luppicini, Sister Eileen McIlwaine Ph.D., Mr. Eric Molson, *Chancellor*, Mr. Sami Nazzal, Mr. John Parisella, *Vice-Chairman*, Mr. Alex G. Potter, Mrs. Miriam Roland, Ms. Sabrina Stea, Mrs. Mackie Vadicchino de Massy, Mr. Ivan Velan, Mr. Jonathan Wener

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

Absent: Mrs. Lillian Vineberg, *Chairwoman*, Ms. Cristelle Basmaji, Mr. Alain Benedetti, Dr. William Byers, Mr. Charles G. Cavell, Mr. Leo Goldfarb, Dr. Christine Jourdan, Mrs. Hazel Mah, Mr. Paul Kefalas, Mr. Richard Renaud, *Vice-Chairman*, Mr. Jacques St-Laurent

Guests: Mr. Garry Milton (Executive Director, Rector's Cabinet)

Documents associated with the Minutes

BG-2002-2-D1	Appointments to the Evaluation Committee for the Director of Libraries
BG-2002-2-D2	Resolution regarding suspension of transfer of fees and articles 52 to 56 of the Accreditation Act
BG-2002-2-D3	Report of the Vice-Rector, Institutional Relations and Secretary- General

1. Call to Order

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

1.1 Chair's remarks

The Chair waived his remarks.

A student reporter enquired if she could tape-record the meeting. Since some Governors objected, the Chair ruled against it.

1.2 Approval of the Agenda

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

R2002-10 *THAT the Agenda be approved as submitted.*

1.3 Approval of the Minutes of the Open Session of the previous meeting (January 23, 2002)

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

R2002-11 *THAT the Minutes of the Open Session of the previous regular meeting of the Board, held January 23, 2002, be approved.*

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

There was no business arising from the Minutes.

3. Election of members to the Evaluation Committee for the Director of Libraries

Dr. Lowy moved a motion regarding the appointments to the Evaluation Committee for the Director of Libraries, which was seconded by Ms. Barclay. However, Mr. Blais, seconded by Ms. Stea, moved an amendment so that the CSU representative, Mr. Sameer Zuberi, be added as the undergraduate student to sit on the Committee.

Mr. Parisella responded that, upon instruction from the Rector's Office, the Secretary of the Board had requested a copy of the Council resolution appointing the student to the Committee. Since she had not received the resolution, the name of the student was not included on the appointment sheet.

Mr. Blais objected to this way of proceeding, arguing that former appointments had always been accepted based on an email from him to the Secretary of the Board. A copy of the Council resolution had never been requested in the past. A discussion ensued during which many Governors asked questions about the CSU nomination process and the process used in this particular case, to which Mr. Blais responded. Ms. Stea pointed out that the CSU Nominating Committee is a subcommittee of the CSU Council which has the responsibility for making appointments.

Given the ambiguity surrounding the status of the CSU and the concerns expressed by many Governors, the Chair of the meeting stated that a document from the CSU Council would be required.

In order to resolve this matter, Me de Santis suggested that the said nomination be presented for ratification at the CSU Council scheduled to be held this evening. A copy of the Council resolution appointing Mr. Zuberi should then be forwarded to the Secretary of the Board. The resolution moved by Dr. Lowy allows the Chair of the Committee to accept the nomination of the remaining Committee members, subject to the ratification by the Board. This approach seemed acceptable to most Governors.

Following this discussion, Mr. Blais and Ms. Stea withdrew the amendment, and the vote was taken on the main motion. Upon motion duly moved and seconded (Lowy, Barclay), it was unanimously RESOLVED:

R2002-12 *WHEREAS, in accordance with the Interim Evaluation Process for the Director of Libraries adopted by the Board of Governors, the composition of the Evaluation Committee for the position "Director of Libraries" was established on December 12, 2001;*

THAT the following persons be elected as members of the Evaluation Committee for the Director of Libraries:

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

Mrs. Judith Kavanagh, a member of the Board of Governors representing the community-at-large, recommended by the Executive Committee of the Board;

Ms. Freda Otchere and Ms. Sonia Poulin, professional librarians, nominated by the professional librarians;

Professors John McKay and Shannon McSheffrey, faculty members, nominated by the faculty members of Senate;

Mr. Robert Black, a member of the administrative and support staff from the Libraries, nominated in accordance with the Electoral College policy;

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

THAT, once the Evaluation Committee has begun its work, the Chair of the Committee make a progress report to the Board every month;

THAT the Chair of the Committee be authorized to accept the nominations of the remaining Committee members, said nominations to be ratified by the Board; 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.

4. Amendment to the composition of the Appeals Panel

A motion to appoint Cristelle Basmaji in lieu of Rocci Lupplicini as the student representative on the Appeals Panel was moved by Dr. Appelbaum and seconded by Mr. Carpini.

It was moved by Ms. Stea, seconded by Mr. Nazzal, to amend the motion so that the student be chosen from among those appointed to the student tribunal hearing pools. Ms. Stea's reasons for objecting to Ms. Basmaji's appointment were based on public statements the latter had made regarding the matter to be heard before the Appeals Panel. Me Fréreau raised a point of order regarding the relevance of the amendment, stating that it was out of order since the tribunal hearing pools do not apply to the Board nor its committees. Mr. Parisella upheld the point of order.

Pursuant to the discussion that followed regarding the student representative on the Panel, Mr. Lupplicini indicated his willingness to remain on the Panel, provided that the date of the hearing be changed. He apologized for any inconvenience this may cause. Mr. Parisella then queried the Chair of the Panel, Me de Santis, who indicated that while the process had begun, the date of the hearing could be changed. However, such a change would not allow enough time for the Panel to render its recommendation for the March 20 Board meeting.

Given the outcome of the foregoing discussion, it was agreeable to all that Mr. Lupplicini's appointment to the Appeals Panel stand, and that the Appeals Panel make its recommendation to the Board at the April meeting. Consequently, the motion was withdrawn.

5. Notice of motion regarding the approval of the financing plans for the construction of the downtown buildings

Dr. Lowy reminded Governors that at the January Board meeting he had elaborated on the reasons why the University must act promptly with the building projects. Today's presentation aims to provide an overview of the status of the major construction projects, outline the financial situation for each project and the overall impact for the University, introduce a financing plan for the major construction projects, introduce a notice of motion for the March Board meeting, and outline the process that will occur between now and the March Board meeting.

Dr. Lowy informed Governors that at the next meeting the following approvals will be sought: i) approval in principle for the overall financing plan for the major construction projects; ii) specific approval for the financing of the integrated Engineering/Computer Science/Visual Arts Complex and permission to proceed with the project; and iii) approval of the professional fees required for the detailed architectural and construction plans for the John Molson School of Business building.

Dr. Lowy then invited Mr. Garry Milton to begin the power-point presentation, a copy of which was distributed to all Board members. For the benefit of the newer members of the Board, Mr. Milton briefed the Governors on the context as well as the chronology of events leading to the discussion. He stated that the agreement to have specific projects brought forward for individual approval was based on the ability to finance the project, the impact on other building projects and the impact on the overall University financial picture.

Mr. Di Grappa continued the presentation by updating the Board on the status of the Loyola Campus. The new Science Complex, which is currently under construction, is on time and on budget. The renovations to the Drummond Building, estimated to cost \$10 million, will start after the completion of the Science Complex. With respect to the downtown campus, the design of Lot A of the Engineering/Computer Science/Visual Arts Complex is well advanced, and the excavation and construction phase is ready to begin. As for Lot B of the aforementioned Complex which comprises the Visual Arts component of the project, the design is progressing. The entire Complex (Lots A and B) is scheduled to open in the Fall 2004. Mr. Di Grappa concluded his part of the presentation by informing the Board that the conceptual design of the new John Molson School of Business has started. The projected cost for that building is \$65 million.

Chief Financial Officer Larry English discussed the financial implications of the above-noted construction projects. He explained the data relating to funded FTE's. Mr. English reviewed past and projected interest rates. Afterwards, for each building project, he indicated the amount of funding expected and/or amassed up to now from public and private sources versus the expenditures. The total expenditures for all the building projects amount to \$351.4 million, of which \$172.9 million remains unfunded. Mr. English gave projections regarding the financing cost and requirements over 25 years as well as the various revenue sources.

In closing, Mr. Milton informed the Board that the University will continue to negotiate with the provincial and federal governments for adequate funding. Special Board information sessions will be held, if necessary. Further, the relevant Board Committees (Budget, Communications, Real Estate Planning and University Advancement) will be meeting to discuss the aforementioned financing plans and their implications in detail. The Committee Chairs will report to the Board at the March meeting, at which time a formal resolution will be presented and debated.

Notwithstanding the notice of motion given by Dr. Lowy at the beginning of this presentation, and in order to meet deadlines, Mr. Wener, Chair of the Real Estate Planning Committee, sought the approval of the Board for the following items. As a result, upon motion duly moved and seconded (Wener, Carpini), it was unanimously RESOLVED:

- R2002-13 *THAT Concordia University proceed with the working drawings for Lot B of the Engineering and Computer Science and Visual Arts Complex, for a cost not to exceed \$2,000,000; and*
THAT Concordia University proceed with the design development phase, representing 40% of the working drawings, of the John Molson School of Business Building, for a cost not to exceed \$1,820,000.

6. Motion regarding the suspension of the transfer of Concordia Student Union fees

A motion to rescind the suspension of the transfer of CSU fees by the University to the CSU no later than February 14 was moved by Mr. Blais and seconded by Mr. Nazzal. A point of order was raised by Prof. Danis. The latter had been given a copy of a lawsuit, dated February 11, 2002, filed by the CSU against the University pertaining to the same matter. In light of the foregoing, any discussion at this meeting could be repeated and used in the court proceedings. Me Frégeau reinforced the point of order and added that the University had not had the benefit of legal counsel and that it would not be wise to pursue the discussion. For the foregoing reasons, Mr. Parisella upheld the point of order. Mr. Blais argued that a discussion could solve the problem, and he challenged

the Chair's ruling. However, Mr. Parisella stood by his ruling, reiterating the difficulty to assess the nature of the discussion and the fact that its content could be used in court.

Some Governors suggested that perhaps steps should be taken to deal with the matter in a less confrontational manner, at which time Mr. Parisella indicated his intention to set up a meeting between the members of the Executive Committee and/or himself, the University administration and Mr. Blais to promote dialogue in order to reach some kind of compromise.

7. Progress report from the Advisory Search Committee for the Dean of Graduate Studies

Dr. Lightstone mentioned that the Committee had re-advertised the position to extend the search until March 15, 2002.

8. Progress report from the Advisory Search Committee for the Dean of the John Molson School of Business

Pursuant to the extended search, the Committee had received 15 applications. A number of internal and external candidates were interviewed, and two candidates were selected by the Committee to comprise the short list for the position: Dr. Lorne Switzer and Dr. Jerry Tomberlin. An open meeting will be held on March 5 to introduce them to the University community.

9. Report of the Rector

Dr. Lowy waived his report.

10. Reports of the Vice-Rectors

10.1 Provost and Vice-Rector, Research

Dr. Lightstone was pleased to inform the Board of two grants recently awarded by the Canadian Foundation for Innovation (CFI), the first in the amount of \$22 million for a joint proposal by Concordia and UQAM regarding emerging arts (Hexagram). The second grant, in the amount of \$0.5 million, was awarded to two new recent hires in the Department of Psychology, Professors Virginia Penhune and Karen Li, in the New Opportunity category.

10.2 Vice-Rector, Services

Mr. Di Grappa had left the meeting.

10.3 Vice-Rector, Institutional Relations and Secretary-General

Referring to his written report which had been included in the mailing, Prof. Danis introduced the Directors who had contributed to the report and who were present at the meeting.

Mr. Kruyt, Chair of the Advancement Committee, took the opportunity to thank all Board members who responded to the appeal he made at the November Board meeting. As specified in Prof. Danis's report, the Board donor participation rate in the Annual Giving Campaign increased from 50% to 71%.

10.4 Chief Financial Officer

Mr. English waived his report.

11. Correspondence

There was no correspondence to report.

12. Any other business

There was no other business to come before the Board.

13. Date of next meeting

The next meeting will be held on March 20, 2002, at 8 a.m., on the SGW Campus, in Room GM 407-1.

14. 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 March 20, 2002.