

**DURHAM COLLEGE OF APPLIED ARTS AND TECHNOLOGY
MINUTES OF THE 424th REGULAR (PUBLIC) MEETING
OF THE BOARD OF GOVERNORS
JUNE 10, 2009**

DATE: June 10, 2009
TIME: 6:00 p.m.

PLACE: Community Room

IN ATTENDANCE

GOVERNORS: Aileen Fletcher, Chair
Gerry Warman, Vice Chair
Rhonda Christian
Carlee Fraser
Karen Hodgins
Doug McKay
Bill Robinson
Nicole Schoep
Darrell Sewell
Mary Simpson
Judy Spring
Fred Upshaw

REGRETS Garry Cubitt
Pansy Goodman
Frankin Wu

PRESIDENT: Don Lovisa

SECRETARY: Leigh Doughty

SENIOR STAFF: Margaret Greenley
Donna McFarlane
David Chambers
Ken Robb
Judy Robinson
Ralph Aprile
Nevzat Gurmen
Cathy Pitcher

CALL TO ORDER

The Chair called the meeting to order at 6:00 p.m.

INTRODUCTION OF GUESTS

Donna McFarlane, VP, Communications introduced guests Bobbi-Jean White, KPMG; Jeanette Barrett, Dean of Career Development and Continuing Education; Cindy Foley, Program Officer - Distance Education; Katy Francis, Media and Communications, Durham College; and Crystal Crimi, Metroland newspaper.

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ADDITIONS/DELETIONS TO THE AGENDA

The Chair advised that a delegation would be added to the agenda.

Moved by Governor Newell Seconded by Governor Spring

“That Dr. Caroline McGregor be added to the agenda as a delegation.”

CARRIED

Dr. Caroline McGregor addressed the Board regarding the closure of the Early Learning Centre (ELC), requesting an extension of the closure date to December 23, 2009 in order to develop a long term financial proposal to provide a balanced budget. As part of this proposal a \$50 or \$100 per month levy would be added until December 2009; the ELC would reduce its operational costs for the next six months by \$10,000. Dr. McGregor stated that UOIT indicates it will commit to provide \$25,000 towards the deficit of the ELC on a ratio of 5/4 with Durham College; therefore, she is seeking \$20,000 from Durham College. The Chair thanked Dr. McGregor for her delegation and requested she leave her notes for submission to the record.

CONFLICT OF INTEREST

None were noted.

PRESENTATIONS

President Lovisa introduced Jeanette Barrett and Cindy Foley from the Continuing Education department who made a presentation to the Board regarding Ontario Learn and our role in this consortium. OntarioLearn.com is a consortium of 24 Anglophone colleges, launched in 1995. Ontario Learn has grown from 500 students in 1995 to over 55,000 students in 2008/2009, the program is low risk and cost effective. Currently 1,100 courses are available online and no duplicates are permitted. Our technical services are reliable, with an extensive backup process.

The Board questioned the revenue levels of Durham College for the Ontario learn program, student wait lists and course capping. Jeanette advised that revenue and enrolment is consistently increasing, the average cap per course is forty students and Durham College has never turned a student away from a Durham College course offered online. The Chair thanked Jeanette and Cindy for their presentation.

APPROVAL OF PREVIOUS MINUTES

Moved by Governor Upshaw

Seconded by Governor Sewell

“That the minutes of the 423rd regular meeting of the Durham College Board of Governors, held May 13, 2009, be approved as amended.”

CARRIED

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ACTION ARISING FROM PREVIOUS MINUTES

None were noted.

CHAIR'S REPORT

Nothing noted.

PRESIDENT'S REPORT

President Lovisa highlighted item 7 of the report, the reception for retirees, as a result of early retirement incentive. He acknowledged their significant contribution to Durham College and our ability to decrease the annual budget due to this early retirement initiative. President Lovisa updated the Board on the recent ACCC conference. The Chair remarked on the opportunity to present at a workshop at ACCC regarding the Durham College Board portal and that the presentation was well received. Information regarding the new funding framework for colleges was clarified. An update from Colleges Ontario indicates the funding formula is under review. The President's Report for June 2009 was received for information.

COMMITTEE REPORTS

Mary Simpson introduced the audit and finance report on the 2008/2009 audited financial statements advising the statements were presented in a timely and organized manner. Bobbi-Jean White, KPMG, provided an overview of the statements and advised the audit is complete, the audit opinion and findings report and the draft management letter were included. Bobbi-Jean discussed a few items of the letter, specifically the sale of DCC and PIC and their impact on the statement as well as some receivables, retirement announcements and legal impacts to the audit findings. Two items of the draft management letter are observations for the current fiscal year, the remainder is an update of last year's letter. The four key pieces communication identified include flow of agreements between Human Resources and the Finance department, continued observation of timely bank reconciliations, performance improvement operation specifics, providing housekeeping suggestions regarding the cheque printing process and implementation of service level agreements. In closing, Bobbi-Jean advised KPMG is ready to sign off on the documents and acknowledged the excellent work of the finance department. The audit findings and management letter are internal documents while the audited financial statements are public documents. The filing date of these documents to the Ministry is June 15, 2009.

2008/2009 Audited Financial Statements

Moved by Governor Simpson Seconded by Governor Schoep

“That the Durham College 2008-2009 Audited Financial Statements be approved as presented and filed with the Ministry (MTCU) by June 15, 2009.”

CARRIED

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Bobbie-Jean White left the meeting at 6:55 p.m.

The Chair asked for a motion to ratify the actions of the Audit and Finance Committee during 2008-2009.

Ratification of 2008-2009 Actions – Audit and Finance Committee

Moved by Governor Simpson Seconded by Governor Upshaw

“That the Durham College Board of Governors ratify all actions taken by the Durham College Audit and Finance Committee, as captured in the minutes of such meetings, for the year 2008-2009.”

CARRIED

The Chair asked for a motion to ratify the actions of the Executive Committee during 2008-2009.

Ratification of 2008-2009 Actions – Executive Committee

Moved by Governor Sewell Seconded by Governor Warman

“That the Durham College Board of Governors ratify all actions taken by the Durham College Executive Committee, as captured in the minutes of such meetings, for the year 2008-2009.”

CARRIED

Michael Newell presented the report from the Nominating Committee meeting of June 8, 2009, highlighting the recommendations of the Committee. The Chair asked for a motion.

Appointments to Standing Committees

Moved by Governor Schoep Seconded by Governor Spring

“That the Durham College Board of Governors appoint the following members to the Durham College Executive Committee for the year 2009-2010:

**Governor Fletcher, Chair
Governor Robinson, Vice-Chair
Governor Cubitt
Governor Newell
Governor Sewell
Governor Wu
President Lovisa, (ex-officio)**

CARRIED

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Moved by Governor Schoep Seconded by Governor Christian

That the Durham College Board of Governors appoint the following members to the Durham College Audit and Finance Committee for the year 2009-2010:

**Governor Sewell, Chair
Governor Dougherty
Governor Simpson
Pending Governor 1 [*made public June 24, 2009 - Jackie Simkin*]
Pending Governor 2 [*made public June 24, 2009 - Ron Chatterton*]
Governor Fletcher, Chair of Board, (ex-officio)
President Lovisa, (ex-officio)
Chief Financial Officer (non-voting)**

CARRIED

Moved by Governor Hodgins Seconded by Governor Simpson

That the Durham College Board of Governors appoint the following members to the Durham College Nominating Committee for the year 2009-2010:

**Governor Newell, Chair
Governor Christian
Governor Fraser
Governor Kerestely
Governor Robinson
Governor Spring
Governor Fletcher, Chair of the Board, (ex-officio)
President Lovisa, President (ex-officio)**

CARRIED

Moved by Governor Schoep Seconded by Governor Fraser

That the Durham College Board of Governors appoint the following members to the Durham College Governance Review Committee for the year 2009-2010:

**Governor Cubitt, Chair
Governor Kerestely
Governor Simpson
Governor Spring
Governor Upshaw
Governor Fletcher, Chair of the Board (ex-officio)
President Lovisa, President (ex-officio)**

CARRIED

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There were questions regarding the process to appoint co-populous Governors and it was advised that UOIT will make these appointments after the external appointments to Durham College are complete. External Board members interested in serving in a co-populous role would make application to UOIT directly.

The Chair asked for a motion to ratify the actions of Nominating Committee during 2008/2009.

Ratification of 2008-2009 Actions –Nominating Committee

Moved by Governor Schoep

Seconded by Governor Newell

“That the Durham College Board of Governors ratify all actions taken by the Durham College Nominating Committee, as captured in the minutes of such meetings, for the year 2008-2009.”

CARRIED

2007-2012 Success Matters Strategic Plan – Year End Update on Year 2 Progress

President Lovisa provided highlights of the key accomplishments of the work that has taken place on the plan and advised we have completed all of the Year 2 deliverables. There were questions regarding identified gaps. President Lovisa confirmed there were very few gaps. DCLT has worked to meet the objectives of notable items; we have effectively managed our budget, the academic plan has come together and our Year Three deliverables are built. We will continue to focus on sharing agreements and deliverables and build around the three pillars of our plan: “our students, our people, our business” as we strengthen program quality and quality measures, as noted in the KPI and continue to build provincial and national recognitions. Durham College will continue to develop enhanced strategic enrolment practises through such initiatives as second career funding, flexible delivery strategies and our “Strategic Enrolment Management (SEM) Committee”, which has been in operation since January 2009. We continue to enhance synergies and seamless pathways between programs and institutions, specifically with Trent University and UOIT and Durham College will showcase and market its expertise and excellence at the provincial, national and international level.

Board members asked specific questions regarding section S2.2 to improve access and support for specific under-represented groups at the College. President Lovisa confirmed Durham College is committed to providing improved access and support to all under-represented groups. The Durham College Year-End Update on Year 2 Progress of the Strategic Plan was received for information.

Durham College 2008-2009 Annual Report

President Lovisa presented the final draft of the annual report and advised it would go forward in a final version with graphics once approved. The content presented mirrors the information in the Strategic 2 year-end update. It is built around “our students, our people, our business”.

Board of Governors

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President Lovisa noted we will continue our work with government and we have seen success with funding proposals during the past year and received many visits by government representatives. The Board commented on the significant achievements of the Centre for Success and extended congratulations to Kathy Rhodes upon her retirement.

Moved by Governor Robinson

Seconded by Governor McKay

“That the Durham College Board of Governors approve the 2008-2009 Annual Report”

CARRIED

Durham College 2009-2010 Business Plan

President Lovisa provided an updated on the Business Plan, which is essentially a collection of documents reflecting the four priorities the College has set. The compilation includes an introduction, fact sheet, demographics, special features of the College and an update of our Whitby campus, highlighting our goals for the coming year. Durham College has built our deliverables from these initiatives.

President Lovisa gave an overview of the strategies, specifically our strategy for financial stability, long term debt, increased revenues, accountability based budget, implementation of program cluster costing and strengthening of our internal and external branding. The final component of the plan is the budget, as approved by the Board in May 2009. President Lovisa indicated he will report back to the Board in November 2009 on the progress of the Business Plan.

Moved by Governor Fraser

Seconded by Governor Hodgins

“That the Durham College Board of Governors approve the 2009-2010 Business Plan”.

CARRIED

The Board recessed at 8:00 p.m. and reconvened at 8:06 p.m.

Multi-Year Accountability Agreement Report

President Lovisa provided a high level overview of the “Reaching Higher Plan”. We continue to meet the target set, achieving fourteen of the fifteen targets. The one area in which the college fell short was the student satisfaction KPI result. In response, we have introduced detailed Program Action Reports to support planning, identify programs requiring intensive review and we plan to develop new metrics that guide decisions on new programs, programs improvements/renewals and sun-setting programs. We focus on the students and have good retention statistics. It was a two year plan, which we have now developed into a three year plan. The “Reaching Higher” framework is currently under review by the Ministry.

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Moved by Governor Newell

Seconded by Governor Robinson

“That the Board of Governors approve the Multi-Year Accountability Agreement Report Back 2008-09 as presented.”

CARRIED

Proposed New Academic Programs 2009 – 2011

Judy Robinson, VP, Academic provided an overview of the report. There are eight new programs planned for implementation in 2009 and confirmation numbers to date are strong; other programs are increasing in enrolment and we are changing the format to make them more accessible for students. Three new programs are under consideration for January 2010, one for March 2010 and over twenty-two in the development stage for September 2010. This will increase our offering across advanced programs, graduate certificate programs and two year programs.

Board members had questions regarding underdeveloped programs and also program advisory committees. Judy advised that program review and renewal occurs each year and we have suspended three programs through review this year. Under the program action plan each program advisory committee is to meet twice yearly. In response to concern regarding duplicating of programs, Judy indicated in specific cases it is not wrong to duplicate a program, as we do not want students in our community to relocate to take a program that could be offered locally. We will research whether programs in other colleges are over subscribed as we could fill this need through Durham College.

Applied Criminal Investigative Techniques Certificate

Judy Robinson provided an update on the applied criminal investigative techniques certificate. This certificate program would run under the programs coordinated by Jeanette Barrett and specifically addresses some of the legislation required under the Private Security and Investigative Services Act, 2005. Employers are actively recruiting students in this field that have a community college certificate for public, private and law enforcement sectors. Each course can be offered individually, independently, is eligible for funding and qualifies for second career initiatives. This new offering will be offered on a part time basis. Accessibility by e-lab is a strong advantage for this program. The budget is such that if twenty students enrol Durham College will see revenues.

Moved by Governor Fraser

Seconded by Governor Sewell

“That the Board approve the Durham College Certificate in Applied Criminal Investigative Techniques, a locally determined credential.”

CARRIED

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2009-2010 Proposed Meeting Dates

Leigh Doughty, Board Secretary indicated the draft of the meeting calendars for 2009-2010 will be loaded on the secure board portal. It was requested that the joint meeting with UOIT in October date be the week before Thanksgiving if possible. Governor Sewell requested a change of date for Audit and Finance Committee meetings. Committee members for 2009-2010 will be canvassed.

Approval of Student Services Building – Oshawa Campus

President Lovisa confirmed Durham College has received \$20 million dollars for a new building at the Oshawa campus adjacent to the Simcoe Building. This building will house student and career services as well as the registrar's office, security, photo identification and lecture theatre. The backfilling of the space currently used for these services will allow us to update areas of the Gordon Willey building with improved classrooms. It will be a Durham College building with services provided to UOIT through service level agreements. The estimated cost is \$12-13 million and the balance of the funds will be applied to the retrofit of the Gordon Willey building. President Lovisa indicated the new building will compliment the master plan. The master planning analysis indicated a 60,000 ft space deficit, and this building will address part of that need. We have issued an RFP and preliminary consultation, site work and construction will begin in September 2009 with a move in date of December 2010. We are under strict timelines from the government regarding the funding and the work must be complete by 2011.

There were questions regarding students with disabilities crossing the road to utilize the new building. President Lovisa indicated we are investigating a shuttle bus service or railed pathways as well as additional transportation for students and will ensure we design our access points based on these considerations.

President advised there may be a slight shortage in capital, as the government did not fund the entire amount for the build and the project is considered under funded. In response, we will build to accommodate our needs and then determine if we can acquire additional funding from the government.

Discussion took place regarding building design, control of building changes, budget and project control mechanisms. President Lovisa indicated we have control mechanisms in place through the RFP process and Nevzat Gurmen, CFO, will monitor spending and approve changes to the project ensuring they align with the budget. Ralph Aprile advised there was a cost consultant for the Whitby project and we will use the same consultant for this build. The design consulting and construction management costs are fixed costs and there are cost control measures in place. The Board requested regular updates on the projects at each board meeting including an accounting update.

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Moved by Governor Schoep

Seconded by Governor Robinson

“That the Durham College Board of Governors approve the construction of the Centre for Student Services building and resulting renovations within the Gordon Willey building for expanded teaching and learning spaces for DC, utilizing the \$20 funding provided by the federal and provincial governments announced on May 25, 2009, specifically for this build; and further

That this information be brought forward to the UOIT Board of Governors, without prejudice, in the spirit of the Sharing Agreement dated September 23, 2004.”

CARRIED

Approval of Phase 2 of the Whitby Campus Expansion

President Lovisa provided an overview of the Whitby expansion project, a result of the funding received from the federal and provincial governments. Phase II will be a green building to compliment our vision for the Whitby campus for building trade programs to build smart homes, green homes, energy sector, etc. Increased enrolment at Whitby will necessitate additional services such including food services, student services and a resource centre. We propose to build the Phase II building on available vacant land. Ralph advised this construction project must be also be complete by March 31, 2011. Construction will commence in on Phase II in September 2009. Phase I should be complete by September 2009 and is on budget. President Lovisa confirmed the entire budget for Phase I and Phase II is \$25 million dollars (\$10M for Phase I and \$15M for Phase II). We will build new, hiring a project manager for this build.

Board members questioned the proposed biomass generator on campus. Staff indicated we have only had initial discussions regarding this technology as we do not have the funding. Residential districts are a significant distance away from the building. Biomass technology would be used to heat the facility. We will continue to investigate biomass technology and the appropriate zoning approvals required, ensuring we seek public input to the process.

This item of business was deferred until after the in-camera session.

Whitby – Building Construction and Budget Update

Nevzat Gurmen and Ralph Aprile provided an update on the budget status of the Whitby campus Phase I expansion. Board members had questions regarding the schedule for the project and monies spent. Ralph advised the schedule matches the cash flow for the project. We are investing heavily in solar products. We have assigned fixed costs to the schedule of the build and report on a monthly basis to the Ministry, as we are utilizing government funds for the project.

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OTHER BUSINESS

Program Advisory Committee Minutes

Moved by Governor McKay Seconded by Governor Fraser

“That the Durham College Board of Governors receive the program advisory committee minutes for May and June 2009 for information.”

CARRIED

UPCOMING EVENTS

Rhonda Christian provided an update on the professional development day for Friday, June 12, 2009. Convocation ceremonies for Durham College will be held on June 18 and 19, 2009 at the General Motors Centre. The Hail and Farewell to Governors Event will be held Wednesday, June 24th at 6:00 p.m.

Moved by Governor Schoep Seconded by Governor Hodgins

That the Board go into an in-camera session to discuss business respecting human resources, litigation or contractual matters and items of confidentially under the Freedom of Information and Protection of Privacy Act (FIPPA) Section 18 Economic Interests, sections c) information where the disclosure could reasonably be expected to prejudice the economic interests of an institution or the competitive position of an institution; and (e) positions, plans, procedures, criteria or instructions to be applied to any negotiations carried on or to be carried on by or on behalf of an institution or the Government of Ontario.

CARRIED

The Board moved into in-camera session at 9:31 p.m.

The Board returned to open public session at 11:22 p.m.

Moved by Governor Hodgins Seconded by Governor Schoep

That the Durham College Board of Governors approve the construction of the second phase of the Whitby Campus expansion utilizing the \$15 million funding from the federal and provincial governments announced on May 29, 2009, specifically for this build.

CARRIED

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ADJOURNMENT

Moved by Governor Fraser

Seconded by Governor Upshaw

**“That this meeting of the Board of Governors of Durham College adjourn at
11:24 p.m.”**

CARRIED

Leigh Doughty
Board Secretary

Aileen Fletcher
Chair, Board of Governors