

REGRETS

The Chair noted regrets from Governors Peter Bagnall and Michelle Carter, Participant Carol Beam, Treasurer Don Hargest, and Executive Team members Catherine Drea and Ross Stevenson.

INTRODUCTION OF GUESTS

At the request of the Chair, MaryLynn West-Moynes acknowledged Terry Caputo, Director, Financial Services and Neil McCallum, second year Journalism student representing the Chronicle newspaper.

ADDITIONS/DELETIONS TO THE AGENDA

None was noted.

CONFLICT OF INTEREST DECLARATIONS

None was noted.

APPROVAL OF PREVIOUS MINUTES

There being no errors or omissions in the minutes of the Regular Board meeting of January 8, 2003, the Chair declared the minutes accepted as amended.

DECISION ITEMS

Affirm Decisions Item(s) from Joint Boards of Governors Meeting

Recommendation from Board and Foundation Task Team

Moved by Lorraine Sunstrum-Mann

Seconded by Mark Moorcroft

MOTION #20 “That the Board of Governors of the University of Ontario Institute of Technology endorse the recommendation that during the fundraising campaign a Campaign Cabinet would report to the joint Boards of Governors. Be it further resolved that the Durham College Foundation will continue to exist as a separate entity, and that the need for a separate Foundation or the appropriateness of a single Foundation for both educational institutions would be reconsidered upon the completion of the fundraising campaign.”

CARRIED

By-Law Relating to Academic Council

Gary noted that there had been ongoing discussions with advisors and legal counsel regarding the By-Law relating to Academic Council and reminded Governors that UOIT must become a member of COU and AUCC. He stated that based on feedback from advisors, two amended changes to the wording of the By-Law were recommended.

The first recommendation is to delete the words “rejecting it” from Section 2 (1) (d) so that the sentence would now read, “Normally, the Board will act on the advice of the Academic Council by either accepting it or referring it back for further consideration”. It was noted that the Board would have these two options to either accept or refer items back to the Academic Council, but not to outright reject a recommendation. Gary stated by keeping the word “normally” in the sentence, we might still have some resistance from COU and AUCC.

Gary then referred to the second proposed change to the By-Law which occurs in Section 2 (2) (b), which seems to imply that the Board must approve every committee created by the Academic Council. Our advisors pointed out that some committees do not have authority, nor do they focus on key strategic issues; they felt that the Academic Council should be able to appoint such committees.

Garry Cubitt asked if we removed the word “normally”, what could the Board do? Gary noted “abnormal” behaviour would be to reject or change the advice. He also referred to Section 5 (3) which allows the Board to act based on its fiduciary or public responsibilities.

Doug Wilson endorsed the changes but stated he’s not convinced the language used will take the Board out of a “to and fro” situation. As an example, he questioned how you would staff a program if the Academic Council did not support it. He stated as a Board you are likely responding to recommendations and to refer something back was tantamount to rejecting it.

Michael Finlayson noted that the College and University cultures were different and cited an example that sooner or later the Board would be negotiating with University faculty re employment terms and conditions and would be an employer in a very direct way. Michael felt keeping the word “normally” in the statement was helpful and made the role of the Board a little clearer. With respect to committees, he felt there needed to be a distinction where the Academic Council has powers to appoint committees. Michael stated a distinction must be made between delegated matters and intrinsic matters. Doug noted the current wording of this section used the passive voice. Michael stated the intent was to point out that the Academic Council could appoint other committees. Bob noted that the Academic Council could not delegate its powers.

Phillip (Rocky) Simmons stated there was a difference between strategic and operational committees. Bob noted that the Act gives powers to the Board and the Board delegates some of these powers to the Academic Council but that the Academic Council could not delegate its powers.

Bill Hunter stated we should revisit the keeping of the word “normally” and perhaps we did not need to do so. Gary commented that our legal counsel had advised to try and retain this wording. Gary stated if this became an issue with COU, we could revisit this.

Lorraine Sunstrum-Mann noted that the motion put forth must reflect the amendments. Bob Strickert and Garry Cubitt agreed. Bob then requested that the Board table this item until later in the agenda and after a break to allow Garry Cubitt and Doug Wilson to amend the wording of the motion to reflect the Board’s discussion.

INTERIM FINANCIAL REPORT

In Don Hargest’s absence, Terry Caputo reported that expenses were being incurred based on the transitional budget approved by the Ministry and the Board.

DISCUSSION ITEMS

OUAC Preliminary Statistics

Richard Levin advised that the numbers were still coming in but with respect to applications from high school students we had received 3,000 applications. He stated UOIT currently had 200 applications from non-secondary school students. Richard reported that approximately 700 of these applications were for the Nursing program and just under 250 for the Education program. The total number of applications was just over 4,000 and noted that we had predicted 3,000 – 5,000 applications. He stated in terms of actual registrations we did not have a clear number and would not until June. He noted work was being done on conversion strategies and UOIT would emphasize a personal touch.

Richard commented we were pleased with the quality of applicants for the Education program. He noted the number of applicants for Physical Science was low. He advised that 20% of the applications are from

the Durham Region and research showed that 2/3 of students in the GTA want to leave home and live in Residence.

Phillip (Rocky) Simmons stated that two of his colleagues' children had applied to UOIT and both had received phone calls and were very impressed with this approach. Bob Strickert questioned if local applicants could apply to stay in Residence. Richard replied yes. He noted that Residence facilities and quality of professors seemed to be important to students. Bob asked Richard for his best estimate re the final number of students for September 2003. Richard replied 700. Bob noted this was a double cohort year and this could present a challenge for UOIT in its second year. Richard noted the advantage for the following year is more program mix, we will hopefully have COU and AUCC acceptance, we will have buildings, and students will then be our best marketers.

REPORT OF THE PRESIDENT

PEQAB Education Site Visit Update

Michael Finlayson advised of good news in that the report for the Education site visit had been highly favourable and much of this credit was due to Governor Bill Hunter. He stated that PEQAB met next week and felt there was a high likelihood of this program's approval.

Letter from MTCU re Granting Consent to UOIT to Offer Degree Programs dated January 21, 2003

Michael Finlayson advised that we had received a letter re Ministerial approval for 8 programs and the right to offer degrees per the Terms and Conditions provided by the Ministry. He reported he would now reply to the Minister agreeing to the Terms and Conditions. The Board agreed with this process. Michael noted until UOIT was fully autonomous in this regard, it would be accountable to PEQAB and MTCU. He stated this was an unusual process for a university, which would only last for about another year.

The Chair declared a break in the meeting at 7:54 p.m. and the Board reconvened at 8:10 p.m.

DECISION ITEMS

By-Law Relating to Academic Council

Garry Cubitt commented the he wanted to make it clear that if the Board wished to live with the original wording that was "okay". He did not want to pass an amendment that was vague and he and Doug Wilson had made some amendments that might be seen to be a little clearer.

Moved by Garry Cubitt

Seconded by Doug Wilson

MOTION #21 "That the Board of Governors of the University of Ontario Institute of Technology approve the By-Law relating to Academic Council, as per the amendments noted below:

That Section 2, Academic Council – Duties, (1) Advice to the Board, point (d) states 'All advice of the Academic Council shall be given by resolution and will be conveyed to the Board by the President. The Board shall take such advice into consideration prior to its determination of the matter. Normally, the Board will act on the advice of the Academic Council by either accepting it or referring it back for further consideration'; and

Section 2, Academic Council – Duties, (2) Authority to Act, point (b) states 'Subject to the approval of the Board, the Academic Council may appoint committees and authorize them to exercise its powers under this subsection 2(2). The Academic Council shall have the power to appoint other committees it deems advisable; such committees shall report to the Academic Council'."

CARRIED

Denise Jones felt this wording was clear. Joanne Burghardt questioned what would stop the Academic Council from delegating its authority? Bob advised that Section 2, Academic Council – Duties, subsection 2) Authority to Act outlined its powers. Doug noted that it did not have the authority to delegate its decision-making powers. It was also noted that if legal counsel felt minor tweaking was needed to the proposed wording, that the Board agreed it could do so after review with Governor Doug Wilson.

ADJOURNMENT

Meeting was adjourned at 8:17 p.m.

Bob Strickert, Chair

Gary Polonsky, President