

Item: Board of Governors Minutes, April 2011

Call Number: Board of Governors fonds, UA-1

Additional Notes:

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BOARD OF GOVERNORS

**Approved Minutes of the Meeting (Open Session)
held on Tuesday, April 19, 2011 at 3:00 p.m.
Coburg Board Room, Mona Campbell Building**

MEMBERS PRESENT: Jim Spatz (Chair), Michelle Awad, Nancy Barkhouse, John Baxter, Joyce Carter, Janet Conrad, Wadih Fares, Fred Fountain, Lloyd Fraser, Adam Harris, George McLellan, Chris Saulnier, Chris Smith, Tom Traves, Jim Wilson and Susan Brousseau (University Secretary)

REGRETS: Jay Abbass, Bill Black, Robert Chisholm, Lynn Irving, Nancy MacCready-Williams, Sarah MacDonald, Stan Spavold, Larry Stordy, Gail Tomblin Murphy, and Carolyn Watters (VP-Academic and Provost)

NON-MEMBERS: Ken Burt (VP Finance and Administration), Martha Crago (VP Research), Carrie Dawson (DFA Observer), Floyd Dykeman (VP External), Bonnie Neuman (VP Student Services) and Katie Smith (Minute Taker)

1. Approval of the Agenda

Moved by C. Saulnier, seconded by J. Wilson:

THAT the agenda be approved as presented.

The motion CARRIED.

2. Consent Agenda

C. Saulnier requested that Item 2.2 – Appointment of Student Board Members be removed from the consent agenda to permit a small correction to the motion presented. J. Spatz agreed to remove this item and noted that this matter would be addressed immediately after approval of the consent agenda.

Items 2.1, 2.3 and 2.4 were approved by *consent*.

2.1 Approval of Minutes of the Meeting of February 8, 2011

Motion: **THAT the minutes of the meeting held on February 8 be approved as presented.**

Approved by *Consent*.

2.3 Appointment of Board Representative to Pension Advisory Committee

Motion: **THAT the Board of Governors, on the recommendation of the Governance and Nominating Committee, approve the appointment of Ms. Terri Troy as a Board of Governors representative on the University's Pension Advisory Committee for a term from April 20,**

2011 to June 30, 2012.

Approved by Consent.

2.4 Interim Spending Authority

Motion: THAT in order to allow the continued operation of the University until such time as the 2011-12 operating budget is given final approval, the Board of Governors authorize expenditures of up to 25% of the 2010-11 approved operating budget amounts. The President or his designate, in consultation with the Executive Committee of the Board, is authorized to approve expenditures in excess of 25% in special cases to permit the orderly management of the University.

Approved by Consent.

2.2 Appointment of Student Board Members

C. Saulnier noted that Dustin Griffin's term should be amended to indicate that he will be serving a one-year term from May 1, 2011 to April 30, 2012.

Moved by C. Saulnier, seconded by J. Conrad:

THAT the Board of Governors, on the recommendation of the Governance and Nominating Committee, approve the appointments of Chris Saulnier and Dustin Griffin as student Board Members from May 1, 2011 to April 30, 2012, and the appointment of Max Ma as a student Board Member from May 1, 2011 to April 30, 2013.

The motion CARRIED.

3. Business Arising from the Minutes

There was no business arising from the minutes.

4. Chair's Report

J. Spatz reported on the 2011 Governors Awards, which were presented to four students at a reception in their honour on March 10th. These awards are presented annually to deserving students for their exceptional contributions or leadership in the extracurricular realm. The students receiving the awards for 2011 are: Jamie Arron, Rob LeForte, Emily Stewart and Alex Legge. Dr. Spatz also congratulated Fred Fountain, University Chancellor and Board member, on receiving the 2010 Heart and Stroke Foundation of Canada Award of Merit.

Dr. Spatz thanked student Board members Janet Conrad and Adam Harris for their contributions to the Board over the past two years, noting that they will complete their terms on April 30th. He reported that two new student members, Dustin Griffin and Max Ma, will join the Board effective May 1st.

5. **President's Report**

T. Traves presented his written report in which he highlighted several items, including continuing positive increases in early student application numbers for 2011-12, and a recent report prepared for the Association of Universities and Colleges of Canada (AUCC) which provides an analysis of enrolment trends across Canada for the next decade. In light of this report, which presents a much more positive picture of University enrolment prospects in the province, Dalhousie may need to rethink its analysis of the factors shaping its enrolment projections.

6. **Dalhousie Student Union President's Report**

C. Saulnier gave a verbal report on the work of the DSU to encourage students to vote in the upcoming federal election on May 2nd. He also spoke to the tuition and fee increases to be presented later in the meeting, noting that the University has been put in a difficult position by the government decision to cut university operating grants, but that students are concerned that the difference in revenue should not be borne by them. Mr. Saulnier voiced concerns about tuition fee increases for international students and the professional schools (Law, Medicine and Dentistry), that are beyond the 3% cap set by the provincial government. He also called for greater clarification of what constitutes consultation with students, where such consultation is required by government for proposed increases in auxiliary and ancillary fees.

7. **Items for Decision**

M. Awad presented each of the motions for Items 7.1.1 to 7.1.6 on behalf of R. Chisholm, Chair of the Operations Committee.

7.1 2011-2012 Student Fees

7.1.1 Tuition, International and Facilities Renewal Fees

MOTION 1: Tuition Fees

Moved by M. Awad, seconded by T. Traves:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve the 2011-12 tuition fees as presented in Appendix A, page 5 of the Interim Budget Advisory Committee (BAC) Report and incorporating the following adjustments:

a) a general tuition fee increase of 3% for all programs effective April 2011 (except as noted in b) and c) below),

b) tuition fees in LLB, MD and DDS, (including MD/MSc Oral and Maxillofacial Surgery) programs to increase by 6%, 10% and 14% respectively effective in the fall term 2011, and

c) except for Occupational Therapy and Physiotherapy programs where the fee will be frozen pending further review.

During discussion it was moved by J. Conrad and seconded by C. Saulnier as follows:

THAT Motion 1 be divided in order to consider clause (b) separately from clauses (a) and (c).

The Motion CARRIED.

Moved by M. Awad, seconded by T. Traves:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve the 2011-12 tuition fees as presented in Appendix A, page 5 of the Interim Budget Advisory Committee (BAC) Report and incorporating the following adjustments:

a) a general tuition fee increase of 3% for all programs effective April 2011 (except as noted in b) and c) below),

c) except for Occupational Therapy and Physiotherapy programs where the fee will be frozen pending further review.

The Motion CARRIED.

Extensive discussion followed on clause (b) of the motion. Student Board members spoke to their concerns respecting the student consultation process, the comparative fee data provide in support of the proposal to increase tuition in Dentistry in particular, the sizable auxiliary fees already agreed to over the last year or so by students in Law and Dentistry, and the efforts of the University to contain costs in other areas, particularly the general administrative costs envelope. Student members expressed concern that students did not adequately understand the rationale behind the particular fee percentages proposed and how these numbers were reached.

In response, K. Burt, Vice-President Finance and Administration, provided an overview of the process and timelines and spoke to the difficult timing issues this year resulting from the mid-March communication of information from the provincial government. He also noted the 2011-12 fiscal frame-work and the principles in the Board-approved Tuition Fee Policy that guide the Budget Advisory Committee (BAC) in developing fee recommendations. T. Traves spoke to the issue of the University's general administrative costs and noted that Dalhousie is well below the G13 comparator group in terms of the percentage of the budget expended on general administrative costs. He noted that administrative costs are a very small fraction of total costs; the most significant amount of the budget is spent on labour costs. He noted that this is not at all to suggest that the University shouldn't run as effectively and efficiently as possible, but it should be recognized that costs are fundamentally tied to the "people" element of the institution. Dr. Traves noted a recent article by Alex Usher that explores university administrative costs and indicated that he would circulate this for Board members.

Several other points were noted, including the fact that students in Law, Dentistry and Medicine currently pay less because these programs are heavily subsidized by other Dalhousie programs; the government recognizes this (and the earnings capacity of graduates of these programs), and intentionally exempted these programs from the 3% cap on general tuition.

Following significant discussion on the concerns raised and whether a decision must proceed today or could be postponed to permit further discussion to occur, T. Traves proposed that a decision on clause 1(b) of Motion 1 be postponed until further information can be prepared and circulated to students in the three units concerned and an opportunity for a further meeting with the students can be offered. He proposed that the matter then be submitted to the Executive Committee of the Board for consideration and approval on behalf of the Board. It was noted that the decision must be

made within the next 2-3 weeks so that students can be notified of the fee structure and so that the work of the BAC on developing recommendations for closing the gap (currently \$14.6 million) to reach a balanced budget can conclude. It was also noted that consultation with students on tuition fees is for information and discussion, not approval; it is the Board's responsibility to determine and approve fees. Board members unanimously agreed to this proposed course of action.

MOTION 2: International Fees

T. Traves provided a brief overview of the provincial government policy respecting funding of international students, noting that the University does not receive support for any international students above 10% of the total student population. This was not an issue for Dalhousie five or six years ago, but significant increases in the international student population means that Dalhousie is now at that level. International student growth is very welcome from a number of perspectives including enrolment sustainability, and educational and cultural diversity, but when students are not covered by the government subsidy, the full cost of educating such students falls back on the University. This cost has to be covered by international student fees or subsidized by the rest of the University. International students also require particular supports and services to help them adjust and succeed in a Canadian university environment; part of the revenue from the increased international fees is intended to be used to increase services for international students. He noted that the University will need to seek the agreement of the Minister of Labour and Advanced Education to this proposed increase.

During the discussion that followed, C. Saulnier indicated his agreement with Dr. Traves' comments, but expressed concern about the lack of consultation with international students regarding the services to be provided for them; a significant number of students have indicated that they do not need, or want to pay for, these new services (and some existing services). In response, T. Traves noted that fees are determined in terms of the costs of providing necessary services and that the University relies on the advice of Deans, Student Services professionals and others who interact with international students as to what is needed. While it may be true that not all students want all services, this does not mean that the service is not needed. He also noted that the University will need to demonstrate to the provincial government that the fee revenue will be used as proposed.

It was noted that while two points may be implicit in the motion (particularly if one reviews the Budget Advisory Committee Interim Report on Tuition and Facilities Renewal Fees included in the background material), it should be explicitly noted in the minutes that the reference in the motion to "non-thesis students" means "non-thesis graduate students", and that 7% of the increase in the international differential fee is to be applied to cover the cost of improved services and supports for international students.

Moved by M. Awad, seconded by W. Fares:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve an increase of 10% to \$7,990 in the international differential fee for Undergraduate and non-thesis students effective in the fall term 2011 subject to review by the Minister of Labour and Advanced Education.

The motion CARRIED.

MOTION 3: Facilities Renewal Fee

Following the introduction of this motion, C. Saulnier expressed his concern that students were not properly consulted on the proposal to increase this fee. He indicated that he cannot support the fee increase and, if the motion is passed, he intends to convey his concern to the Minister of Labour and Advanced Education. K. Burt noted that members of the DSU Executive were invited to meet with the Budget Advisory Committee concerning this proposal on the Friday prior to the Board meeting.

Moved by M. Awad, seconded by J. Wilson:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve an increase of \$30 in the auxiliary fee for facilities renewal to \$75 per term for full-time students effective in the fall term 2011.

The motion CARRIED.

7.1.2 Auxiliary Fees

1. Schulich School of Law

Following the introduction of this item, student Board members commented that, in their view, the process employed for the development of this fee proposal is a good example of an appropriate process for consultation with students.

Moved by M. Awad, seconded by W. Fares:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve an auxiliary fee of \$2,500 applicable to full-time students in the LLB program (pro-rated for part-time students) effective in the fall term of 2011, and to be phased in over three years as follows:

- **2011-2012: \$500**
- **2012-2013: \$1,300 (\$500 + \$800)**
- **2013-2014: \$2,500 (\$1,300 + \$1,200)**

The motion CARRIED.

It was noted in the materials that, effective September 1, 2011, the LL.B. degree will be renamed the Juris Doctor (JD), and that this motion will apply to the renamed program.

2. Faculty of Management

Moved by M. Awad, seconded by J. Wilson:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve a career management auxiliary fee of \$175 per term for students enrolled in the Master of Library and Information Studies program.

The motion CARRIED.

7.1.3 Residence and Food Service Fees

Moved by M. Awad, seconded by W. Fares:

That the Board of Governors, on the recommendation of the Operations Committee, approve the 2011-12 residence room and board rate schedule as presented, consistent with the terms of the letter received from the Province of Nova Scotia dated March 11, 2011.

The motion CARRIED.

7.1.4 Student Services Fee

In introducing this item M. Awad noted that the motion presented in the Board meeting materials should be amended in several respects. She read the amendments that were proposed prior to the meeting and noted that these are essentially intended to clarify the motion in terms of the students to whom the various increases apply. K. Burt, B. Neuman and C. Saulnier spoke to the intention, flowing out of the consultation with students, to direct the revenues from this fee increase in 2011-12 to provide additional support for students with disabilities who may be impacted by the elimination of a position in the Counselling Services unit.

Moved by M. Awad, seconded by G. McLellan:

THAT the Operations Committee recommend to the Board of Governors approval of the 2011-12 Student Services Fees including the below noted increases and disbursement of additional revenues:

That the Student Services fees for all students, except students in Medicine and Dentistry, be increased by:

- **\$3.50 per term for full-time student,**
- **\$0.62 for a part-time student in fall and winter, and**
- **\$1.78 for a full-time summer student;**

And that the Student Services fees for Medicine and Dentistry be increased by:

- **\$7.00 per 8-month period for full-time students in Medicine and Dentistry and**
- **\$6.50 per year for post-graduate Medicine students;**

And that the increased fee revenues are allocated 70% to Recreation Services and 30% to the Office of the Registrar, with the proviso that for 2011-12, up to 100% of these increased revenues will be directed instead to support special bursaries for students with financial need who are referred by the Accommodations and Accessibility Office to external providers of specialized learning support for students with disabilities, to the extent that sufficient donor support revenues are not in place by September 2011 to accommodate this need of our students with disabilities.

The motion CARRIED.

7.1.5 Student Referendum Fee Proposals

C. Saulnier spoke to the two motions before the Board following referendums held by the Dalhousie Student Union in March 2011.

1. Graduate Student Association Fee

Moved by M. Awad, seconded by C. Saulnier:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve the Graduate Student Association Annual Fee of \$60.00 for full-time students and \$30.00 for part-time students, for implementation in the 2011-12 year.

The motion CARRIED.

2. Loaded Ladle Levy

Moved by M. Awad, seconded by J. Wilson:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve the annual Loaded Ladle levy, for implementation in the 2011-12 year, as follows:

- **The fee will be assessed at \$1.00 per term for full-time students and \$0.50 per term for part-time students enrolled in the fall and/or winter terms.**
- **The fee will not be assessed for students enrolled in the summer term.**
- **The fee will be refundable to students who do not wish to contribute to the support of the Loaded Ladle.**

AND THAT the Operations Committee recommend to the Board of Governors that it request the Dalhousie Student Union to establish a consultation and review process reoccurring every five (5) years including recommendations to the Board of Governors to continue or discontinue the levy based on that consultation.

The motion CARRIED.

T. Traves noted, with respect to the reference in the second motion to a consultation and review process, that it might be useful, as the DSU considers what this review will look like, that it continue a dialogue with the Board Operations Committee with respect to the process the DSU proposes to recommend. He noted that a review of other fees introduced through student referendums might also be useful as it is likely that students' interests in supporting certain activities may change over time. C. Saulnier responded that this seems appropriate, but he would like to see a similar review of University auxiliary fees, some of which have been in place for a long time.

7.1.6 Metro Transit U-Pass Fee Increase

Dalhousie University has been advised by Metro Transit of an increase in the unit price of U-Passes for 2011-12, from \$134.00 to \$136.67 (plus an administrative fee of \$1.03 charged by the University).

Moved by M. Awad, seconded by N. Barkhouse:

THAT the Board of Governors, on the recommendation of the Operations Committee, approve the 2011-12 U-Pass fee of \$137.70 for full-time students (pro-rated to \$68.85 for the winter term).

The motion CARRIED.

7.2 Halifax Marine Research Institute – Incorporation of Non-Profit Corporation

T. Traves provide a brief overview of the nature and activities of the proposed Halifax Marine Research Institute (HMRI). He noted that the creation of the HMRI is a major development for Dalhousie and the region. If approved by the Board, the HMRI will be publically launched on June 2, 2011 during Dalhousie Oceans Week.

Moved by M. Awad, seconded by T. Traves:

That the Board of Governors, on the recommendation of the Operations Committee, approve the incorporation of the Halifax Marine Research Institute as a not-for-profit corporation incorporated under the Canada Corporation Act – Part II.

The motion CARRIED.

7.3 Revised Senate Constitution

T. Traves introduced this item on behalf of Larry Stordy, Chair of the Governance and Nominating Committee, and briefly outlined the two-year process of review, consultation and drafting that has led to the document presented today for approval. He noted that the proposed Senate Constitution seeks to codify existing practice with respect to the responsibilities of Senate, and to clarify when Board approval of specific decisions is required. The document does not alter the legislative framework within which the University's bicameral arrangement is situated (i.e. that the powers of Senate are subject to the approval of the Board), but, in essence, demonstrates the Board's respect for the "other side of the house". In presenting the revised constitution, there is no intention to enlarge the authority of Senate and no derogation of the Board's power. Dr. Traves indicated that he considers it a very positive step to have a new constitutional document that helps to codify current practices, and he noted that he has been actively involved, both through direct consultation at various stages, and as a member of the Senate Steering Committee charged with reviewing and offering feedback throughout the process.

L. Fraser, Chair of Senate, then gave a brief presentation and provided further elaboration on the significant provisions of the new constitution and the proposed new Senate standing committee structure. He also reviewed the two main points on which clarification was sought by the Governance and Nominating Committee before recommending the document to the Board:

- Section 1.2 (n) - It was clarified that Senate's role is in relation to a Faculty's academic decision-making. As committees of Senate, Faculties have responsibility for academic decision-making that is crucial to the academic functioning of the university. (Approval of graduands prior to convocation is one obvious example). If a Faculty's decision-making processes were to break down to such an extent that the Faculty could not make a decision on approval of its students for graduation, then Senate (as the "parent" body) needs the authority to step in and ensure that the decisions are made through an appropriate substitute process. This is not intended in any way to limit the power of the senior administration to also step in to

ensure that appropriate financial and other decision-making also takes place. The requirement for consultation and coordination with the President is intended to ensure that the response to any such situation is a coordinated one. In a larger sense, this also reflects the fact that Faculties have both accountability to Senate as their parent body on academic matters, and also accountability to the Board on financial and other matters (through the Dean, Vice-President Academic & Provost and the President).

- The “balance of power” wording in 1.1 (b): This does not mean an “equality” of power but rather that Senate exercises certain powers within the university (e.g. approval of graduands, for example). This particular clause simply indicates that the new constitution is not intended to change any of this.

Dr. Fraser noted that the Board is being asked to approve the proposed constitution and, in future, to be part of the amending process for Sections 1 and 2 (Senate Authority and Senate Membership).

Moved by L. Fraser, seconded by J. Baxter:

THAT the Board of Governors, on the recommendation of the Governance and Nominating Committee, approve the adoption of the Dalhousie University Senate Constitution as approved by Senate on March 21, 2011, the adoption of such Constitution to be effective July 1, 2011.

The motion CARRIED.

8. Items for Presentation

8.1 Dalhousie Alumni Association Report

The item was deferred due to time constraints.

9. Items for Information

9.1 Board Standing Committee Reports

J. Spatz referred Board members to the written reports for the following committees: Academic Affairs & Research Committee, Audit Committee, Governance and Nominating Committee, Human Resources Committee, Investment Committee, Operations Committee, and the Student Experience Committee.

10. IN CAMERA SESSION

The Board moved to an *in camera* session. During this portion of the meeting, the following motion was approved.

THAT the Board of Governors, on the recommendation of the Governance and Nominating Committee, approve the reappointment of Dr. Fred Fountain as Chancellor of Dalhousie University for a term from May 20, 2011 to June 30, 2014.

Adjournment

The meeting adjourned at 6:35 p.m.