

**Brandon University Board of Governors
(Open Session)**

**Saturday, January 28, 2017
Louis Riel Room
8:30 a.m.**

Present: Mr. G. Boyd, Mr. S. Chambers (Secretary), Mr. M. Cain, Dr. G. Fearon (Vice-Chancellor), Mr. D. Stewart (Chair), Ms. L. Davidson, Ms. S. Senkbeil, Mr. N. Brown, Ms. J. Creasor, Mr. B. Schaffer (Treasurer), Ms. B. Jolly (Vice-Chair), Mr. M. Decter (Chancellor – via teleconference)

Resource: Dr. S. Robinson, Mr. S. Lamont, Ms M. Lamontagne (Recorder)

Regrets: Mr. J. Kilpatrick

1.0 CALL TO ORDER

The Chair called the meeting to order at 8:41 a.m.

2.0 AGENDA AND MINUTES

2.1 Approval of Agenda of January 28, 2017

Motion: Moved and seconded (N. Brown/J. Creasor)

BE IT RESOLVED THAT the agenda of the January 28, 2017, Board of Governors meeting (Open Session) be approved.

Addition: 5.5 International Tuition Fees

**020 Jan17
CARRIED AS AMENDED
BY UNANIMOUS CONSENT**

2.2 Approval of Consent Agenda

Motion: Moved and seconded (S. Chambers/G. Boyd)

BE IT RESOLVED THAT that the Consent Agenda be approved as follows:

- a) **Minutes of November 26, 2016**
- b) **Report from the Vice-President (Academic and Provost)**

- c) **Report from the Vice-President (Administration and Finance)**
- d) **Transactions of \$25,000 or More – November 4, 2016 to January 9, 2017**

**011 Jan17
CARRIED**

2.3 Moved to Closed Session

Motion: Moved and seconded (J. Creasor/B. Schaffer)

BE IT RESOLVED that the meeting move to Closed Session.

CARRIED

2.4 Motion(s) Raised from Closed Session

No motions were raised from Closed Session.

3.0 DELEGATIONS

3.1 Presentation on Stand-Alone Sexualized Violence Policy by Ms. Carla Navid, Sexual Violence and Prevention Coordinator; and Dr. Steve Robinson

S. Robinson introduced Ms. Carla Navid and he provided the following introductory remarks to the presentation:

- Provincial legislation was proposed in late 2015 requiring all PSE institutions to have stand-alone policies in relation to sexual assault;
- In response to the legislation, Dr. Fearon called for a working group to be formed to begin working on the policy which consisted of students and staff with consultation with post-secondary institutions across Canada as well as professionals in the field;
- When national media attention was drawn to BU and other universities in the spring of 2016, the work of the group was accelerated and the group was expanded to include members of the community which formed the Sexual Assault Advisory Group (SAAG), Chaired by Dr. Steve Robinson;
- SAAG has been working to develop the university's stand-alone sexual assault policy which will be coming to the Board of Governors soon in draft form;
- A final town hall meeting in regards to the policy was held last week;
- The draft policy is now being finalized and will be presented to the Board in March for consideration and approval as a new Brandon University policy.

C. Navid spoke to a PowerPoint presentation. It was noted that the purpose of the presentation is to provide members with familiarity of the language related to sexualized violence that will be seen in the policy and the hope is for the Board to have information to make a decision on the policy when formally presented to the board for consideration and approval.

The following points were highlighted:

- BU's response to sexual assault so far includes: ensuring survivors well-being and interests are addressed and safe environment is promoted; establishment of SAAG; Hiring of Sexual Education and Prevention Coordinator; Formation of Sexual Assault Response Team; Draft Stand-Alone policy; draft procedures for sexualized violence; development of an informational webpage; prevention/education plan on sexualized violence and the Sexual Violence Awareness and Prevention Act.
- Website 'get help' link provides options for on and off-campus services;
- Carla's role as Sexual Violence Education Prevention Coordinator is to be a consultant for sexual violence and central point person to advocate for victim survivors;
- Sexual Assault Response Team acts to case manage for survivors and to determine the role of the institution;
- Policy Development;
 - Policy includes students as well as faculty and staff
 - Policy is survivor-centered and trauma-informed
 - Policy uses gender neutral language
 - Nadia LaRose from Klinik assisted with policy and provided guidelines
 - Gender and Women's Studies students as well as BUSU have provided input
- Policy will be reviewed in one year and then reviewed every three years after that.

Members thanked Carla for her presentation and for providing her perspective. Members also expressed supportive interest in receiving the wording for information for considering the approval of the new stand-alone policy.

4.0 REPORTS

4.1 Governance and Nominating Committee (S. Chambers)

a) Report from the Governance and Nominating Committee

The Governance and Nominating Committee met today at 4:30 p.m.

Two items of continuing business were discussed in regards to the Committee Work Plan and the review of Board policies. The updated Work Plan was distributed to the committee for information and feedback.

An update was provided on the Board policy review and the goal is to have each policy reviewed by the appropriate department by the end of February and then have the Governance and Nominating committee review the policies. An update will be provided at the March meeting.

The committee also reviewed an updated draft of the Annual Board Evaluation Results Report and had discussions on the Annual Review of Board Member Self-Evaluation (Skills Matrix) Tool.

4.2 Finance and Audit Committee (D. Stewart)

a) Report from the Finance and Audit Committee

The Finance and Audit Committee met on Friday at 5:15 p.m.

The following reports were received for information:

- Financial Summary as at December 31, 2016
- Financial Summary by Object as at December 31, 2016
- Research and Special Purpose Funds for the Period of April 1, 2016 to December 31, 2016
- Transactions of \$25,000 or More from November 4, 2016 to January 9, 2017

A motion regarding an amendment to the Managed Account Agreement was discussed.

The following motion was passed:

BE IT RESOLVED THAT the Finance and Audit Committee recommend to the Board of Governors, for approval, the amended Managed Account Agreement, including the amended fee schedule.

4.3 Executive Committee (D. Stewart)

a) Report from the Executive Committee

The Executive Committee met on Friday at 6:00 p.m.

Reports were received from the Governance and Nominating Committee, Finance and Audit Committee, the President, and the Vice-Presidents. The reports and all other Executive business are included on the Board of Governors agenda for discussion and approval.

4.4 President (G. Fearon)a) Report from the President

A copy of Dr. Fearon's written report was included in the package and presented. A set of key priorities have been identified and a number of corresponding activities and engagements that are in support of these priorities were noted.

The following additional highlights were discussed:

- Continued activity of Campus Master Plan led by S. Lamont;
- Continued activity by SAAG led by S. Robinson and Carla Navid;
- Series of meetings have been held with presidents of universities and colleges as well as with Ministers;
- Meetings have been held with Brandon School Division and Assiniboine Community College for initiatives in the city; and
- Significant engagement has been made with the City of Brandon advancing interests within city and university-community engagement.

4.5 Brandon University Foundation (G. Boyd/M. Cain/J. Kilpatrick)

No report.

4.6 Knowles-Douglas Student Centre (S. Lamont/Vacant)

J. Creasor reported that an approval was made for new couches.

4.7 Board of Trustees of the BU Retirement Plan (S. Chambers/S. Lamont)

No report.

4.8 Brandon University Senate (G. Boyd/M. Cain)

G. Boyd reported that Senate meetings were held on December 13 and January 17 and the following Senate approvals were reported:

- A number of course changes in various departments;
- Changes to the Department of Business Administration residency requirements for the BA 4-Year Business Administration Major;
- Department of Sociology, additions of Anthropology courses, description change to Sociology of Health, Illness, and Disease;
- Department of Native Studies new course Indigenous Masculinity;
- Department of Biology degree changes;
- Department of Environmental Science, suspension of admissions to the Land and Water Stream;

- Department of Mathematics and Computer Science, delete 62:170 Introduction to Information Technology;
- Department of Nursing prerequisite changes;
- Registrar's Office: Revised the Student Classification by Year section of the Undergraduate Calendar, the change in ethical consideration in the administration of awards policy, the 2018 admission cycle, prospective and current/former Brandon University students must submit an application for admission to the University through the central Admissions Office;
- Senate Graduate Studies Committee: The English Language Proficiency policy for all graduate studies programs at Brandon University, The Graduate Diploma in Rural Development Program Changes, The Master of Psychiatric course changes, The Master of Music course changes, The Master Education calendar changes, The Master of Science (Environmental and Life Sciences) new courses;
- The creation of a new Committee of Senate "The Undergraduate Student Appeals Committee";
- Changing of the English Requirement to the Liberal Arts Distribution Major to add 3 credit hours of Creative Writing.

4.9 Status of Women Review Committee (B. Jolly)

B. Jolly reported that an International Women's Day event is being planned for March. Other events are ongoing as per the report provided at the November Board of Governors meeting.

4.10 Brandon University Alumni Association (D. Stewart)

D. Stewart reported that the last meeting was held on November 28th. The following items were highlighted:

- Reports were received from the BUAA President, Institutional Advancement, Nominating Committee and Events Committee.
- Clear Lake Alumni event to be held in August with more details to follow.

4.11 Brandon University Students' Union (N. Brown/J. Creasor)

N. Brown welcomed students who came to say they are not cash cows for university. There was nothing additional to report.

5.0 NEW BUSINESS

5.1 Motion: School of Music Department Name Change

Motion: Moved and seconded (B. Schaffer/B. Jolly)

BE IT RESOLVED THAT the Board of Governors approve the change in title of the Department of History and Theory to Music Research Department within the School of Music.

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Dr. Robinson spoke to the motion. It was noted that faculty in the Department of History and Theory have not been satisfied with their current title as it does not accurately represent the work of the Department. The proposed name change will bring the Department and School of Music in line with other schools of music.

CARRIED

5.2 Motion: Bursary Eligibility Requirements

Motion: Moved and seconded (G. Fearon/S. Chambers)

BE IT RESOLVED THAT the Board of Governors approve the minimum academic requirement for undergraduate bursary eligibility be changed as follows:

Bursaries – are monetary awards given to students who have demonstrated a financial need, who are academically eligible to register at the University, and who meet such other criteria as may be specified in the Terms of Reference for specific bursaries. In the case of bursaries whose Terms of Reference do not include an academic criterion, academic achievement may be considered where two or more applicants have a similar financial need.

AND THAT the changes to the minimum academic requirement for graduate bursary eligibility be approved as follows:

Bursaries – are monetary awards given to students who have demonstrated a financial need, who are academically eligible to register at the University, and who meet such other criteria as may be specified in the Terms of Reference for specific bursaries. In the case of bursaries whose Terms of Reference do not include academic criterion, academic achievement may be considered where two or more applicants have a similar financial need.

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Dr. Robinson spoke to the motion and noted that the university distributes bursaries based on academic need whereas scholarships are based on performance. The current threshold for bursaries is well above the average entrance grades for applicants. It has been recommended that the academic threshold be removed so that all students are eligible for the bursary.

CARRIED

5.3 Motion: Amendment to Managed Account Agreement

Motion: Moved and seconded (B. Jolly/G. Fearon)

BE IT RESOLVED THAT the Board of Governors approve the amended Managed Account Agreement, including the amended fee schedule.

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Mr. Lamont spoke to the motion and noted that the Managed Account Agreement is how the university engages with the Pension Plan. The Board of Trustees contacted the investment manager to ask about ways to better provide services to the university. Proposals were also brought to trustees for consideration and some were brought forward and confirmed by pension trustees. The changes to the agreement required a change in contract. The motion is being brought forward because engagement of the investment manager is the responsibility of the Board of Governors and the agreement, which is the vehicle of which the investment manager is engaged, is being changed which requires the Board's approval.

CARRIED

5.4 Motion: Board Representative on the Knowles-Douglas Commission

Motion: Moved and seconded (B. Schaffer/G. Fearon)

BE IT RESOLVED THAT the Board of Governors appoint Bea Jolly to the Knowles-Douglas Commission Committee.

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The Chair thanked Ms. Jolly for volunteering to serve on the Knowles-Douglas Commission as a Board of Governors representative.

CARRIED

5.5 Motion: International Tuition Fees

BUSU President, Nick Brown, distributed a motion sheet to members on behalf of BUSU.

The Chair called the motion.

Motion: Moved and seconded (J. Creasor/N. Brown)

BE IT RESOLVED THAT fees charged to students based on their residency be eliminated, and

BE IT FURTHER RESOLVED THAT tuition increase at no more than the rate of inflation in Manitoba.

N. Brown spoke to the motion and presented it along with a video clip of BUSU's Day of Action demonstration. The following is a summary of his presentation:

- BUSU's Day of Action was held on November 2, 2016 which saw 400 students attend where students advocated for a list of action items from the federal and provincial government as well as universities across Canada;
- 172 signatures have been collected as part of a petition to not increase international differential fees at BU;
- Similar motion was proposed at the Executive Committee of the Board for the January 28th Board meeting, however, it was struck from the agenda and not approved by the Board Executive Committee on January 27th;
- Mr. Brown indicated that he would like to see international fees eliminated altogether and to have them tie into the cost of living for guaranteed cost effective tuition and education;
- Rationale behind higher international fees is that international students and their families have not paid taxes to government which fund post-secondary education and so the fees are doubled;
- A study conducted by Mr. Brown lead him to believe that over the next 7 years, the inflation rate will remain flat or negative;
- International students are the largest growing group of students;
- International students bring more quality and international perspective;
- If we remove this barrier (i.e., international student fees), the university can be a leader globally in accepting international students;
- If international fees are the same as other Manitoba post-secondary institutions, international students would choose those institutions instead.

B. Schaffer expressed acknowledgement of BUSU's motion and noted that the university does not control what government decides and the motion could put the university at risk of financial difficulty. He stated that the Board does not consider international students as "cash cows". He also noted that the university has to provide a balanced budget and there is a limited source of budget funds and at this point in time, we cannot put limitations on this.

It was indicated by Board members that BU currently has one of the lowest international tuition levels in the country and our ability to provide international student services was directly related to our ability to finance these expenditures.

S. Senkbeil made a motion to sever the above motion into two motions.

Motion: Moved and seconded: (S. Senkbeil/N. Brown)

BE IT RESOLVED THAT the motions be severed into two separate motions as follows:

- (1) BE IT RESOLVED THAT fees charged to students based on their residency be eliminated.**
- (2) BE IT RESOLVED THAT tuition increase at no more than the rate of inflation in Manitoba.**

AND THAT they be voted on separately rather than together.

CARRIED

A member requested that motion (2) be made first, followed by (1). Question was called and request was approved.

BE IT RESOLVED THAT tuition increase at no more than the rate of inflation in Manitoba.

Motion: Moved and seconded (J. Creasor/N. Brown)

B. Schaffer noted that the university does not yet know the budget plans of the provincial government which makes it difficult to discuss and that the province has the ability to mandate legislation

A point of order was called by Dr. Fearon who asked for confirmation if a debate was in session. The debate was confirmed by consensus.

Dr. Fearon spoke to say that it would be ultra vires for the university to pass this motion as the province determines legislation on tuition fees. The university would be unable to implement the motion if the province were to introduce legislation that said something otherwise (in relation to tuition levels and inflation);

Mr. Brown spoke to say that the motion is trying to maintain the Protecting Affordability Act here in case the provincial conservative government removes the Act.

Dr. Fearon noted that it would be challenging for the university to tell the government that we are not living up to the laws established by the Legislature.

J. Creasor expressed that the motion would not go against legislation and that BU has been raising tuition to the maximum amount allowed under the Protecting Affordability Act and that the motion which goes against the University Act. Passing the motion would be progressive and would tell students that they matter.

S. Senkbeil agreed that the motion would not contravene provincial legislation. She asked members if they know of any current amendments to the current legislation. No amendments were noted. She asked when the province would be providing information on tuition fees.

S. Lamont stated that normally they would find out by the end of January about guidance for tuition fees.

Member of audience asked where guidance comes from. S. Senkbeil called a point of order and expressed that it should be up to the Board to determine when the audience speaks. The Chair acknowledged the point of order and then recognized the question.

N. Brown stated that the Manitoba laws supersede the university's by-laws and that introducing this motion would not contravene their law.

Dr. Fearon proposed a friendly amendment to the motion that indicates the Board acknowledges BUSU's request for the motion to be university policy or alternatively that BUSU pass this as their own policy at BUSU's executive or annual meeting.

The amendment was not accepted.

S. Senkbeil made the following motion:

BE IT RESOLVED THAT the Board of Governors table this motion until the March 2017 Board of Governors meeting when budget information is received from the provincial government.

Motion: Moved and seconded (S. Senkbeil/G. Boyd)

TABLED

BE IT RESOLVED THAT fees charged to students based on their residency be eliminated.

Motion: Moved and seconded: (N. Brown/J. Creasor)

G. Fearon made the following motion:

BE IT RESOLVED THAT the motion be tabled until May 2017 after budget consultations are held.

Motion: Moved and seconded: (G. Fearon/B. Schaffer)

J. Creasor expressed that this would be of disservice to students and to the Board as the budget will already be decided by the May Board meeting,

Dr. Fearon noted that the budget goes through consultation with the entire university community meaning that all points brought forward are considered during the budget consultation process. This would allow the Board to look holistically at the budget after the consultation process including any implications

that proposals to the budget may have. It was noted that the university has taken action to enhance student services and scholarships for international students.

S. Senkbeil spoke against tabling the motion and expressed that the Board should have a conversation about this topic immediately.

A summary of the conversation is as follows:

- International students come with many resources and we have an opportunity to provide this at a reasonable rate;
- Suggestion that just undergraduate rates be lowered;
- International students choose BU because they can afford it;
- University is sensitive to international fees in general and BU has some of the lowest international tuition fees in Canada;
- Scholarships and agreements are made available to support international students;
- Changes to international fees would impact students and efforts to make BU an attractive institution to students as a whole;
- Obligation of the Board is to discuss how we balance needs of students, programs and student services noting that there are few sources of funds meeting the needs;
- Board needs to practice fiduciary duty to ensure balanced budget;
- If motion eliminating international student differential fees is passed, an immediate deficit would occur resulting in cuts to positions in services;
- Some members expressed that they do not feel well equipped to make a decision and unsure of the implications that the motion could have;
- Sympathy was expressed towards the philosophical intent of the motion;
- Uncertainty from some members of magnitude that the cuts would have;
- It was stated that eliminating international fees would cost the university approximately \$700,000 each year (an estimate made by a member using simple math);
- Eliminating fees at a cost of \$700,000 would result in cutting the equivalent of 10 positions in Student Services;
- Students come to BU because of quality of experience and education and not just because of low international fees. Cuts in student services would hurt all students at a time when faculty and staff are hoping to provide more support and services to assist international students.

DEFEATED

Dr. Fearon asked Mr. Brown if they would propose addressing the \$700,000 budget shortfall or eliminate 10 positions in Student Services. Ms. Creasor and Mr. Brown expressed that was not their problem and for the administration to fix.

The Chair reminded members that their role as a Board member is to look out for the broad well-being of the institution and not just to advocate for a position without considering the implications of the university as a whole.

Members of BUSU noted that they consider reducing differential fees as broader well-being as it would make BU a destination for international students.

Point of order was made again by S. Senkbeil as members should not ask audience questions and it should be the Chair.

A motion was proposed by S. Senkbeil:

BE IT RESOLVED THAT differential tuition fees be reduced by 10% for the 2017 budget;

AND THAT a study be undertaken for the gradual reduction of international differential fees starting January 2018.

A report will be given by January 2018 for gradual reduction in differential fees thereafter.

Motion: Moved and seconded (S. Senkbeil/N. Brown)

DEFEATED

B. Jolly stated that the Board needs to look further in getting more information and that the Board needs to be more informed on these topics.

B. Schaffer expressed that this has been useful and positive discussion. The discussion raised sensitivity to the issue and is appreciated.

N. Brown distributed another motion sheet on behalf of BUSU and noted that it is the same motion that was struck from the Board of Governors agenda at the Board Executive Committee on January 27th.

BE IT RESOLVED THAT the differential fees charged to international students be no higher than 100% of domestic student tuition.

Motion: Moved and seconded (N. Brown/J. Creasor)

A point of order was made by Dr. Fearon who stated that multiple motions on the same topic had been proposed and debated in the current session of the Board meeting and suggested to the Board that this motion be considered as a Notice of Motion for the next meeting.

S. Senkbeil made a motion to table the above motion until the March 2017 meeting.

BE IT RESOLVED THAT the motion be tabled until the March 2017 meeting.

Motion: Moved and seconded (S. Senkbeil/B. Schaffer)

Ms. Creasor expressed that the motion should not be tabled because the March 2017 will be too late.

Mr. Brown noted that by maintaining status quo (as the motion suggests) that they would be making a promise to international students and moving forward.

Mr. Brown challenged the Chair over having this as a notice of motion as the motion was brought forward to the Executive Committee of the Board prior to this meeting but struck from agenda (i.e., defeated based on a vote at Board Executive Committee meeting).

TABLED

Tabled motions will arise at the next Board of Governors meeting with the hope that supporting information will be provided for consideration.

6.0 ANY OTHER BUSINESS

7.0 INFORMATION

8.0 ADJOURNMENT

Moved (S. Chamber)

BE IT RESOLVED THAT the meeting adjourn at 12:39 p.m.

CARRIED

Chair, Board of Governors

Secretary, Board of Governors