

The following Motions and Documents were considered by the Board of Governors during the Open Session of its Friday, March 15, 2019 meeting:

Agenda Title: **Proposed New Mandatory Student Instructional Support Fees, Proposed Change to Existing Mandatory Student Instructional Support Fee, Proposed Deletion of Mandatory Student Instructional Support Fee and Proposed New Nomination Fee.**

APPROVED MOTION 1: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:

- the proposed New Mandatory Student Instructional Support Fees (set forth in Attachment 2)

as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 2.

APPROVED MOTION 2: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:

- the proposed Change to Existing Mandatory Student Instructional Support Fees (set forth in Attachment 3)

as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 3.

APPROVED MOTION 3: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:

- the proposed Deletion of Mandatory Student Instructional Support Fee (set forth in Attachment 4)

as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 4.

APPROVED MOTION 4: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:

- the proposed Nomination Fee (set forth in Attachment 5)

as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 5.

Final Item: 4bi

Agenda Title: **Capitalization of Unrestricted Funds to Permanent Restricted Endowments Net Assets**

APPROVED MOTION: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the transfer of \$881,982 of unrestricted net assets to permanent restricted endowment net assets.

Final Item: 4bii

Agenda Title: **Internal Loan Policy Updates**

APPROVED MOTION: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the revised Internal Loan Policy as set forth in Attachment 1.

Final Item: 4biii

Agenda Title: **Endowment Management Policy and Procedure**

APPROVED MOTION: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the Endowment Management Policy and Procedure, as set forth in Attachments 1 and 2, effective immediately.

Final Item: 4biv

Agenda Title: **Appointment to the Public Sector Pension Plan Sponsor Board**

APPROVED MOTION: THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee, approve the appointment of Ms Gitta Kulczycki, Vice-President (Finance and Administration), to the PSPP (Public Service Pension Plan) Sponsor Board, pursuant to Schedule 2, Part 1, Section 4 of the *Joint Governance of Public Sector Pension Plans Act*, for a three-year term effective March 1, 2019.

Final Item: 4ci

Agenda Title: **University of Alberta 2019-2020 Tuition Fee Proposal**

APPROVED MOTION 1: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve that domestic student tuition governed by the tuition fee regulation for 2019-20 be set at the 2014-15 rates, as directed by the Government of Alberta.

APPROVED MOTION 2: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, recommend that the Board of Governors approve that mandatory non-instructional fees for 2019-20 be set at the 2014-15 rates, as directed by the Government of Alberta.

APPROVED MOTION 3: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, recommend that the Board of Governors approve an increase of 2.77% to international tuition fees for 2019-20, as illustrated in the table below:

continued

Undergraduate	2018-19	2019-20	Change ^e	
			\$	%
Arts and Science	\$ 21,668.40	\$ 22,267.20	\$ 598.80	2.76%
Business	\$ 28,503.12	\$ 29,291.04	\$ 787.92	2.76%
Engineering	\$ 26,002.08	\$ 26,720.64	\$ 718.56	2.76%
Juris Doctor (JD) Program	\$ 47,003.48	\$ 48,303.92	\$ 1,300.44	2.77%
Pharmacy (Pharm D)	\$ 48,149.76	\$ 49,480.64	\$ 1,330.88	2.76%
Economics Course	\$ 2,764.70	\$ 2,841.12	\$ 76.42	2.76%

Graduate ^a	2018-19 ^d	2019-20	Change ^e	
			\$	%
Course Based Master's	\$ 8,437.68	\$ 8,670.96	\$ 233.28	2.76%
Thesis 919 ^b	\$ 5,265.08	\$ 5,410.88	\$ 145.80	2.77%
Thesis Based Masters /PhD ^c	\$ 7,279.32	\$ 7,480.68	\$ 201.36	2.77%
Master's in Business Administration	\$ 16,519.68	\$ 16,976.16	\$ 456.48	2.76%
Integrated Petroleum Geosciences Course	\$ 3,015.86	\$ 3,099.24	\$ 83.38	2.76%
International Graduate Tuition Increase ^{f,g}	\$ 4,000.00	\$ 4,000.00	\$ -	0.00%

Notes:

- (a) Values are based on full-time per term and full-time per year unless otherwise stated.
- (b) Tuition applies to thesis students who were admitted to the program of study prior to Fall 2011 and are assessed the reduced thesis rate.
- (c) Tuition applies to thesis students who were admitted to the program of study beginning in Fall 2011 or later; this is based on an annual fee assessment (including spring/summer).
- (d) As approved by the Board of Governors, March 16, 2018.
- (e) Figures may be rounded downwards at fee index level for administrative purposes, thus lowering the effective year over year percentage increase below 2.77 percent.
- (f) Per year for full time student, excluding Cost recovery and graduate course based Physical Therapy, Occupational Therapy, and Speech master's programs in Faculty of Rehabilitation Medicine.
- (g) \$4000 will be cost-neutral and offset by an equal amount of financial support.

Final Item: 5ai.

Agenda Title: 2019-20 University of Alberta Residence and Meal Plan Rates

APPROVED MOTION 1: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 5% to the rates for all residences located in Edmonton for the 2019/20 academic year, as per Attachment 1.

APPROVED MOTION 2: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 2.27% to the meal plan rates in Lister Hall and Peter Lougheed Hall for the 2019/20 academic year, as per Attachment 2.

continued

APPROVED MOTION 3: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 3% to the combined residence and meal plan rate at Augustana Campus for the 2019/20 academic year, as per Attachment 3.

Final Item: 5aii.

Agenda Title: **University of Alberta 2019-20 Budget**

APPROVED MOTION: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve the 2019-20 Consolidated Budget as set forth in Attachment 2.

Final Item: 5aiii.

Agenda Title: **Board of Governors Delegations of Authority for Tuition and Fees**

Whereas the Board of Governors approved the Principles for Board of Governors Delegation of Authority on June 15, 2018, including the following statements:

- *The Board of Governors has employed a structure that relies upon the delegation of its provincially-mandated authorities to its standing committees, the President or other members of Administration and other campus bodies; and*
- *Delegation is essential to ensure timely and efficient decision-making in smaller forums with access to appropriate resource people, while allowing the Board to focus on substantive and strategic issues of broad relevance to the university community;*

APPROVED MOTION 1: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of increases to domestic tuition equal to or less than the Consumer Price Index, as defined in the Tuition and Fees Regulation, to the Board Finance and Property Committee.

APPROVED MOTION 2: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of domestic tuition rates when frozen by the Minister responsible, or otherwise controlled by the Minister, to the President.

APPROVED MOTION 3: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of increases to existing mandatory non-instructional fees equal to or less than the agreed upon weighted annual inflation with both a ceiling of 5.0% and a floor of 0% to the Board Finance and Property Committee.

APPROVED MOTION 4: THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of new mandatory student instructional support fees, and changes to or deletions of existing mandatory student instructional support fees, to the Board Finance and Property Committee.

Final Item: 5b.

Agenda Title: ***Conflicts of Interest Amendment Act - Codes of Conduct: Employees' Obligations Respecting Conflicts of Interest and Board Members' Obligations Respecting Conflicts of Interest***

APPROVED MOTION 1: THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee and General Faculties Council, approve the Code of Conduct: Employees' Obligations Respecting Conflicts of Interest, as set forth in Attachment 1, to take effect July 1, 2019.

APPROVED MOTION 2: THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee, approve the Code of Conduct: Board Members' Obligations Respecting Conflict of Interest, as set forth in Attachment 2, to take effect July 1, 2019.

Final Item: 6a.

**Governance Executive Summary
Action Item**

Agenda Title	Proposed New Mandatory Student Instructional Support Fees, Proposed Change to Existing Mandatory Student Instructional Support Fee, Proposed Deletion of Mandatory Student Instructional Support Fee and Proposed New Nomination Fee.
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Motion 1

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:</p> <ul style="list-style-type: none"> • the proposed New Mandatory Student Instructional Support Fees (set forth in Attachment 2) <p>as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 2.</p>
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Motion 2

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:</p> <ul style="list-style-type: none"> • the proposed Change to Existing Mandatory Student Instructional Support Fees (set forth in Attachment 3) <p>as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 3.</p>

Motion 3

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:</p> <ul style="list-style-type: none"> • the proposed Deletion of Mandatory Student Instructional Support Fee (set forth in Attachment 4) <p>as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 4.</p>

Motion 4

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve:</p> <ul style="list-style-type: none"> • the proposed Nomination Fee (set forth in Attachment 5) <p>as submitted on behalf of the relevant Faculties/Departments by the Registrar's Advisory Committee on Fees (RACF), to take effect as noted in Attachment 5.</p>
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Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Interim Vice-Provost and University Registrar and the Faculties and Departments that have proposed new and changed fees.
Presenter(s)	Melissa Padfield, Interim Vice-Provost and University Registrar

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Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is <i>(please be specific)</i>	To establish new Mandatory Student Instructional Support Fees, Change Existing Mandatory Student Instructional Support Fee, Deletion of existing Mandatory Student Instructional Support Fee and Propose New Nomination Fee.
Executive Summary <i>(outline the specific item – and remember your audience)</i>	<p>The impacts of the proposals are stated in the purpose and outline in each attached proposal.</p> <p>Implementation dates for each proposal may vary; see attachments for details.</p> <p>After final approval by the Board of Governors, the proposed fees would be implemented by the Office of the Registrar, Financial Services and the corresponding units proposing fee changes. The Office of the Registrar will communicate the approval of all fees to the proposers of the various fees contained in this proposal. All of these categories of fees are listed on the Office of the Registrar’s website and the units initiating the proposal are responsible for communicating any fees to the impacted students.</p>
Supplementary Notes and context	<p>This item came to APC and BFPC as one motion:</p> <p><i>THAT the Board Finance and Property Committee, on the recommendation of the General Faculties Council Academic Planning Committee, recommend that the Board of Governors approve:</i></p> <ul style="list-style-type: none"> • <i>the proposed New Mandatory Student Instructional Support Fees (set forth in Attachment 2)</i> • <i>the proposed Change to Existing Mandatory Student Instructional Support Fees (set forth in Attachment 3)</i> • <i>the proposed Deletion of Mandatory Student Instructional Support Fee (set forth in Attachment 4)</i> • <i>the proposed Nomination Fee (set forth in Attachment 5)</i> <p><i>as submitted on behalf of the relevant Faculties/Departments by the Registrar’s Advisory Committee on Fees (RACF), to take effect as noted in each respective attachment.</i></p> <p>At each meeting, student members raised concerns about the amount of student consultation for some of the proposals. The motion was divided so that student members could vote against if desired.</p>

Engagement and Routing (Include meeting dates)

Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)	<u>Those who are actively participating:</u> <ul style="list-style-type: none"> • As outlined in various proposals
<For information on the	<u>Those who have been consulted:</u> <ul style="list-style-type: none"> • As outlined in various proposals

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protocol see the Governance Resources section Student Participation Protocol >	<u><i>Those who have been informed:</i></u> <ul style="list-style-type: none"> As outlined in various proposals
Approval Route (Governance) (including meeting dates)	GFC Academic Planning Committee – February 13, 2019 Board Finance and Property Committee – February 26, 2019 Board of Governors – March 15, 2019

Strategic Alignment

Alignment with <i>For the Public Good</i>	<p>SUSTAIN: Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all.</p> <p>Objective 21. Encourage continuous improvement in administrative, governance, planning and stewardship systems, procedures, and policies that enable students, faculty, staff, and the institution as a whole to achieve shared strategic goals.</p> <p>Objective 22: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university's core mission and strategic goals.</p> <p>i. Strategy: Seek and secure resources needed to achieve and support our strategic goals.</p> <p>ii. Strategy: Ensure a sustainable budget model to preserve and enhance our core mission and reputation for excellence in teaching, learning, research, and community engagement.</p>													
Alignment with Institutional Risk Indicator	<p>Please note below the specific institutional risk(s) this proposal is addressing.</p> <table border="0"> <tr> <td><input type="checkbox"/> Enrolment Management</td> <td><input type="checkbox"/> Relationship with Stakeholders</td> </tr> <tr> <td><input type="checkbox"/> Faculty and Staff</td> <td><input type="checkbox"/> Reputation</td> </tr> <tr> <td><input checked="" type="checkbox"/> Funding and Resource Management</td> <td><input type="checkbox"/> Research Enterprise</td> </tr> <tr> <td><input type="checkbox"/> IT Services, Software and Hardware</td> <td><input type="checkbox"/> Safety</td> </tr> <tr> <td><input type="checkbox"/> Leadership and Change</td> <td><input checked="" type="checkbox"/> Student Success</td> </tr> <tr> <td><input type="checkbox"/> Physical Infrastructure</td> <td></td> </tr> </table>		<input type="checkbox"/> Enrolment Management	<input type="checkbox"/> Relationship with Stakeholders	<input type="checkbox"/> Faculty and Staff	<input type="checkbox"/> Reputation	<input checked="" type="checkbox"/> Funding and Resource Management	<input type="checkbox"/> Research Enterprise	<input type="checkbox"/> IT Services, Software and Hardware	<input type="checkbox"/> Safety	<input type="checkbox"/> Leadership and Change	<input checked="" type="checkbox"/> Student Success	<input type="checkbox"/> Physical Infrastructure	
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Legislative Compliance and jurisdiction	<p><i>Post-Secondary Learning Act (PSLA)</i> and Regulations Board of Governors General Terms of Reference Board Finance and Property Committee (BFPC) Terms of Reference, Section 3(d) and 4(e) UAPPOL Student Instructional Support Fees Policy and Procedures University of Alberta Calendar GFC Academic Planning Committee Terms of Reference</p>													

Attachments:

1. Overview of Proposals (for information only) (1 page)
2. Proposals for New Mandatory Student Instructional Support Fees (7 pages)
3. Proposal for Change of Mandatory Student Instructional Support Fee (3 pages)
4. Proposal for Deletion of Mandatory Student Instructional Support Fee (3 pages)
5. Proposal for New Nomination Fee (5 pages)

Overview of Mandatory Student Instructional Support Fee Proposals for 2019-20 implementation

The following is an overview of the proposals on Mandatory Student Instructional Support Fees (MSISF). These proposals include new MSISFs, changes to existing MSISFs, deletion of MSISFs and in the introduction of a new Nomination Fee under the MSISF umbrella. All proposals have received a technical review by the Registrar's Advisory Committee on Fees.

Type of Fee	Course or Program	Implementation Date	Purpose of Fee	Fee Amount	Mandatory Course for program	Page Number
New MSISF	BOT 306	September 1, 2019	Field trip (transportation, food and accommodation)	\$150 - \$200	NO	6
New MSISF	BIOL 333	September 1, 2019	Field trip (transportation)	\$30 - \$60	NO	8
New MSISF	REN R 333	September 1, 2019	Field trip (transportation)	\$30 - \$60	NO	10
Change to existing MSISF	EDPY 520 – transfer current fee from EDPY 519	September 1, 2019	Test protocols and Supplies	\$325	YES	13
Delete MSISF (course no longer offered)	PAC 345	September 1, 2019	N/A	\$0	N/A	16
Delete MSISF (course no longer offered)	PEDS 345	September 1, 2019	N/A	\$0	N/A	16
Delete MSISF (course no longer offered)	RLS 462	September 1, 2019	N/A	\$0	N/A	16
New Nomination Fee	School in Cortona	May 1, 2019	Operating and Administrative Expenses	\$250	NO	19

Attachment 2**Proposals for New Mandatory Student Instructional Support Fees**

Course	Implementation	Fee	Page Number
BOT 306	September 1, 2019	\$150 - \$200	6
BIOL 333	September 1, 2019	\$30 - \$60	8
REN R 333	September 1, 2019	\$30 - \$60	10

Mandatory fees assessed in anticipation of costs for supplies, equipment, materials, or services which are not directly related to the delivery of instruction in a course or program, but are considered required elements of a course or program. Examples include but are not limited to the costs of food, lodging, and transportation for required field trips; supply of certain specialized professional tools which the student will retain; and fees for arranging professional placements such as practica, internships, and work experience. All mandatory instructional support fees require the approval of the Board of Governors.

Definition is taken from UAPPOL Student Instructional Support Fee Definition of Mandatory Instructional Support Fee.

Registrar's Advisory Committee on Fees (RACF)**For the meeting of: November 27, 2018****Action item No. <06>****Request for Approval for: BOT 306 Biology of Fungi****Fee Type (see end of form for definitions)*:**

- Mandatory Student Instructional Support Fee**
- Alternate Delivery Fee**
- Cost Recovery Fee / Revenue Generation**
- Other**

OUTLINE OF ISSUE: We are requesting to have Mandatory Student Instructional Support Fees for BOT 306. Last year the Department covered costs for a weekend field trip, but the department does not have the funds to cover all costs associated with the field trip every year. Thus, we are requesting the ability to have students cover some of the costs associated with this valuable component of the course.

Put N/A in any boxes that do not apply

Proposer

Faculty/Department	Science/Dept. of Biological Sciences
Dean/Chair	Dr. Frank Marsiglio / Dr. Michael Caldwell
Primary Contact (Name, phone number, and e-mail)	Dr. Toby Spribille, 780-492-8957, toby.spribille@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Dr. Jocelyn Hall, 780-492-0076, jocelyn.hall@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	Field trip fees to cover transportation, food and accommodation
Proposed Amount	\$150 to \$200
Previous Fee Amount (if this is a new fee, please indicate that here)	New
Requested Implementation Date	Fall 2019
The Impact of the Fee (number of students affected, etc.)	24
Collected Centrally or by Department	Centrally

Course Information (if fee is attached to a course)

Course Name(s)	BOT 306: Biology of Fungi
Required Course(s)	<input type="checkbox"/> Yes: <input checked="" type="checkbox"/> No
The course/program is on or off campus	<input checked="" type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus
New or Existing Course(s)	Existing
New or Existing Program (include name)	We have just put in Calendar change for this course to be listed in List A (Biological Diversity) for the Ecology, Evolution and Environmental Biology Honors and Specialization programs. The course is also listed as an option for two suspended programs (Plant Biology; Evolutionary Biology).
Course Description(s)	BOT 306. Biology of the Fungi *3 (fi 6) (first term, 3-0-3). The Kingdom Fungi, including yeasts, molds, mushrooms, rusts, smuts, mildews, etc. is one of the most diverse groups of living organisms and plays important roles in nutrient cycling in ecosystems, pathogenesis in plants and animals, industrial processes, etc. This course offers a systematic overview of the morphology and ecology of fungi and the relevance of these organisms to human affairs. Laboratories offer a selection of fungi for detailed study and permit students to develop and identify pure cultures of fungi from soil, wood and other materials. Prerequisites: BIOL 108 or SCI 100 and a 200-level Biological Sciences course. BOT 205 recommended.

Details

Estimated Costs (Budget information may be included here or as an attachment)	Field trip to Marten Lakes Campus of Northern Lakes College, about 70 km N of Slave Lake, AB. Associated costs, supplies, food: \$1000 Accommodation: \$700 Transportation: \$3000 Total expenditures: \$4700
Explanatory Notes	N/A

Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	N/A
Student Group Consultative Route	N/A
Advisory Route (RACF) Include dates	November 27, 2018
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Registrar's Advisory Committee on Fees (RACF)**For the meeting of: November 27, 2018****Action item No. <07a>****Request for Approval for: BIOL 333, Wetland Science and Management****Fee Type (see end of form for definitions)*:**

- Mandatory Student Instructional Support Fee**
- Alternate Delivery Fee**
- Cost Recovery Fee / Revenue Generation**
- Other**

OUTLINE OF ISSUE BIOL 333 and RENR 333 are cross-listed courses that are offered by the Faculty of Science and the Faculty of Agricultural, Life & Environmental Sciences. That is, the two courses are taught as a single course with the same instructors. Two field trips are essential for students to visit local wetland sites to collect data for laboratory analysis. One field trip takes place on a Saturday in September (all day) and the second field trip is during lab/lecture time slot in October. We are requesting that a fee be applied to this course in order to offset the cost of transportation fees associated with these field trips.

*Put N/A in any boxes that do not apply***Proposer**

Faculty/Department	Science/Biological Sciences
Dean/Chair	Dr. Frank Marsiglio / Dr. Michael Caldwell
Primary Contact (Name, phone number, and e-mail)	Dr. Kevin Devito, 492-9387, kevin.devito@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Dr. Jocelyn Hall, 492-0076, Jocelyn.hall@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	Field Trip Fees to cover costs of transportation
Proposed Amount	\$30 to \$60
Previous Fee Amount (if this is a new fee, please indicate that here)	New
Requested Implementation Date	Fall 2019
The Impact of the Fee (number of students affected, etc.)	18 (total enrollment for BIOL 333 and RENR 333 is 36, 18 per class)
Collected Centrally or by Department	Centrally

Course Information (if fee is attached to a course)

Course Name(s)	BIOL 333, Wetland Science and Management
Required Course(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The course/program is on or off campus	<input checked="" type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus
New or Existing Course(s)	Existing
New or Existing Program (include name)	BIOL 333 is listed as course option for List C (Ecology and Environmental Biology) for the Ecology, Evolution and Environmental Biology honors/specialization program.
Course Description(s)	BIOL 333, Wetland Science and Management. ★ 3 (fi 6) (first term, 3-0-3) The course includes an introduction to the hydrology, biogeochemistry and ecology of wetland ecosystems. Topics covered include classification, geomorphic setting, distribution, functions and ecosystem services of wetlands. Human use, alteration and management of wetlands are examined. An emphasis is placed on wetlands and wetland management in Western Canada, including boreal peatlands and prairie marshes. A full day field trip on a Saturday is required. Prerequisite: one of BIOL 208, REN R 250, or EAS 201. Credit may be obtained in only one of BOT 333 and BIOL 333.

Details

Estimated Costs (Budget information may be included here or as an attachment)	Saturday field trip: Bus transportation: \$860.00 October field trip: Bus transportation: \$500.00 Total: \$1360.00
Explanatory Notes	We are requesting that the up to 36 students (18 registered in BIOL 333; 18 registered in RENR 333) cover the transportation fees for these field trips. All other costs (e.g., technical support staff, hip-wader boots) will be provided by departments.

Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	N/A
Student Group Consultative Route	N/A
Advisory Route (RACF) Include dates	November 27, 2018
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Registrar's Advisory Committee on Fees (RACF)

For the meeting of: November 27, 2018

Action item No. <07b>

Request for Approval for: REN R 333, Wetland Sciences and Management

Fee Type (see end of form for definitions)*:

- Mandatory Student Instructional Support Fee**
- Alternate Delivery Fee**
- Cost Recovery Fee / Revenue Generation**
- Other**

OUTLINE OF ISSUE: BIOL 333 and RENR 333 are cross-listed courses that are offered by the Faculty of Science and the Faculty of Agricultural, Life & Environmental Sciences. That is, the two courses are taught as a single course with the same instructors. Two field trips are essential for students to visit local wetland sites to collect data for laboratory analysis. One field trip takes place on a Saturday in September (all day) and the second field trip is during lab/lecture time slot in October. We are requesting that a fee be applied to this course in order to offset the cost of transportation fees associated with these field trips.

Put N/A in any boxes that do not apply

Proposer

Faculty/Department	Renewable Resources/ALES
Dean/Chair	Ellen Macdonald
Primary Contact (Name, phone number, and e-mail)	Dr. David Olefeldt, 240-1814, olefeldt@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Ellen Macdonald, 780-492-3070, emacдона@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	Field Trip Fees to cover costs of transportation
Proposed Amount	\$30 to \$60
Previous Fee Amount (if this is a new fee, please indicate that here)	New
Requested Implementation Date	Fall 2019
The Impact of the Fee (number of students affected, etc.)	18 (total enrollment for BIOL 333 and RENR 333 is 36, 18 per class)
Collected Centrally or by Department	Centrally

Course Information (if fee is attached to a course)

Course Name(s)	REN R 333, Wetland Sciences and Management
Required Course(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The course/program is on or off campus	<input checked="" type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus
New or Existing Course(s)	Existing
New or Existing Program (include name)	REN R 333 is frequently taken as an approved program elective for students in the BSc Environmental and Conservation Sciences program (Conservation Biology and Land Reclamation majors) and sometimes by students in the BSc Forestry program.
Course Description(s)	<p>REN R 333 - Wetland Sciences and Management</p> <p>★ 3 (fi 6) (first term, 3-0-3) The course includes an introduction to the hydrology, biogeochemistry and ecology of wetland ecosystems. Topics covered include wetland classifications, geomorphic settings, distributions, functions and ecosystem services. Human use, alteration and management of wetlands are examined. An emphasis is placed on wetlands and wetland management in Western Canada, including boreal peatlands and prairie marshes. A full day field trip on a Saturday is required. Prerequisite: BIOL 208 or EAS 201, or consent of instructor. Credit will only be given for one of REN R 333 and BIOL 333.</p>

Details

Estimated Costs (Budget information may be included here or as an attachment)	<p>Saturday field trip: Bus transportation: \$860.00</p> <p>October field trip: Bus transportation: \$500.00</p> <p>Total: \$1360.00</p>
Explanatory Notes	We are requesting that the up to 36 students (18 registered in BIOL 333; 18 registered in REN R 333) cover the transportation fees for these field trips. All other costs (e.g., technical support staff, hip-wader boots) will be provided by departments.

Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	N/A
Student Group Consultative Route	N/A
Advisory Route (RACF) Include dates	November 27, 2018
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Attachment 3

Proposals for Changes to Existing Mandatory Student Instructional Support Fees

Course	Implementation	Current Fee	Proposed Fee	Page Number
EDPY 520	September 1, 2019	\$325 - currently attached to EDPY 519	\$325 – move existing fee to EDPY 520	13

Mandatory fees assessed in anticipation of costs for supplies, equipment, materials, or services which are not directly related to the delivery of instruction in a course or program, but are considered required elements of a course or program. Examples include but are not limited to the costs of food, lodging, and transportation for required field trips; supply of certain specialized professional tools which the student will retain; and fees for arranging professional placements such as practica, internships, and work experience. All mandatory instructional support fees require the approval of the Board of Governors.

Definition is taken from UAPPOL Student Instructional Support Fee Definition of Mandatory Instructional Support Fee.

Registrar's Advisory Committee on Fees (RACF)

For the meeting of: January 2019

Item No. <1>

Request for Approval for: Student Instructional Support Fees for practicum test materials for students in EDPY 520: Assessment for Effective Intervention Practicum

Fee Type (see end of form for definitions)*:

- Mandatory Student Instructional Support Fee**
- Alternate Delivery Fee**
- Cost Recovery Fee / Revenue Generation**
- Other**

OUTLINE OF ISSUE: Upon review of the School and Clinical Child Psychology (SCCP) M.Ed. and Ph.D. program requirements, the SCCP program faculty realized that more practicum experience was required in the Masters program, and that the practicum experience currently embedded in EDPY 519 would be better represented as a standalone practicum course. EDPY 519 was redesigned to address the theory and principles of psychological assessment in school and clinical settings with an emphasis on informing evidence-based interventions. The practicum components of EDPY 519 were removed and EDPY 520 was created to accommodate the practicum elements previously housed in EDPY 519.

A mandatory instructional fee of \$325 had been awarded previously to EDPY 519 to support the costs of test protocols required for the then practicum component of the course. We are requesting that the instructional fee that was assigned to EDPY 519 be removed from that course and reassigned to EDPY 520 which is now the practicum course supplementing the theory taught in EDPY 519.

Put N/A in any boxes that do not apply

Proposer

Faculty/Department	Faculty of Education / Department of Educational Psychology
Dean/Chair	Dr. Jennifer Tupper / Dr. George Buck
Primary Contact (Name, phone number, and e-mail)	Liz Grieve, Assistant Chair (Administration) 2-2606 / grieve@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Dr. Sophie Yohani, Associate Chair (Graduate Studies) 2-2389 / sophie.yohani@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	The fee is to be used to support the costs of test protocols and supplies used by the students when working with clients.
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Proposed Amount	\$325
Previous Fee Amount (if this is a new fee, please indicate that here)	For the purposes of this course, it is a new fee; however, in actuality it is a transfer of the fee from EDPY 519 to EDPY 520 which is now covering the practicum content of EDPY 519
Requested Implementation Date	September 1, 2019
The Impact of the Fee (number of students affected, etc.)	Maximum enrolment per section is 12
Collected Centrally or by Department	Centrally

Course Information (if fee is attached to a course)

Course Name(s)	EDPY 520: Assessment for Effective Intervention Practicum
Required Course(s)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
The course/program is on or off campus	<input checked="" type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus
New or Existing Course(s)	New Course
New or Existing Program (include name)	Existing Program: School and Clinical Child Psychology
Course Description(s)	This practicum provides supervised applied experience in both assessment and intervention with a focus on working with children and adolescents

Details

Estimated Costs (Budget information may be included here or as an attachment)	\$325/student
Explanatory Notes	

Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	Dr. George Buck, Chair, Educational Psychology Dr. Doug Gleddie, Vice Dean, Education, on behalf of the Dean Dr. Sophie Yohani, Associate Chair (Graduate Studies), Educational Psychology, Dr. Damien Cormier, Program Coordinator, SCCP, Educational Psychology Faculty members in the School and Clinical Child Psychology program Dr. Jacqueline Pei, Director of Assessment, Clinical Services, Education
Student Group Consultative Route	
Advisory Route (RACF) Include dates	RACF January 2019
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Attachment 4**Proposal for Deletion of Mandatory Student Instructional Support Fee**

Course	Implementation	Proposed Fee	Page Number
PAC 345	September 1, 2019	\$0	16
PEDS 305	September 1, 2019	\$0	16
RLS 462	September 1, 2019	\$0	16

Registrar's Advisory Committee on Fees (RACF)

For the meeting of: November 27, 2018

Action item No. <08>

Request for Approval for: PAC 345 – Analysis and Instruction of Golf, PEDS 305 – Adventure Education Leadership, and RLS 462 – Outdoor Recreation Resources.

Fee Type (see end of form for definitions)*:

- Mandatory Student Instructional Support Fee**
- Alternate Delivery Fee**
- Cost Recovery Fee / Revenue Generation**
- Other**

OUTLINE OF ISSUE: Delete fees

Put N/A in any boxes that do not apply

Proposer

Faculty/Department	Faculty of Kinesiology, Sport, and Recreation
Dean/Chair	Kerry Mummery, Dean, Faculty of Kinesiology, Sport, and Recreation (KSR)
Primary Contact (Name, phone number, and e-mail)	Amanda Schwalbe, Academic Programs Manager, KSR Tel: (780) 492-8025; amanda@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Angela Bayduza, Interim Associate Dean (Undergraduate Programs), KSR; ksradu@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	Delete fees
Proposed Amount	N/A
Previous Fee Amount (if this is a new fee, please indicate that here)	N/A
Requested Implementation Date	Fall 2019
The Impact of the Fee (number of students affected, etc.)	N/A
Collected Centrally or by Department	N/A

Course Information (if fee is attached to a course)

Course Name(s)	N/A
Required Course(s)	<input type="checkbox"/> Yes <input type="checkbox"/> No
The course/program is on or off campus	<input type="checkbox"/> On-Campus <input type="checkbox"/> Off-Campus
New or Existing Course(s)	N/A
New or Existing Program (include name)	N/A
Course Description(s)	N/A

Details

Estimated Costs (Budget information may be included here or as an attachment)	N/A
Explanatory Notes	N/A

Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	Undergraduate Program Committee – May 10, 2018 Faculty Executive Committee – May 16, 2018 Faculty Council – May 23, 2018
Student Group Consultative Route	
Advisory Route (RACF) Include dates	November 27, 2018
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Attachment 5**Proposal for New Nomination Fee**

Course	Implementation	Proposed Fee	Page Number
School of Cortona	May 1, 2019	\$250	19

Registrar's Advisory Committee on Fees (RACF)

For the meeting of: April 24, 2018

Item No. <02>

Request for Approval for: School in Cortona Courses

Fee Type (see end of form for definitions)*:

- Mandatory Student Instructional Support Fee**
 Alternate Delivery Fee
 Cost Recovery Fee / Revenue Generation
 Other – Application/Administration Fee

OUTLINE OF ISSUE: Increase in School in Cortona Fees

Put N/A in any boxes that do not apply

Proposer

Faculty/Department	Faculty of Arts
Dean/Chair	Dean Lesley Cormack
Primary Contact (Name, phone number, and e-mail)	Vice-Dean Mike O'Driscoll 780.248.1115 mo@ualberta.ca
Secondary Contact (Name, phone number, and e-mail)	Ms. Sherilyn Trompetter 780.492.4389 sherilyn.trompetter@ualberta.ca

Item

Purpose of Fee (what it is to be used for)	<p>The cost recovery fee is proposed to cover increased operating and administrative expenses for the program in Cortona, Italy. The cost-recovery formula of 2 * fee index * # fee index has been in place since implementation of the program. While revenues have increased as fee index has increased throughout the years, the Faculty consistently has a modest revenue shortfall compared to expenses incurred for the program.</p> <p>The majority of our expenses can be covered through the existing cost-recovery formula. We are also sensitive to student costs to participate in the School in Cortona program and would like to keep it as accessible as possible to students and will make changes to the expenses of the program before changing the existing cost-recovery formula for the program.</p> <p>Implementing a \$250 nomination fee on the approximately 130 participants we send annually on the program would increase our revenues by \$32,500. We would only charge a student this fee once per academic year, thereby not penalizing the student if they choose to participate in the School in Cortona for more than one Term. This amount would allow us to still break even on our expenses while not discouraging students to participate in the School in Cortona with increased tuition rates overall. As shown in the attached Budget 2018-</p>
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	<p>2019, there would be a surplus of \$1,309 if we had 130 participants and their associated nomination fees. There is a potential risk for lower revenues on the enrollments side if students take fewer courses in the Spring, therefore leaving the Faculty of Arts with a modest shortfall. The nomination fee acts as a small buffer for this variance.</p> <p>The \$250 nomination fee will also put us in line with all of the study abroad opportunities offered through UAI's Education Abroad Program where all of their study and work abroad opportunities have a mandatory \$250 nomination fee upon acceptance into a program. Last year 221 Faculty of Arts students participated in Education Abroad programs, with 104 (47%) of them already paying a \$250 nomination fee.</p> <p>Outside of UAI, the Alberta School of Business charges an exchange application fee of \$75 and an acceptance/administration fee of \$175 upon nomination from the host exchange institution for a total fee of \$250 for each student participating on an exchange program.</p>
Proposed Amount	\$250 Nomination Fee assessed on all applicants to the School in Cortona once per Academic year.
Previous Fee Amount (if this is a new fee, please indicate that here)	N/A
Requested Implementation Date	May 2019
The Impact of the Fee (number of students affected, etc.)	Approximately 130 students per academic year
Collected Centrally or by Department	Collected by Faculty (Application is currently through UAI online Horizons System, an external link to Faculty of Arts' subline conference registration system would be instituted for the collection of this nomination fee)

Course Information (if fee is attached to a course)

Course Name(s)	Will vary each year. Fee will be applied to any course offered in Cortona, Italy. Regardless of the courses taken, the student would only pay one nomination fee per academic year.
Required Course(s)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
The course/program is on or off campus	<input type="checkbox"/> On-Campus <input checked="" type="checkbox"/> Off-Campus
New or Existing Course(s)	Existing UAlberta courses
New or Existing Program (include name)	School in Cortona
Course Description(s)	Will vary each year. Courses offered in Cortona vary from year to year.

Details

Estimated Costs (Budget information may be included here or as an attachment)	See attached.
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Explanatory Notes	See attached.
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Routing (For Mandatory Student Instructional Support Fees and Non-Instructional Fees)

Consultative Route (parties who have seen the proposal prior to Registrar's Advisory Committee on Fees and in what capacity)	Faculty of Arts – Vice Dean (Michael O'Driscoll) and Senior Financial Officer (Rose Yu) Office of the Registrar – Tom Hidson (Assistant Registrar), Angelene Lavers (Fee and Registration Specialist) UAI (Education Abroad Program) – Trevor Buckle (Assistant Director)
Student Group Consultative Route	N/A
Advisory Route (RACF) Include dates	April 24, 2018
Approval Route* (Governance) *The approval process is initiated in January for the next academic year	GFC Academic Planning Committee (APC) Board Finance and Property Committee (BFPC) Board of Governors (BG)
Final Approver	Board of Governors

Attachments (each to be numbered 1 - <>)

1 – School in Cortona Budget 2018-2019

RACF School in Cortona
FULL YEAR BUDGET AND REVENUE SCENARIOS

Faculty of Arts School in Cortona				
Budget 2018-2019 (Winter, Spring I, Spring II)				
			\$1,250.16	
REVENUES	Class Enrollments	RATE	TOTAL	NOTES
Spring I and II Course Enrollments	120	\$ 1,063	\$ 127,500	85% of fees to Faculty; Assume 100 students; 30 @ 2 courses, 70 @ 1 course
Winter Course Enrollments	90	\$ 1,063	\$ 95,625	85% of fees to Faculty; Assume 30 students @ 3 courses each (minimum requirement)
Nomination Fees	130	\$ 250	\$ 32,500	Assume 130 nominations @ \$250
TOTAL REVENUES			\$ 255,625	
EXPENSES			Total	
In-Country Sessionals			\$ 81,000	Assume 9 courses taught @ \$9000 per course
UAlberta Lecturers			\$ 27,000	Assume 3 UAlberta instructors @ \$9000 per course
Classroom Rental			\$ 6,000	
Travel (UAlbertaInstructors)			\$ 6,000	Assume 3 UAlberta instructors per academic year
Accommodation(UAlberta Instructor)			\$ 4,500	Assume 3 UAlberta instructors per academic year, maximum reimbursement 1000 Euros (1.5 currency exchange)
Travel (Administration)			\$ 4,000	Assume 2 trips per year (1 to Italy; 1 to UAlberta) each for 1 week
Accommodation and Per Diem (Administration)			\$ 3,954	Assume 2 trips per year (1 to Italy; 1 to UAlberta) each for 1 week
In-country orientations			\$ 1,950	Based on 130 participants @ \$15 each
In-country farewell receptions			\$ 1,950	Same as above
Academic Field Trips			\$ 11,000	
Administrative Costs (@ UAlberta)			\$ 42,199	Assumption of 0.5 FTE NASA Grade 8 position = \$34,323 base + \$7, 876 benefits
Managerial Costs (@ UAlberta)			\$ 31,763	Assumption of 0.25 FTE APO position = \$26,250 + \$5,513 benefits
In-Country Administrative Costs (Coordinator)			\$ 30,000	
Marketing and Promotions			\$ 3,000	
TOTAL EXPENSES			\$ 254,316	
TOTAL SURPLUS/(SHORTFALL)			\$ 1,309	
Note: Tuition is based on 2* current per index value * # fee index For 2017/18 CPI is \$104.18				
Note: Students must enroll in a minimum of 3 courses in Winter semester and 1 course in Spring semester				

Item No. 4bii

**Governance Executive Summary
Action Item**

Agenda Title	Capitalization of Unrestricted Funds to Permanent Restricted Endowments Net Assets
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Motion

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the transfer of \$881,982 of unrestricted net assets to permanent restricted endowment net assets.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Gitta Kulczycki, Vice-President (Finance & Administration)
Presenter(s)	Gitta Kulczycki, Vice-President (Finance & Administration)

Details

Responsibility	Finance & Administration
The Purpose of the Proposal is (<i>please be specific</i>)	To request Board of Governors' approval of the transfer of \$881,982 of unrestricted net assets to permanent restricted endowment net assets.
Executive Summary (<i>outline the specific item – and remember your audience</i>)	<p>The Faculty of Agricultural, Life and Environmental Sciences has requested capitalization of the funds as described below:</p> <ul style="list-style-type: none"> - \$800,000: Rangeland Ecology and Management Endowment (E0627). The funds to be capitalized correspond to oil and gas lease revenue from the Mattheis Ranch, in accordance with the endowment terms. - \$81,982: Oilseeds Breeding Endowment (E0140). The funds originate from royalties paid to the Agricultural Food & Nutritional Science department. The long-term objective is to grow this endowment to provide full salary support for an academic position in AFNS. <p>The request has been reviewed by the Provost and Vice-President (Academic) and the Vice-President (Finance and Administration), who are supportive.</p>
Supplementary Notes and context	

Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> • Provost and Vice-President (Academic) • Vice-President (Finance & Administration)
	<p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> • Interim Vice-President (Advancement) • Financial Services
	<p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> •
<p>Approval Route (Governance) (including meeting dates)</p>	<p>Board Finance and Property Committee (recommendation) – February 26, 2019</p> <p>Board of Governors (approval) – March 15, 2019</p>

Item No. 4bii

Strategic Alignment

<p>Alignment with <i>For the Public Good</i></p>	<p>Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all Albertans. OBJECTIVE: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university’s core mission and strategic goals. i. Strategy: Seek and secure resources needed to achieve and support our strategic goals. ii. Strategy: Ensure a sustainable budget model to preserve and enhance our core mission and reputation for excellence in teaching, learning, research, and community engagement.</p>			
<p>Alignment with Institutional Risk Indicator</p>	<p>Please note below the specific institutional risk(s) this proposal is addressing.</p> <table border="0" data-bbox="570 699 1547 905"> <tr> <td data-bbox="570 699 1086 905"> <input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure </td> <td data-bbox="1086 699 1547 905"> <input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success </td> </tr> </table>		<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success			
<p>Legislative Compliance and jurisdiction</p>	<p>Post-Secondary Learning Act BFPC Terms of Reference Capitalization of Unrestricted Funds to Permanent Restricted Endowment Policy</p>			

No Attachments

Prepared by: Giovana Bianchi, Senior Administrative Officer, Finance and Administration
(giovana.bianchi@ualberta.ca)

Item No. 4biii

Governance Executive Summary
Action Item

Agenda Title	Internal Loan Policy Updates
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Motion

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the revised Internal Loan Policy as set forth in Attachment 1.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Gitta Kulczycki, Vice-President, Finance and Administration
Presenter(s)	Gitta Kulczycki, Vice-President, Finance and Administration

Details

Responsibility	Vice-President (Finance & Administration)
The Purpose of the Proposal is (<i>please be specific</i>)	To recommend editorial changes to the Internal Loan Policy as well as the elimination of the requirement to report internal loan details annually to the Board Finance and Property Committee.
Executive Summary (<i>outline the specific item – and remember your audience</i>)	The Internal Loan Policy currently requires a detailed annual report to the Board Finance and Property Committee (BFPC). As per discussion at the last BFPC meeting, members agreed that this is not consistent with the Committee’s strategic focus. Therefore, a revised version has been submitted under Attachment 1, with a request for recommendation for Board of Governors’ approval. Additional small edits have also been made in order to align the Internal Loan Policy with language contained in the University Funds Investment Policy, recently revised and approved by the Board of Governors at its December 14, 2018 meeting. All of the proposed changes are tracked under Attachment 2.
Supplementary Notes	

Engagement and Routing (Include meeting dates)

Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity) <For information on the protocol see the Governance Resources section Student Participation Protocol >	<u>Those who are actively participating:</u> <ul style="list-style-type: none"> Vice-President (Finance & Administration) Associate Vice-President, Financial Services and Supply Management Services Director, Investments and Treasury
	<u>Those who have been consulted:</u> <ul style="list-style-type: none"> Vice-President (Finance & Administration) Associated Vice-President Financial Services and Supply Management Services Director, Investments and Treasury Board Finance and Property Committee
	<u>Those who have been informed:</u> <ul style="list-style-type: none"> N/A
Approval Route (Governance) (including meeting dates)	Board Finance and Property Committee – February 26, 2019 (recommendation) Board of Governors – March 15, 2019 (approval)

Item No. 4biii

Strategic Alignment

Alignment with <i>For the Public Good</i>	SUSTAIN – Objective 22: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university’s core mission and strategic goals.	
Alignment with Institutional Risk Indicator	Please note below the specific institutional risk(s) this proposal is addressing.	
Legislative Compliance and jurisdiction	PSLA: Borrowing (72), Debenture Borrowing (73) and Banking and Investment (75) Board Finance and Property Committee Terms of Reference 3(c) and 4(b)	
	<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success

Attachments:

1. Internal Loan Policy - Jan 2019 - Final (3 pages)
2. Internal Loan Policy - Jan 2019 - Track Changes (3 pages)

Prepared by: Ron Ritter, Director, Investments and Treasury, ron.ritter@ualberta.ca

Original Approval Date: October 24, 2013

Most Recent Approval Date: December 10, 2014

Most Recent Editorial Date: January 15, 2019

Internal Loan Policy

Office of Accountability:	Vice-President (Finance and Administration)
Office of Administrative Responsibility:	Financial Services – Investments and Treasury
Approver:	Board of Governors
Scope:	Compliance with this University policy extends to all academic, support and excluded staff, postdoctoral fellows, and academic colleagues as outlined and defined in the Recruitment Policy (Appendix A and Appendix B : Definitions and Categories).

Overview

The *Post-Secondary Learning Act* requires approval of the Lieutenant Governor in Council for all borrowings unless the liability or expenditure can be provided for out of the annual income of the year or out of other money available for the purpose. The University has a **Non-Endowed Investment Pool (NEIP)**, which pools and invests all expendable funds to provide liquidity and income for University operations. Given the availability of capital as represented by the NEIP, and the fact that it is impractical to obtain government approval for small borrowings with short durations, an internal loan policy was developed.

Purpose

The internal loan policy is primarily intended to provide the University and its **Related Entities** with a financing vehicle that can quickly respond to new opportunities or unforeseen problems that require an element of short-term bridge financing.

The internal loan policy is also intended to assist units and researchers in the acquisition of equipment that would otherwise be acquired through **capital leases**. As a general rule, the University's **opportunity cost of capital** is considerably lower than the interest rate implicit in capital leases, thus creating a cost saving opportunity.

POLICY

1. SPECIFIC POLICIES FOR INDIVIDUAL INTERNAL LOANS

- a. Internal loans will generally be limited to a maximum **amortization** period of five (5) years.
 - b. All requests for internal loans must be supported by a solid business case that clearly outlines how the repayment will be funded.
-

U of A Policies and Procedures On-Line (UAPPOL)

- c. For floating rate internal loans, other than those to Related Entities, the interest rate shall be based on the rate that the University would have earned had these funds been invested in its NEIP Liquidity Strategy plus 1.50%. Floating rate loans to Related Entities will be done on commercial terms, with comparable conditions and interest rates that an arms-length lender would charge in similar circumstances.
- d. For fixed term internal loans, other than those to Related Entities, the interest rate shall be the rate quoted by the **Alberta Capital Finance Authority** (ACFA) for similar loans closest to the quoted term. These rates can be found on the ACFA website (see RELATED LINKS). Fixed term loans to Related Entities, will be done on commercial terms, with comparable conditions and interest rates that an arms-length lender would charge in similar circumstances.
- e. Early loan repayments, other than those from Related Entities, may be assessed a three (3) month interest penalty. Early loan repayments from Related Entities will be done on commercial terms comparable to what an arms-length lender would charge in similar circumstances.

2. GENERAL POLICIES FOR INTERNAL LOANS

- a. The maximum total outstanding internal loans at any given point in time shall not exceed 20% of the NEIP's target allocation to the Yield Strategy. This represents 20% of 35%, or 7% of the total NEIP portfolio as at October 31st of any given year.
- b. Should the outstanding internal loans at any point in time exceed the maximum limit in 2a, no additional internal loans would be approved.
- c. The total outstanding internal loans shall be incorporated into the quarterly NEIP investment reporting to the Board Investment Committee.

3. APPROVAL

- a. The Director, Investments and Treasury may approve internal loans up to five hundred thousand (500,000) dollars.
- b. The Associate Vice-President Finance and Supply Management Services may approve internal loans up to one (1) million dollars.
- c. The Vice-President (Finance and Administration) may approve internal loans up to two (2) million dollars.
- d. Internal loans in excess of two (2) million dollars but less than seven (7) million dollars and internal loans with amortization periods in excess of five (5) years will require the approval of the Board Finance and Property Committee.
- e. Internal loans in excess of seven (7) million dollars will require the approval of the Board of Governors.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [▲Top]	
Non-Endowed Investment Pool (NEIP)	The NEIP consists of expendable funding that is pooled for investment purposes.
Related Entities	Legal Entities created pursuant to the Creation of a Legal Entity Policy.
Capital Lease	A lease will be classified as a capital lease, as opposed to an operating lease, if it meets one or more of the following conditions: the lease term is for at least 75% of the property's estimated economic life; the lease includes an option to purchase the property for less than its fair market value; ownership is transferred to the lessee at the end of the lease term; or the present value of the lease payments are at least 90% of the property's fair market value.
Opportunity Cost of Capital	The rate of return that the University would otherwise be able to earn at the same risk level as the investment that has been selected.
Amortization	The reduction of debt through regular payments of principal and interest over a specified period.
Alberta Capital Finance Authority (ACFA)	The Alberta Capital Finance Authority ("ACFA") is a provincial authority and acts only as an agent of the Alberta crown. ACFA makes loans to its shareholders at interest rates based on the cost of its borrowings.

RELATED LINKS

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[Alberta Capital Finance Authority](#) (Government of Alberta)

[University Funds Investment Policy](#) (UAPPOL)

[Creation of a Legal Entity Policy](#) (UAPPOL)

PUBLISHED PROCEDURES OF THIS POLICY

[Internal Loan Procedure](#)



Approval Date: December 10, 2014

Internal Loan Policy

Office of Accountability:	Vice-President (Finance and Administration)
Office of Administrative Responsibility:	Financial Services – Investments and Treasury
Approver:	Board of Governors
Scope:	<p>Compliance with this University-wide policy extends to all members of the University community.</p> <p><u>Compliance with this University policy extends to all academic, support and excluded staff, postdoctoral fellows, and academic colleagues as outlined and defined in the Recruitment Policy (Appendix A and Appendix B: Definitions and Categories).</u></p>

Overview

The *Post-Secondary Learning Act* requires approval of the Lieutenant Governor in Council for all borrowings unless the liability or expenditure can be provided for out of the annual income of the year or out of other money available for the purpose. The University has a **Non-Endowed Investment Pool (NEIP)**, which pools and invests all expendable funds to provide liquidity and income for University operations. ~~is invested in various short-term, mid-term and long-term strategies.~~ Given the availability of capital as represented by the NEIP, and the fact that it is ~~not impractical~~ to obtain government approval for small borrowings with short durations, an internal loan policy was developed.

Purpose

The internal loan policy is primarily intended to provide the University and its **Related Entities** with a financing vehicle that can quickly respond to new opportunities or unforeseen problems that require an element of short-term bridge financing.

The internal loan policy is also intended to assist units and researchers in the acquisition of equipment that would otherwise be acquired through **capital leases**. As a general rule, the University's **opportunity cost of capital** is considerably lower than the interest rate implicit in capital leases, thus creating a cost saving opportunity.

POLICY

1. SPECIFIC POLICIES FOR INDIVIDUAL INTERNAL LOANS

- a. Internal loans will generally be limited to a maximum **amortization** period of five (5) years.
- b. All requests for internal loans must be supported by a solid business case that clearly outlines how the repayment will be funded.



- c. For floating rate internal loans, other than those to Related Entities, the interest rate shall be based on the rate that the University would have earned had these funds been invested in its [NEIP Liquidity Strategy short-term investment pool](#) plus 1.50%. Floating rate loans to Related Entities will be done on commercial terms, with comparable conditions and interest rates that an arms-length lender would charge in similar circumstances.
- d. For fixed term internal loans, other than those to Related Entities, the interest rate shall be the rate quoted by the **Alberta Capital Finance Authority** (ACFA) for similar loans closest to the quoted term. These rates can be found on the ACFA website (see RELATED LINKS). Fixed term loans to Related Entities, will be done on commercial terms, with comparable conditions and interest rates that an arms-length lender would charge in similar circumstances.
- e. Early loan repayments, other than those from Related Entities, may be assessed a three (3) month interest penalty. Early loan repayments from Related Entities will be done on commercial terms comparable to what an arms-length lender would charge in similar circumstances.

2. GENERAL POLICIES FOR INTERNAL LOANS

- a. The maximum total outstanding internal loans at any given point in time shall not exceed 20% of the NEIP's [target allocation to the Yield Strategy that can be allocated to the Mid-Term Funds portion](#). This represents 20% of [33.5%](#), or [6.67%](#) of the total NEIP portfolio as at October 31st of any given year.
- b. Should the outstanding internal loans at any point in time exceed the maximum limit in 2a, no additional internal loans would be approved.
- c. The total outstanding internal loans shall be incorporated into the quarterly NEIP investment reporting to the Board Investment Committee.
- ~~d. The total outstanding internal loans shall be reported upon annually to the Board Finance and Property Committee.~~

3. APPROVAL

- a. The Director, Investments and Treasury may approve internal loans up to five hundred thousand (500,000) dollars.
- b. The Associate Vice-President Finance and Supply Management Services may approve internal loans up to one (1) million dollars.
- c. The Vice-President (Finance and Administration) may approve internal loans up to two (2) million dollars.
- d. Internal loans in excess of two (2) million dollars but less than seven (7) million dollars and internal loans with amortization periods in excess of five (5) years will require the approval of the Board Finance and Property Committee.
- e. Internal loans in excess of seven (7) million dollars will require the approval of the Board of Governors.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [\[▲ Top\]](#)

<u>Non-Endowed Investment Pool (NEIP)</u>	<u>The NEIP consists of expendable funding that is pooled for investment purposes.</u>
<u>Related Entities</u>	<u>Legal Entities created pursuant to the Creation of a Legal Entity Policy.</u>
<u>Capital Lease</u>	<u>A lease will be classified as a capital lease, as opposed to an operating lease, if it meets one or more of the following conditions: the lease term is for at least 75% of the property's estimated economic life; the lease includes an option to purchase the property for less than its fair market value; ownership is transferred to the lessee at the end of the lease term; or the present value of the lease payments are at least 90% of the property's fair market value.</u>
<u>Opportunity Cost of Capital</u>	The rate of return that the University would otherwise be able to earn at the same risk level as the investment that has been selected.
<u>Amortization</u>	The reduction of debt through regular payments of principal and interest over a specified period.
<u>Alberta Capital Finance Authority (ACFA)</u>	<u>The Alberta Capital Finance Authority ("ACFA") is a provincial authority and acts only as an agent of the Alberta crown. ACFA makes loans to</u>

RELATED LINKS

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[Alberta Capital Finance Authority](#) (Government of Alberta)

[University Funds Investment Policy](#) (UAPPOL)

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PUBLISHED PROCEDURES OF THIS POLICY

[Internal Loan Procedure](#)

Item No. 4biv

**Governance Executive Summary
Action Item**

Agenda Title	Endowment Management Policy and Procedure
---------------------	--

Motion

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve the Endowment Management Policy and Procedure, as set forth in Attachments 1 and 2, effective immediately.</p>

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Gitta Kulczycki, Vice-President, Finance and Administration Kelly Spencer, Interim Vice-President (Advancement)
Presenter(s)	Gitta Kulczycki, Vice-President (Finance and Administration) Martin Coutts, Associate Vice-President, Finance and Supply Management Services

Details

Responsibility	Vice-President, Finance and Administration Vice-President, Advancement
The Purpose of the Proposal is <i>(please be specific)</i>	To request approval of the Endowment Management Policy and Procedure as proposed.
Executive Summary <i>(outline the specific item – and remember your audience)</i>	<p>The Finance & Administration and the Advancement portfolios have been working together for several months in order to develop a new Endowment Management Policy and the corresponding Procedure. Formal guidance does not currently exist in this format.</p> <p>The purpose for developing these is to formalize accountability and facilitate access to information that already exists, but dispersed. To a large extent, the intention is not to change current endowment management practices.</p> <p>A few specific changes:</p> <ul style="list-style-type: none"> • The threshold to establish new endowments to be increased from \$25,000 to \$50,000 (the main reasons being the levels of annual spending allocation generated, as well as the administrative costs related to establishing and managing them, both centrally but also at the Faculty level). • The increase in the threshold for sales revenue transfers to endowments to 250,000. • The review and approval of requests for capitalization of spending allocation by the Provost. • The acceptance of endowments under the Office of Advancement (Financial Services will no longer be required to sign off).
Supplementary Notes and context	

Item No. 4biv

Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> • Gitta Kulczycki, Vice-President (Finance and Administration) • Kelly Spencer, Interim Vice-President (Advancement) and additional staff from the portfolio • Martin Coutts, Associate Vice-President, Finance and Supply Management Services • Michele Pearce, Director, Financial Reporting and Accounting <p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> • President’s Executive Committee • Deans Council • Legal Counsel • Finance Management Committee (Senior Financial Officers across the institution) • FGSR and Student Financial Support (Registrar’s Office) • Faculty Senior Development Officers • Board Finance and Property Committee - Nov 27,2018 • Board of Governors – December 14, 2019
<p>Approval Route (Governance) (including meeting dates)</p>	<p>Board Finance and Property Committee (recommendation) – Feb 26, 2019</p> <p>Board of Governors (approval) – March 15, 2019</p>

Strategic Alignment

<p>Alignment with <i>For the Public Good</i></p>	<p>Sustain. Objective 22: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university’s core mission and strategic goals.</p>			
<p>Alignment with Institutional Risk Indicator</p>	<p>Please note below the specific institutional risk(s) this proposal is addressing.</p> <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top;"> <input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure </td> <td style="vertical-align: top;"> <input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success </td> </tr> </table>		<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
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<p>Legislative Compliance and jurisdiction</p>	<p>Post-Secondary Learning Act (PSLA) Board Finance and Property Committee Terms of Reference 3(c) and 4(b)</p>			

Attachments

1. Endowment Management Policy – DRAFT (4 pages)
2. Endowment Management Procedure – DRAFT (7 pages)

Prepared by: Giovana Bianchi, Senior Administrative Officer, Finance and Administration
(giovana.bianchi@ualberta.ca)

Original Approval Date: (Effective Date:) Most Recent Approval Date:

(Add "Effective Date" only if different than "Approval Date")

Most Recent Editorial Date: **Jan 10, 2019**

Endowment Management Policy - DRAFT

Office of Accountability:	Office of the Vice-President (Advancement) Office of the Vice-President (Finance and Administration)
Office of Administrative Responsibility:	Office of the Vice-President (Advancement) Office of the Vice-President (Finance and Administration)
Approver:	Board of Governors
Scope:	Compliance with this university policy extends to all academic staff, administrators and de-designated staff and support staff as outlined and defined in Recruitment Policy (Appendix A and Appendix B).

Overview

Endowment funds represent contributions which are invested in perpetuity, with a portion of the investment earnings used to support specific university initiatives as set out in the purpose of the **endowment**. They are an important source of long-term permanent funding and play an integral role in helping the university achieve its goals. By accepting these funds the university must adhere to specific legal obligations and financial management and reporting responsibilities (among other responsibilities). Further, the thoughtful and careful management and administration of endowment funds helps to maintain and enhance the confidence and trust of the university's donor community.

Endowment funds support the advancement of education through a variety of programs and projects in the areas of student financial support (awards and bursaries), chairs, professorships, visiting speakers, research and many other activities. A university endowment creates a **charitable purpose trust** that is held by The Governors of the University of Alberta as **trustee**, and not in its own right.

For investment and management reasons, endowments are pooled. **Intergenerational equity** requires that the **University Endowment Pool (UEP)** be managed with the objective of ensuring that the same level of support, after taking into account the impact of inflation, is provided each year for the endowment's purpose.

The donor (through their contributions) and the university (through its review of the purpose, acceptance of the contributions coupled with the investment and spending policies) seeks to ensure that the right amount of endowment funding is in place to support the specified purpose on an annual basis in perpetuity. This amount is referred to as the spending allocation. Proper **stewardship** includes carefully investing funds, using the spending allocation for the purpose for which the endowment was given, and reporting to donors on the spending and investment returns.

U of A Policies and Procedures On-Line (UAPPOL)

Purpose

The purpose of this policy is to:

- Set out the framework for oversight of endowments.
- Ensure that the university complies with its responsibility to properly manage and administer endowment funds.

POLICY

The university will:

1. Manage endowment funds to preserve and grow the **real value** of endowment assets over time, while maintaining an appropriate and stable level of support to the current generation of beneficiaries.
2. Create an endowment when there are sufficient endowment funds or a reasonable expectation thereof, to support the intended purpose(s) of the proposed endowment, and ensure that there is an appropriate **governing document** in place.
3. Only accept endowment funds that can be managed within its policies and procedures, and ensure endowments are managed in compliance with appropriate legal and regulatory requirements for charitable purpose trusts.
4. Have appropriate management practices and financial controls in place to ensure that the funds available for spending are used in accordance with the purpose of the endowment.
5. Provide periodic reporting to the Board of Governors to enable appropriate oversight of university endowment funds.
6. Provide reports to donors in accordance with current stewardship practices.

DEFINITIONS

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. [▲Top](#)

Endowment funds	Endowment funds represent contributions designated to support specific programs (e.g. scholarships, academic chairs) as well as capitalized investment income not required for spending and other capitalized amounts.
Endowment	An endowment is held in trust by The Governors of the University of Alberta as trustee, and not in its own right. Endowment capital is invested in perpetuity. A portion of the investment earnings is used to support those specific purposes that were agreed to when the endowment was created.
Charitable purpose trust	A trust that is created for the advancement of a charitable purpose, as opposed to the benefit of specific identifiable beneficiaries. University endowments are charitable purpose trusts that are held by the university as trustee and are invested to support the overarching purpose of advancing education. In the context of the university, this includes teaching, research and community service.
Trustee	The Governors of the University of Alberta, which holds legal title to the endowment funds and has a fiduciary and legal obligation to ensure that the endowment funds are managed and administered in accordance with the purpose of the endowment.
Intergenerational equity	The principle of intergenerational equity seeks to ensure that the same level of support, after taking into account the impact of inflation, be provided each year to the endowment's purpose. This means that the real value of the endowment should be preserved over time in order to maintain the future purchasing power of the spending allocation.
University Endowment Pool (UEP)	The pooling of investment assets donated to or accumulated by the university to facilitate investment management and administration of the endowment funds.
Stewardship	Stewardship relates to management of resources. In the context of donations, it involves: <ul style="list-style-type: none"> • Effective management of the resources represented by the donation. • Compliance with the terms of the trust.
Real value	Used in conjunction with asset values and restates nominal amounts for movements in the consumer price index.
Governing document	The legal document establishing the university's trusteeship of an endowment and setting out the endowment's trust object (i.e. purpose).

U of A Policies and Procedures On-Line (UAPPOL)

The governing document is usually the university's Statement of Trust form, or in the case of a bequest, a related will.

RELATED LINKS

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Donation Acceptance Policy (UAPPOL)

Naming Policy (UAPPOL)

Contract Review and Signing Authority Policy (UAPPOL)

University Funds Investment Policy (UAPPOL)

University Endowment Pool (UEP) Spending Policy (UAPPOL)

Statement of Trust form (secure access through Knet)

PUBLISHED PROCEDURES OF THIS POLICY

Endowment Management Procedure (UAPPOL)

DRAFT

Original Approval Date: (Effective Date:) Most Recent Approval Date:

(Add "Effective Date" only if different than "Approval Date")

Most Recent Editorial Date: **January 10, 2019**

Parent Policy: Endowment Management Policy

Endowment Management Procedure - DRAFT

Office of Administrative Responsibility:	Office of the Vice-President (Advancement) Office of the Vice-President (Finance and Administration)
Approver:	Vice-President (Advancement) Vice-President (Finance and Administration)
Scope:	Compliance with this university policy extends to all academic staff, administrators and de-designated staff and support staff as outlined and defined in Recruitment Policy (Appendix A and Appendix B).

Overview

Endowment funds represent contributions which are invested in perpetuity, with a portion of the investment earnings used to support specific university initiatives as set out in the purpose of the **endowment**. They are an important source of long-term permanent funding and play an integral role in helping the university achieve its goals. By accepting these funds the university must adhere to specific legal obligations and financial management and reporting responsibilities (among other responsibilities). Further, the thoughtful and careful management and administration of endowment funds helps to maintain and enhance the confidence and trust of the university's donor community.

Where the term Dean is used, it also applies to Vice-Presidents and the Vice-Provost and University Registrar, who administer endowments within their portfolios.

Purpose

The university's endowment management framework helps to ensure that endowments are managed effectively and efficiently, which in turn assists The Governors of the University of Alberta carry out its obligation as **trustee**. The purpose of this procedure is to ensure the university complies with its responsibility to properly establish, manage and administer endowments.

Adherence to the Endowment Management Policy and Procedure is subject to periodic internal audit review.

PROCEDURE

1. Establishment of endowments
 - a. New endowment request

U of A Policies and Procedures On-Line (UAPPOL)

The appropriate Dean requests new endowments. Prior to submission of a request on behalf of the faculty, the Dean must understand the proposed purpose and have confidence that the university will be able to administer and spend in accordance with that purpose, in perpetuity. The Dean identifies who will hold the endowment (i.e. budget owner) and endowments are generally held by Deans, Chairs and Directors.

b. New endowment approval

The Vice-President (Advancement) is responsible for approving the establishment of new endowments and accepting endowment funds. To facilitate the efficient establishment and subsequent administration of endowments, a **governing document** is required (Statement of Trust form, or a bequest directing an endowment be established).

Endowments must conform to university policies and procedures, including the University Funds Investment Policy. Proposed endowments that by their nature or terms are not clearly in conformity with university policies and procedures must be evaluated by the Vice-President (Advancement), in consultation with the President's Executive Committee - Operational, as appropriate. Consideration for special circumstances will only apply under extraordinary circumstances.

c. Minimum thresholds

Due to the levels of funding required to achieve the purposes of certain types of endowments and the administrative costs related to establishing and managing them, the university has established \$50,000.00 as the minimum threshold to establish a new endowment (lower amounts could be added to existing endowments). Please refer to the *Naming Policy* for additional thresholds based on different endowment purposes.

d. Governing document

Endowment governing documents must be filed electronically in the Electronic Document and Records Management System (EDRMS/ Alfresco) by the Office of Advancement.

2. Endowment accounts

Endowment investment earnings are net of direct expenses (investment management and custodial fees) and an internal administrative assessment. The endowment capital amount is reflected on the university's statement of financial position as net assets.

Each endowment has three accounts associated with it:

a. Capital account for contributions

This account records donations and transfers, and will be credited with the contribution at the time it is received. Only contributions that are to be administered as part of the trust can be deposited to the capital account.

b. Capital account for capitalized amounts

This account records:

- i. Capitalized investment earnings not allocated for spending (excess earnings) or investment loss, credited (or debited in the case of investment loss) on a monthly basis.

U of A Policies and Procedures On-Line (UAPPOL)

- ii. Capitalized first year earnings (spending allocation associated with current fiscal year contributions) on a monthly basis (for those endowments receiving new contributions for that month). These amounts are first processed as revenue to the spending account, and then capitalized.
- iii. Capitalized spending allocation to assist in achieving the endowment minimum threshold required to support its purpose. These special cases are to be identified as part of the new endowment request.
- iv. Other capitalized unexpended spending allocation (under limited circumstances).

c. Spending account

This account records spending allocation revenue and expenditures. The annual spending allocation is credited to the spending account at the beginning of each fiscal year (April). The spending account is part of the trust, therefore additional funds generally cannot be deposited or transferred to this account.

Contributions may, in rare instances, be deposited to the spending account. This generally occurs when the donor has pledged funds over the next few years and is therefore temporarily adding to the annual spending allocation amount until all pledged funding has been received and the endowment is self-sustaining.

Classification for spending account:

- i. Research (E0010 - E4999, E9800 - E9949): includes chairs and professorships, graduate awards and all other research-related endowments, or
- ii. Special Purpose (E5000 - E9799, E9950 - E9999): includes student financial support (undergraduate awards, graduate and undergraduate bursaries), academic programs and general support endowments. General support endowments are those where there are no restrictions on the use of spending (e.g. donated for spending at the Dean's discretion). Generally these endowments are held at the faculty level with one endowment per faculty.

3. Use of spending account

The Dean is responsible for ensuring that the expenditure of endowment funds complies with the endowment purpose, as well as university policies and procedures. Proper **stewardship** includes appropriately spending funds for the restricted purpose for which they were given.

Deans are responsible for having a spending plan in place for every endowment fund held within the faculty. It is expected that the annual spending allocation is expended each year (i.e. within a 12 month period) and any unexpended portion would represent a planned expenditure timing lag, which would normally be expended in the following 12 month period. The Endowment Spending Estimator provides information on the current fiscal year's spending allocation, the estimated spending allocation for the next fiscal year and the estimated spending allocation associated with new endowment contributions.

Deans are also responsible for ensuring an annual assessment is completed on all endowments managed by the faculty, in order to confirm that spending occurred (pursuant to the spending plan) and that all expenditures were compliant with the endowment's purpose. This annual assessment provides assurance to the Board of Governors that the university is properly carrying out its role as trustee. To assist with this assessment, refer to the Endowment Compliance Template.

- a. Expenditures must be approved by the budget owner and must comply with the endowment's purpose. All expenditures related to the endowment must be coded to the endowment, and all expenditures must be coded to the same deptID as specified on the Request New Endowment form. Other unit specific

U of A Policies and Procedures On-Line (UAPPOL)

chartfields are optional (program, class, and project). Over expenditures (i.e. spending account balance is less than \$0.00) are not allowed.

There are various internal financial reports available; refer to the Guide to Financial Management /Financial Reporting for information.

- b. Transfers out of the spending account are permitted if they comply with the endowment's purpose. Endowments with allowable transfer activity are generally endowments that support a formal internal awarding process (e.g. researchers can apply for an internal research grant). The Dean is responsible for ensuring that the transferred funds are used in accordance with the endowment's purpose.

4. Donor reporting

Reports to donors are sent out annually after fiscal year end. The Endowment Fund Report contains summarized financial activity and basic performance information for the individual endowment. General investment performance information is also provided at the **University Endowment Pool (UEP)** level. Other stewardship reporting may include information on activities undertaken/supported by the endowment as well as information on current award beneficiaries.

On an annual basis (fourth quarter), the Office of Advancement provides the Dean with a report which highlights spending account balances representing more than two years' accumulation. The purpose of this report is to assist the faculty in identifying potential concerns associated with spending balances that have accumulated.

5. Other endowment administration

- a. Although uncommon, circumstances may arise where it is prudent to vary the purpose and/or terms of an endowment. Due to the extraordinary nature of such request, variation of an endowment requires the approval of the Vice-President (Advancement). The Vice-President (Advancement) will consult with the Office of the General Counsel and the President's Executive Committee - Operational, as appropriate.

A request for a variation must be submitted to the Office of Advancement by the Dean. Unless the power to vary an endowment is expressly provided in the governing document, any variation request will also likely require court approval.

- b. From time to time, other endowment changes may be required, such as a legal change to a company name. For such changes, contact the Office of Advancement as they will be able to assess, approve and process the change if deemed appropriate.

- c. Transfer from unrestricted funds to endowment capital

In general, university funds that are not subject to trust obligations (i.e. unrestricted funds) cannot be transferred to an endowment's capital account, with the exception of bequests of \$50,000.00 or more. Sales revenue is not generally eligible for transfer; however, there may be certain limited circumstances where sales revenue may be permitted (\$250,000.00 or more).

All transfers require Board of Governors approval. Any request for such transfers must be reviewed and approved by the Provost, upon consultation with the President's Executive Committee - Operational as appropriate, prior to submission to the Board of Governors.

U of A Policies and Procedures On-Line (UAPPOL)

- d. Capitalization of spending allocation is generally not permitted as it results in providing more spending allocation to support the endowment's purpose in future years than in past, which is contrary to the purpose of the endowment. The University Endowment Pool (UEP) provides for the preservation (i.e. inflation protection) of the spending amount as well as some additional growth in the real value of the endowment. Contributions to the endowment have been designed to support the annual expenditure amount required to meet the endowment's purpose.

However, there may be certain limited circumstances where capitalization of spending allocation may be allowed. A request for capitalization must be supported by a reasonable and achievable plan. Requests for capitalization of spending allocation must be approved by the Provost. The Provost will consult with the Office of Advancement and others as part of the evaluation process.

Generally, a capitalization request would be \$50,000.00 or greater and would be available from the current year's spending allocation. The request must be submitted to the Provost in the month of January. Approved requests will be processed in March.

Any requests for exceptions not specifically addressed in this procedure must be submitted to the Provost. The Provost will review on a case-by-case basis with the Vice-President (Advancement) and the President's Executive Committee - Operational, as appropriate.

DRAFT

DEFINITIONS

Definitions should be listed in the sequence they occur in the document (i.e. not alphabetical).

Any definitions listed in the following table apply to this document only with no implied or intended institution-wide use. ▲Top	
Endowment funds	Endowment funds represent contributions designated to support specific programs (e.g. scholarships, academic chairs) as well as capitalized investment income not required for spending and other capitalized amounts.
Endowment	An endowment is held in trust by The Governors of the University of Alberta as trustee, and not in its own right. Endowment capital is invested in perpetuity. A portion of the investment earnings is used to support those specific purposes that were agreed to when the endowment was created.
Trustee	The Governors of the University of Alberta, which holds legal title to the endowment funds and has a fiduciary and legal obligation to ensure that the endowment funds are managed and administered in accordance with the purpose of the endowment.
Governing document	The legal document establishing the university's trusteeship of an endowment and setting out the endowment's trust object (i.e. purpose). The governing document is usually the university's Statement of Trust form, or in the case of a bequest, a related will.
Restricted fund	Restricted funds are expendable funds which can only be used for specific purposes and are governed by restrictions set by donors/external organizations. The university is entrusted with the responsibility to ensure that the endowment spending allocation, which is restricted funding, is used in accordance with the purpose set out in the governing document.
University Endowment Pool (UEP)	The pooling of investment assets donated to or accumulated by the university to facilitate investment management and administration of the endowment funds.
Stewardship	Stewardship relates to management of resources. In the context of donations, it involves: <ul style="list-style-type: none"> • Effective management of the resources represented by the donation. • Compliance with the terms of the trust.
Real value	Used in conjunction with asset values and restates nominal amounts for movements in the consumer price index.

FORMS

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The following resources are an integral part of this procedure, and are available on the Office of Advancement's Advancement Knowledge Net (KNET), through secure access. If you do not have access, please discuss with the Senior Development Officer in your Faculty.

- Statement of Trust form
- Request New Endowment form
- Request New Endowment Award and Bursaries form
- Request to Vary Endowment Purpose/Terms form
- Request to Transfer from Unrestricted Funds to Endowment Capital form
- Request to Capitalize Unspent Endowment Spending Allocation form
- Office of Advancement Toolkit

RELATED LINKS

Should a link fail, please contact uappol@ualberta.ca. [[▲ Top](#)]

Endowment Spending Estimator
Endowment Compliance Template

**Governance Executive Summary
Action Item**

Agenda Title: **Appointment to the Public Sector Pension Plan Sponsor Board**

Motion: THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee, approve the appointment of Ms Gitta Kulczycki, Vice-President (Finance and Administration), to the PSPP (Public Service Pension Plan) Sponsor Board, pursuant to Schedule 2, Part 1, Section 4 of the *Joint Governance of Public Sector Pension Plans Act*, for a three-year term effective March 1, 2019.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Michael Phair, Chair, Board of Governors
Presenter(s)	Michael Phair, Chair, Board of Governors

Details

Responsibility	Chair, Board of Governors
The Purpose of the Proposal is (<i>please be specific</i>)	To appoint the Vice-President (Finance and Administration) to the PSPP (Public Service Pension Plan) Sponsor Board, pursuant to Schedule 2, Part 1, Section 4 of The Joint Governance of Public Sector Pension Plans Act.
Executive Summary (<i>outline the specific item– and remember your audience</i>)	<p>On December 5, 2018, Bill 27 (the <i>Joint Governance of Public Sector Pension Plans Act</i>) received Royal Assent. The Act transitions the Public Service Pension Plan (PSPP), Local Authorities Pension Plan (LAPP), and Special Forces Pension Plan (SFPP) to a joint governance structure effective March 1, 2019. Under joint governance, employee and employer groups share control of plan design and responsibility for the financial health of the plan. Prior to this legislation, government had final approval on changes to the pension plans, including benefits.</p> <p>The new legislation:</p> <ul style="list-style-type: none"> • gives employee and employer stakeholders equal say in how their pension plans are managed and equal control over plan design (benefits, rules, eligibility and contributions) • separates pension plan functions and clearly defines roles and responsibilities • creates a sponsor board for each plan, with an equal number of seats assigned to employee and employer sponsors • establishes a corporation for each plan that will perform administrator and trustee functions • allow employee groups and employers to nominate representatives to sit on their sponsor boards as well as the board of directors of the corporations, with no final approval required from government • continues plan services with AIMCo and Alberta Pensions Services for a period of 5 years, after which the corporations can choose to carry on with those service providers or consider new options • introduces protections for plan members to remain in their plan if there is an employer restructuring <p>The new PSPP Sponsor Board and the PSPP Corporation Board of Directors each have eight (8) members, four of which represent</p>

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	<p>employers and four of which represent employees. The legislation provides three appointees from the Government of Alberta (GOA) and three appointees from the Alberta Union of Provincial Employees (AUPE) to both the Sponsor Board and Corporation. One additional seat on the Sponsor Board and Corporation Board of Directors is shared between the University of Alberta and the University of Calgary on a rotational three-year term. The GOA has established that the initial three-year term on the Sponsor Board will be allocated to the University of Alberta and the University of Calgary will serve the initial three-year term on the Corporation Board of Directors.</p> <p>PSPP Sponsor Board Members</p> <p><u>Employee Representatives</u> Mr. Michael Dempsey – Appointed by AUPE Mr. Tom Fuller – Appointed by Non-Academic Staff Association Mr. Jason Heistad – Appointed by AUPE Ms. Susan Slade – Appointed by AUPE</p> <p><u>Employer Representatives</u> Ms. Gitta Kulczycki– Appointed by University of Alberta (<i>pending Board approval</i>) Ms. Lana Lougheed – Appointed by GOA Mr. Dan Stadlwieser – Appointed by GOA Mr. Gene Williams – Appointed by GOA</p> <p>PSPP Corporation Board of Directors</p> <p><u>Employee Representatives</u> Ms. Elizabeth Johannson – Appointed by Non-Academic Staff Association Ms. Lauren Montgomery – Appointed by AUPE Mr. Larry Murray – Appointed by AUPE Ms. Sophie Parsons – Appointed by AUPE</p> <p><u>Employer Representatives</u> Ms. Linda Dalgetty – Appointed by University of Calgary Mr. Lowell Epp – Appointed by GOA Mr. Emilian Groch – Appointed by GOA Ms. Elaine Noel-Bentley – Appointed by GOA</p>
Supplementary Notes / context	

Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> Gitta Kulczycki, Vice-President, Finance and Administration <p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> David Turpin, President and Vice-Chancellor <p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> David Turpin, President and Vice-Chancellor PSPP Board
<p>Approval Route (Governance) (including meeting dates)</p>	<p>Board Human Resources and Compensation Committee, February 26, 2019 (recommendation) Board of Governors, March 15, 2019 (final approver)</p>

Strategic Alignment

<p>Alignment with <i>For the Public Good</i></p>	<p><i>For the Public Good (Sustain):</i> Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all Albertans. OBJECTIVE 22: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university’s core mission and strategic goals. iii. Strategy: Ensure responsible and accountable stewardship of the university’s resources and demonstrate to government, donors, alumni, and community members the efficient and careful use of public and donor funds.</p>
<p>Alignment with Institutional Risk Indicator</p>	<p>D. Faculty and Staff E. Leadership and Change I. Relationships with Stakeholders</p>
<p>Legislative Compliance and jurisdiction</p>	<p>The Joint Governance of Public Sector Pension Plans Act, Schedule 2, Part 1, Section 4(1)</p>

Prepared by: Wayne Patterson, Vice-Provost and Associate Vice-President (Human Resources),
wayne.patterson@ualberta.ca

**Governance Executive Summary
Action Item**

Agenda Title	University of Alberta 2019-2020 Tuition Fee Proposal
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Motion 1

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve that domestic student tuition governed by the tuition fee regulation for 2019-20 be set at the 2014-15 rates, as directed by the Government of Alberta.

Motion 2

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, recommend that the Board of Governors approve that mandatory non-instructional fees for 2019-20 be set at the 2014-15 rates, as directed by the Government of Alberta.

Motion 3

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, recommend that the Board of Governors approve an increase of 2.77% to international tuition fees for 2019-20, as illustrated in the table below:

Undergraduate	2018-19	2019-20	Change ^e	
			\$	%
Arts and Science	\$ 21,668.40	\$ 22,267.20	\$ 598.80	2.76%
Business	\$ 28,503.12	\$ 29,291.04	\$ 787.92	2.76%
Engineering	\$ 26,002.08	\$ 26,720.64	\$ 718.56	2.76%
Juris Doctor (JD) Program	\$ 47,003.48	\$ 48,303.92	\$ 1,300.44	2.77%
Pharmacy (Pharm D)	\$ 48,149.76	\$ 49,480.64	\$ 1,330.88	2.76%
Economics Course	\$ 2,764.70	\$ 2,841.12	\$ 76.42	2.76%

Graduate ^a	2018-19 ^d	2019-20	Change ^e	
			\$	%
Course Based Master's	\$ 8,437.68	\$ 8,670.96	\$ 233.28	2.76%
Thesis 919 ^b	\$ 5,265.08	\$ 5,410.88	\$ 145.80	2.77%
Thesis Based Masters /PhD ^c	\$ 7,279.32	\$ 7,480.68	\$ 201.36	2.77%
Master's in Business Administration	\$ 16,519.68	\$ 16,976.16	\$ 456.48	2.76%
Integrated Petroleum Geosciences Course	\$ 3,015.86	\$ 3,099.24	\$ 83.38	2.76%
International Graduate Tuition Increase ^{f,g}	\$ 4,000.00	\$ 4,000.00	\$ -	0.00%

Notes:

- (a) Values are based on full-time per term and full-time per year unless otherwise stated.
- (b) Tuition applies to thesis students who were admitted to the program of study prior to Fall 2011 and are assessed the reduced thesis rate.
- (c) Tuition applies to thesis students who were admitted to the program of study beginning in Fall 2011 or later; this is based on an annual fee assessment (including spring/summer).
- (d) As approved by the Board of Governors, March 16, 2018.
- (e) Figures may be rounded downwards at fee index level for administrative purposes, thus lowering the effective year over year percentage increase below 2.77 percent.
- (f) Per year for full time student, excluding Cost recovery and graduate course based Physical Therapy, Occupational Therapy, and Speech master's programs in Faculty of Rehabilitation Medicine.
- (g) \$4000 will be cost-neutral and offset by an equal amount of financial support.

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Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Provost and Vice-President (Academic) and Vice-President (Finance & Administration)
Presenter(s)	Steven Dew, Provost and Vice-President (Academic) and Gitta Kulczycki, Vice-President (Finance & Administration)

Details

Responsibility	Provost and Vice-President (Academic) and Vice-President (Finance & Administration)
The Purpose of the Proposal is (<i>please be specific</i>)	To approve that the domestic tuition and mandatory non-instructional fees for 2019-20 be set at the amounts directed by the Government of Alberta, as well as to set international tuition fees for the same year.
Executive Summary (<i>outline the specific item – and remember your audience</i>)	<p>For 2019-2020, Alberta's Ministry of Advanced Education announced an extension of a freeze to regulated tuition. The regulation does not apply to international differential fees or surcharges assessed to individuals who are not Canadian citizens or permanent residents of Canada.</p> <p>A 2.77% increase to international tuition is proposed. This is consistent with the University of Alberta's principle that revenues should increase at a rate commensurate with actual costs to avoid degradation of quality.</p> <p>Details regarding the proposal are outlined in Attachment 1, while Attachment 2 provides a comparison of international tuition rates amongst the University of Alberta peer institutions (the U15 group of research-intensive universities across Canada).</p>
Supplementary Notes and context	

Engagement and Routing (Include meeting dates)

Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)	<u>Those who are actively participating:</u> <ul style="list-style-type: none"> • Provost and Vice-President (Academic) • Vice-President (Finance & Administration) • Office of the Registrar • Faculty of Graduate Studies and Research • University of Alberta International • Office of Resource Planning
<For information on the protocol see the Governance Resources section Student Participation Protocol >	<u>Those who have been consulted:</u> <ul style="list-style-type: none"> • Tuition Budget Advisory Committee (November 28 and December 4, 2018; January 23, 2019) • President's Executive Committee - Operational (January 10 and February 7, 2019)
	<u>Those who have been informed:</u> <ul style="list-style-type: none"> •
Approval Route (Governance)	GFC Academic Planning Committee (recommendation) – February 13, 2019 Board Finance and Property Committee (recommendation) – February 26, 2019 Board of Governors (approval) – March 15, 2019

Strategic Alignment

Alignment with <i>For the Public Good</i>	Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all.
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	<p>OBJECTIVE 22: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university's core mission and strategic goals.</p> <p>i. Strategy: Seek and secure resources needed to achieve and support our strategic goals.</p> <p>ii. Strategy: Ensure a sustainable budget model to preserve and enhance our core mission and reputation for excellence in teaching, learning, research, and community engagement.</p>	
Alignment with Institutional Risk Indicator	Please note below the specific institutional risk(s) this proposal is addressing.	
	<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
Legislative Compliance and jurisdiction	<i>Post-Secondary Learning Act</i> BFPC Terms of Reference Section 3(d) and 4(e)	

Attachments:

1. University of Alberta Tuition Proposal, 2019-20: (3 pages)
2. U15 International Tuition Comparators, 2018-19: (1 page)

Prepared by: Giovana Bianchi, Senior Administrative Officer, Finance and Administration
(giovana.bianchi@ualberta.ca)



Tuition Proposal 2019-20

TUITION BACKGROUND

Tuition fee revenue is integral to the University's continued vitality and success. It is the second largest source of unrestricted operating funds and represents approximately 30 percent of total operating revenues.

In June 2015, Alberta Advanced Education announced a two-year tuition freeze and the rollback of market modifiers approved in December 2014. In October 2016 and in November 2017, Alberta Advanced Education extended this regulated tuition freeze by an additional year, and a similar announcement was made in October 2018, extending the freeze to the 2019-2020 academic year. The freeze will also continue for market modifiers and mandatory non-instructional fees, but as in prior years, it does not apply to international tuition.

Bill 19: *An Act to Improve the Affordability and Accessibility of Post-Secondary Education* has received Royal Assent on December 11, 2018, and will come into force on February 1, 2019. The new rules will impact tuition assessment from 2020-2021 on. So while we are diligently working to clarify the details of Bill 19 and the subsequently announced framework, and will engage students through consultation, this proposal does not contemplate the new requirements as it refers to 2019-20 tuition only.

THE BUDGET CONTEXT

The University of Alberta continues to face budget challenges. Despite the institution's success in addressing its structural deficit, costs continue to grow at higher rates than the revenues received. Cost increases are estimated at 2.77% for 2019-20 fiscal year.

In 2018-19, the institution benefitted from a 2% Campus Alberta grant increase and tuition backfill funding, which was higher than budgeted. The excess funds have been applied to worthy initiatives primarily focused on teaching and research, on a one-time basis during the current year, and are being rolled into base funding for the 2019-2020.

The institution continues to approach the upcoming fiscal year with caution due to the uncertainty generated by the upcoming 2019 provincial election and the province's ongoing fiscal challenges. As a result, this year's budget is being developed assuming no additional funding or tuition backfill in Campus Alberta Grant.

Tuition fee revenue is important in preserving the academic quality in the institution. Moreover, there is an explicit requirement that international students' tuition cover the costs of their education, hence the need to increase international tuition in line with the increase in our costs to deliver all programs.

TUITION PROPOSAL

It is recommended that, effective September 1, 2019, international tuition fees increase by 2.77 percent, as per details outlined in the table below.

International Fees:

Undergraduate	2018-19	2019-20	Change ^e	
			\$	%
Arts and Science	\$ 21,668.40	\$ 22,267.20	\$ 598.80	2.76%
Business	\$ 28,503.12	\$ 29,291.04	\$ 787.92	2.76%
Engineering	\$ 26,002.08	\$ 26,720.64	\$ 718.56	2.76%
Juris Doctor (JD) Program	\$ 47,003.48	\$ 48,303.92	\$ 1,300.44	2.77%
Pharmacy (Pharm D)	\$ 48,149.76	\$ 49,480.64	\$ 1,330.88	2.76%
Economics Course	\$ 2,764.70	\$ 2,841.12	\$ 76.42	2.76%

Graduate ^a	2018-19 ^d	2019-20	Change ^e	
			\$	%
Course Based Master's	\$ 8,437.68	\$ 8,670.96	\$ 233.28	2.76%
Thesis 919 ^b	\$ 5,265.08	\$ 5,410.88	\$ 145.80	2.77%
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Master's in Business Administration	\$ 16,519.68	\$ 16,976.16	\$ 456.48	2.76%
Integrated Petroleum Geosciences Course	\$ 3,015.86	\$ 3,099.24	\$ 83.38	2.76%
International Graduate Tuition Increase ^{f,g}	\$ 4,000.00	\$ 4,000.00	\$ -	0.00%

Notes:

- (a) Values are based on full-time per term and full-time per year unless otherwise stated.
- (b) Tuition applies to thesis students who were admitted to the program of study prior to Fall 2011 and are assessed the reduced thesis rate.
- (c) Tuition applies to thesis students who were admitted to the program of study beginning in Fall 2011 or later; this is based on an annual fee assessment (including spring/summer).
- (d) As approved by the Board of Governors, March 16, 2018.
- (e) Figures may be rounded downwards at fee index level for administrative purposes, thus lowering the effective year over year percentage increase below 2.77 percent.
- (f) Per year for full time student, excluding Cost recovery and graduate course based Physical Therapy, Occupational Therapy, and Speech master's programs in Faculty of Rehabilitation Medicine.
- (g) \$4000 will be cost-neutral and offset by an equal amount of financial support.

U15 International Tuition, 2018-19

International undergraduate tuition at the U of A is below the U15 average.

Overall, U of A's international undergraduate tuition is 8th amongst U15 institutions. Excluding the Quebec institutions, U of A's undergraduate tuition is higher than only four institutions: U of C, Dalhousie, Manitoba and Saskatchewan.

At the Masters and PhD level, U of A is approximately 50% of the national average, however, graduate tuition is only one part of a complex student support package. In 2018-19 both U of T and uOttawa significantly dropped their international PhD tuition in order to gain access to government funding.

	Arts & Social Science	Rank	M.A. (thesis)	Rank	PhD	Rank
University of Alberta	\$ 21,668	8	\$ 7,279	13	\$ 7,279	10
Dalhousie University	\$ 17,148	10	\$ 17,598	6	\$ 19,116	2
McMaster University	\$ 27,977	7	\$ 17,096	7	\$ 17,096	4
Queen's University	\$ 41,614	2	\$ 12,927	9	\$ 12,927	6
University of British Columbia	\$ 36,588	3	\$ 8,605	12	\$ 8,605	9
University of Calgary	\$ 18,338	9	\$ 12,696	10	\$ 12,696	7
University of Manitoba	\$ 14,382	14	\$ 10,916	11	\$ 10,916	8
University of Saskatchewan	\$ 17,019	11	\$ 6,536	14	\$ 6,536	14
University of Waterloo	\$ 29,230	5	\$ 20,514	3	\$ 20,310	1
Western University	\$ 28,743	6	\$ 17,889	5	\$ 7,067	12
University of Ottawa	\$ 31,444	4	\$ 22,149	2	\$ 7,074	11
University of Toronto	\$ 49,800	1	\$ 22,640	1	\$ 6,900	13
McGill University	\$ 16,816	12	\$ 16,816	8	\$ 15,094	5
Université Laval	\$ 16,438	13	\$ 19,578	4	\$ 17,584	3
AVERAGE Excluding UofA	\$ 26,580	-	\$ 15,843	-	\$ 12,456	-
AVERAGE Excluding UofA and Quebec Institutions	\$ 28,389	-	\$ 15,415	-	\$ 11,749	-

Source: All data used in the average calculation is sourced from the U15 Data Exchange.

Notes:

- 1) Université de Montréal excluded due to omissions in the submitted data.
- 2) Dalhousie, McGill and Laval domestic tuition is for out-of-province students
- 3) Undergraduate data are for Arts & Social Science programs.
- 4) Graduate data are for the first 12 months of an thesis MA/PhD program.
- 5) U of A international graduate tuition figures do not include the \$4,000 Graduate International Tuition (Reduction), which is charged and then remitted.

**Governance Executive Summary
Action Item**

Agenda Title	2019-20 University of Alberta Residence and Meal Plan Rates
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Motion 1

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 5% to the rates for all residences located in Edmonton for the 2019/20 academic year, as per Attachment 1.

Motion 2

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 2.27% to the meal plan rates in Lister Hall and Peter Lougheed Hall for the 2019/20 academic year, as per Attachment 2.

Motion 3

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, approve an increase of 3% to the combined residence and meal plan rate at Augustana Campus for the 2019/20 academic year, as per Attachment 3.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Katherine Huising, Associate Vice-President (Ancillary Services) Randal Nickel, Executive Director, Student Life (Augustana Campus)
Presenter(s)	Andrew Sharman, Vice-President (Facilities and Operations) Dr. Steven Dew, Provost & Vice-President (Academic)

Details

Responsibility	Vice-President (Facilities and Operations) Provost and Vice-President (Academic)
The Purpose of the Proposal is	To seek Board of Governors approval on rate increases for residences and meal plans as component parts of the overall consolidated budget.
Executive Summary	<p><u>Edmonton-Based Residences</u></p> <p>For many students, staying in a university-provided residence is an integral part of the experience. A wide array of residence options exist for those new to university life as well as those in their upper years. Specifically designed to provide wrap-around supports for first-year students are residences at Lister Hall and Peter Lougheed Hall where participation in a meal plan is mandatory. Numerous other residence options are also available where students are independently responsible for their meals.</p> <p>Residences and dining operations must operate on a financially sustainable basis having due regard for operating costs, addressing ongoing and deferred maintenance, as well as maintaining operating and capital reserves. All revenues received from students for room and board stay within the residence system and, commensurately, no tuition or government (e.g. base, capital, and maintenance) funding is expended on these operations. No profit is made nor is a deficit acceptable.</p> <p>Rate increases have typically been closely aligned with increases to the Consumer Price Index (CPI). However, a broad-based, lagging indicator such as CPI is incapable of recognizing the unique cost drivers inherent</p>

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in residence or dining services. Most acutely, recent increases to CPI fail to sufficiently address the impact of increased costs resulting from collective bargaining outcomes including the unionization of residence assistants, increases to minimum wage, and property taxes paid to the City of Edmonton.

As a result, the residence system is grossly under-funded which has resulted in a structural operational deficit and a curtailment in maintenance investments. The current deferred maintenance liability across the residence system (Edmonton) stands at \$103 million.

Built-up reserves, which, for years have been offsetting deficits in the residence system, are nearly exhausted. A direct impact of this approach is that the long-overdue renovation to the Lister towers will be over 85% debt financed by the Alberta Capital Finance Authority (ACFA).

As detailed in the 2018/19 budget presentation to the Board of Governors, a long-term plan has been developed to return the residence system to fiscal health. This plan was a key component of the pro forma provided to the ACFA in support of the Lister retrofit.

Residence Rates

- 2017/18 – 2.7% increase (approved)
- 2018/19 – 4.0% increase (approved)
- **2019/20 – 5.0% increase (for approval)**
- 2020/21 – 5.0% increase (projected)

Meal Plan Rates

- 2017/18 - 5.01% (approved)
- 2018/19 - 4.54% (approved)
- **2019/20 - 2.27% (for approval)**
- 2020/21 - TBD

Camrose-Based Residences

Historically, residence rate increases at Augustana have aligned with increases for the rest of the university residences. This year, Augustana leadership is proposing to limit the increases to three percent (3%) for both residence rates and meal plan rates and provide additional services for students in 2019/20 to determine if the drop in occupancy is an anomaly or an indicator of a longer trend.

The City of Camrose typically has typically seen rental vacancy rates close to 0% making residences an attractive option for out-of-town students. Recent years have seen an increase in vacancy rates and a resulting reduction in the cost of rental housing in Camrose.

In 2018/19 Augustana residence occupancy (and meal plans due to their mandatory nature) decreased by 10% (45 students) from the previous year.

At the same time, a Residence Infrastructure Working Group was created to identify future plans for facilities. Once the mandate of this committee ends in March 2019, new rate increase projections will be developed for the next several years.

Supplementary Notes and context	
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Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> • Ancillary Services • Augustana Ancillary Services
	<p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> • Residence Budget Advisory Committee (RBAC) - Membership includes Students' Union, Graduate Students' Association, and Augustana Students' Council <ul style="list-style-type: none"> ○ June 4, 2018 ○ January 29, 2019 • Residence Advisory Committee (RAC) - Membership includes Students' Union, Graduate Students' Association and Presidents of the Residence Associations (including Lister Hall Student Association, HUB Community Association, Michener Park Residence Association, Newton Place Residence Association, East Campus Student Association, I-House Community Association) <ul style="list-style-type: none"> ○ September 26, 2018 ○ October 17, 2018 ○ November 7, 2018 ○ November 28, 2018 ○ December 19, 2018 ○ January 17, 2019 ○ February 7, 2019 • President's Executive Committee – Operations (PEC-O) <ul style="list-style-type: none"> ○ February 7, 2019 • Board Finance and Property Committee <ul style="list-style-type: none"> ○ November 27, 2018 • Board of Governors <ul style="list-style-type: none"> ○ December 14, 2018
	<p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> • Current and prospective students will be informed of 2019/20 rates upon approval.
<p>Approval Route (Governance) (including meeting dates)</p>	<ul style="list-style-type: none"> • BFPC - February 26, 2019 • Board of Governors - March 15, 2019

Strategic Alignment

<p>Alignment with <i>For the Public Good</i></p>	<p><i>Institutional Strategic Plan – For the Public Good</i></p> <p>Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all.</p> <p>21. Objective: Encourage continuous improvement in administrative, governance, planning and stewardship systems, procedures, and policies that enables students, faculty, staff, and the institution as a whole to achieve shared strategic goals.</p> <p>iv. Strategy: facilitate easy access to and use of university services, and</p>
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	systems; reduce complication and complexity; and encourage cross-institutional administrative and operational collaboration.	
Alignment with Institutional Risk Indicator	Please note below the specific institutional risk(s) this proposal is addressing.	
	<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input checked="" type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input checked="" type="checkbox"/> Student Success
Legislative Compliance and jurisdiction	Post-Secondary Learning Act: Section 73(1) BFPC Terms of Reference: Sections 3 and 4	

Attachments:

1. Proposed Residence Rates (Edmonton) 2019/20 (2 pages)
2. Proposed Meal Plan Rates (Edmonton) 2019/20 (1 pages)
3. Proposed Residence and Meal Plan (Augustana) Rates 2019/20 (1 page)

Prepared by:

Katherine Huising, Associate Vice-President (Ancillary Services); huising@ualberta.ca
 Randal Nickel, Executive Director, Student Life (Augustana Campus); randal.nickel@ualberta.ca

ATTACHMENT 1: Proposed Residence (EDMONTON) Rates 2019/20

			Current	Proposed	
			2018/19	2019/20	
Campus Saint-Jean					
	Single	8 month	\$702	\$737	5.00%
	Single	4 month	\$742	\$779	5.00%
Maple & Aspen Houses					
	1 Bdrm Furn/Reno	8 month	\$1,371	\$1,439	5.00%
	1 Bdrm Furn/Reno	4 month	\$1,442	\$1,515	5.00%
	2 Bdrm Furn/Reno	8 month	\$922	\$969	5.00%
	2 Bdrm Furn/Reno	4 month	\$971	\$1,020	5.00%
	4 Bdrm Furn/Reno	8 month	\$720	\$756	5.00%
	4 Bdrm Furn/Reno	4 month	\$758	\$796	5.00%
International House					
	Single/bath	8 month	\$803	\$843	5.00%
	Single/bath	4 month	\$848	\$890	5.00%
HUB					
	Bachelor	8 month	\$841	\$883	5.00%
	Bachelor	4 month	\$892	\$937	5.00%
	Furnished Bachelor	8 month	\$912	\$958	5.00%
	Furnished Bachelor	4 month	\$966	\$1,014	5.00%
	Bachelor Furn/Reno	8 month	\$1,112	\$1,167	5.00%
	1 Bdrm	8 month	\$1,100	\$1,155	5.00%
	1 Bdrm	4 month	\$1,165	\$1,223	5.00%
	1 Bdrm Furn/Reno	8 month	\$1,424	\$1,495	5.00%
	2 Bdrm/person	8 month	\$692	\$726	5.00%
	2 Bdrm/person	4 month	\$735	\$772	5.00%
	2 Bdrm Furn/Reno	8 month	\$856	\$899	5.00%
	2 Bdrm Furn/Reno	4 month	\$902	\$947	5.00%
	4 Bdrm/person	8 month	\$509	\$534	5.00%
	4 Bdrm/person	4 month	\$539	\$566	5.00%
	4 Bdrm Furn/Reno	8 month	\$628	\$660	5.00%
	4 Bdrm Furn/Reno	4 month	\$660	\$693	5.00%
Lister					
	Single - Classic	8 month	\$647	\$679	5.00%
	Single - Classic	4 month	\$750	\$787	5.00%
	Double - Classic	8 month	\$427	\$449	5.00%
	Double - Classic	4 month	\$469	\$492	5.00%
	Single - Schaffer	8 month	\$782	\$821	5.00%
	Single - Schaffer	4 month	\$829	\$870	5.00%
	Single - Chalifoux	8 month	\$1,063	\$1,116	5.00%
	Double - Chalifoux	8 month	\$883	\$927	5.00%

Michener Park					
	2 Bdrm - Row House		\$931 - \$1,011	\$978 - \$1062	5.00%
	3 Bdrm - Row House		\$1,164 - \$1,227	\$1,222 - \$1,288	5.00%
	2 Bdrm - Walk up		\$893 - \$932	\$938 - \$979	5.00%
	Vanier House		\$948 - \$1,005	\$995 - \$1,055	5.00%
Newton Place					
	Bachelor		\$916 - \$993	\$962 - \$1,043	5.00%
	1 Bdrm		\$1,143 - \$1,229	\$1,200 - \$1,290	5.00%
	2 Bdrm		\$1,470 - \$1,579	\$1,543 - \$1,658	5.00%
East Campus Village Houses					
	Houses		\$530-\$1,176	\$557 - \$1,232	5.00%
Graduate Student Residence					
	Studio Suite	11 month	\$1,123	\$1,179	5.00%
	2 Bdrm/person	11 month	\$919	\$965	5.00%
Pinecrest & Tamarack Houses					
	2 Bdrm/person	11 month	\$984	\$1,033	5.00%
	4 Bdrm/person	11 month	\$879	\$923	5.00%
Alder and Linden Houses					
	1 Bdrm	11 month	\$956	\$1,004	5.00%
Peter Lougheed Hall					
	1 Bdrm		\$1,529	\$1,605	5.00%
	2 Bdrm		\$1,399	\$1,469	5.00%
Nîpisiy					
	4 Bdrm	11 month	\$986	\$1,035	5.00%
	6 Bdrm	11 month	\$882	\$926	5.00%

ATTACHMENT 3: Proposed Residence and Meal Plan (AUGUSTANA) Rates 2019/20

First Year and Ravine Complexes

	2018/19			Proposed 2019/20		
Contract Length	Occupancy	Yearly	Monthly	Yearly	Monthly	Increase Per Month
8 months	Single	\$8,772	\$1,097	\$9,036	\$1,130	\$33
	Double	\$7,507	\$938	\$7,733	\$967	\$28
4 Months	Single	\$4,589	\$1,147	\$4,727	\$1,182	\$35
	Double	\$3,927	\$982	\$4,045	\$1,011	\$30
Living Learning Community House (no meal plan)						
	2018/19			Proposed 2019/20		
8 months	Single	\$4,350	\$544	\$4,481	\$560	\$16
	Double	\$3,085	\$386	\$3,178	\$397	\$11

**Governance Executive Summary
Action Item**

Agenda Title	University of Alberta 2019-20 Budget
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Motion

<p>THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee and the General Faculties Council Academic Planning Committee, approve the 2019-20 Consolidated Budget as set forth in Attachment 2.</p>
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Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Gitta Kulczycki, Vice-President (Finance and Administration) Steven Dew, Provost and Vice-President (Academic) Andrew Sharman, Vice-President (Facilities and Operations)
Presenter(s)	Gitta Kulczycki, Vice-President (Finance and Administration) Steven Dew, Provost and Vice-President (Academic) Andrew Sharman, Vice-President (Facilities and Operations)

Details

Responsibility	Vice-President (Finance and Administration) Provost and Vice-President (Academic) Vice-President (Facilities and Operations)
The Purpose of the Proposal is <i>(please be specific)</i>	To submit the proposed University of Alberta 2019-20 Budget for approval by the Board.
Executive Summary <i>(outline the specific item – and remember your audience)</i>	<p>The attached memo explains the change in approach to the review and approval of the university's budget, now separate from the Comprehensive Institutional Plan approval path.</p> <p>The University of Alberta 2019-20 Budget document provides a comprehensive overview of the university's budget, inclusive of all its component parts. It has been developed internally, for our university community. Free from the prescriptive requirements of the CIP, this document is meant to provide a plain language review of the budget. Our goal is to increase both the transparency and understanding of the university's budget. It is also meant to highlight considerations that have informed assumptions and decisions.</p>
Supplementary Notes	

Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> • Provost and Vice-President (Academic) • Vice-President (Finance & Administration) • Vice-President (Facilities & Operations)
	<p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> • Interim Vice-President (Advancement) • Financial Services
	<p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> •

Item No. 5aiii

Approval Route (Governance) (including meeting dates)	Academic Planning Committee – February 13, 2019 Board Finance and Property Committee (recommendation) – February 26, 2019 Board of Governors (approval) – March 15, 2019
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Strategic Alignment

Alignment with <i>For the Public Good</i>	Sustain our people, our work, and the environment by attracting and stewarding the resources we need to deliver excellence to the benefit of all. OBJECTIVE: Secure and steward financial resources to sustain, enhance, promote, and facilitate the university’s core mission and strategic goals. i. Strategy: Seek and secure resources needed to achieve and support our strategic goals. ii. Strategy: Ensure a sustainable budget model to preserve and enhance our core mission and reputation for excellence in teaching, learning, research, and community engagement.	
Alignment with Institutional Risk Indicator	Please note below the specific institutional risk(s) this proposal is addressing.	
	<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
Legislative Compliance and jurisdiction	<i>Post-Secondary Learning Act</i> BFPC Terms of Reference 3(c) and 4 (b)	

Attachments:

1. Memo from Provost and Vice-President (Finance and Administration): University of Alberta Consolidated Budget 2019-20 (2 pages)
2. University of Alberta 2019-20 Budget (18 pages)

Prepared by: Giovana Bianchi, Senior Administrative Officer, Finance and Administration
(giovana.bianchi@ualberta.ca)

Interdepartmental Correspondence

**Offices of the Provost and Vice-President (Academic)
and the Vice-President (Finance and Administration)**
South Academic Building (SAB), Edmonton, Alberta, Canada T6G 2G7

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Date: February 4, 2019

To: Members of the Board and of the Academic Planning Committee

From: Steven Dew, Provost and Vice-President (Academic)
Gitta Kulczycki, Vice-President (Finance and Administration)

Re: University of Alberta Consolidated Budget 2019-20

The purpose of this memo is to overview a change in approach to the review and approval of the university's budget.

In years past it had been the university's practice to review the budget document as part of the Comprehensive Institutional Plan (CIP). This posed a number of challenges. While the board-approved CIP is due to government on June 30, we must have an approved budget in place for April 1. This pushed tremendous workload in a constrained period of time to prepare all of the elements of the CIP, aside from the budget. Also, the CIP is a government-required document with a format and content that is highly prescribed. Communicating the budget in a manner understandable to the university community while keeping to the prescribed disclosure requirements has been a challenge.

In the last couple of years the budget has been reviewed and approved separately from the rest of the CIP, with the budget numbers accompanied by a short synopsis. This has allowed us to have an approved budget in place for the start of the fiscal year, April 1. But this has not been ideal either.

This year marks the start of a different approach to the review and approval of the university's budget. With this memo, we are distributing a comprehensive budget document, developed internally for our university community. Free from the prescriptive requirements of the CIP, this document is meant to provide a plain language review of the university's budget inclusive of all its component parts. Our goal is to increase both the transparency and understanding of the university's budget. It is meant to highlight considerations that have informed budget assumptions and decisions. This document is a base we intend to build on in future years.

There is one element of complexity that we cannot undo. There is a statutory requirement that the budget be disclosed as an integral part of the annual audited consolidated financial statements for the university. Because of this requirement, the budget numbers necessarily must follow Public Sector Accounting Standards. This introduces the necessity for calculating such things as tuition deferral for days of teaching that occur after March 31, and translating the capital budget to deferral of capital funding to the period of time that the underlying asset is amortized. That is why we've also included a "near cash" overview of the capital budget to show the numbers minus this complexity.

We are now formally de-linking the budget approval process from the CIP. In coming months, the CIP will be brought through the governance review and approval process as required. It will include elements of the budget as government requires, in the format government prescribes.

Because what you have been provided is a budget document, the capital plan that had been included in prior years as part of the CIP approval process is no longer included. The capital budget (as distinct from the capital plan) however, is included. The capital plan will be a component of the CIP, as required.

The content for the budget briefing presentation on February 8 will be a summary of our new budget document. It will contain no new information, but rather will be an overview to assist in understanding, in discussion and in responding to questions. Because you have the comprehensive document in hand, we are not planning to distribute the presentation in advance of the meeting.

Subsequent to the joint briefing, the Academic Planning Committee (APC) will consider the budget at their February 13 meeting. This Committee has delegated authority from General Faculties Council to: “recommend to the Board of Governors on the annual budget, excluding budgets for ancillary units.” APC will thus be asked to separately approve the tuition and student fee recommendations, and the budget, but not the fee increases incorporated in some of the ancillary units.

On February 26, the Board Finance and Property Committee (BFPC) will “review and recommend to the Board the annual and other budgets and major issues of policy related to budgets” and “review and recommend to the Board tuition and other like fees”, as per the terms of reference for the Committee. Thus BFPC will be asked to separately approve the tuition and student fee recommendations and the consolidated budget, each on the recommendation by APC. It will not be asked to deal with the approval of the capital plan. That will be dealt with later as part of the CIP approval process. BFPC has also had a practice of separately approving residence and meal rates, although that specificity does not appear in their terms of reference.

Finally, on March 15, the Board of Governors will deal with each of the recommendations coming from BFPC and assuming all the recommendations are passed at that point we will have an approved university budget for the year starting April 1.

We look forward to your feedback on the budget document, as we look to further develop it in future years.



Steven Dew



Gitta Kulczycki

University of Alberta

2019-20 Budget



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1. Introduction

The University of Alberta's 2019-20 budget has been developed at a time of significant uncertainty. A provincial election is pending. It is not known whether a provincial budget for 2019-20 will be introduced or passed prior to the election date. In the second quarter update, the Ministry of Finance projected a 2018-19 in-year provincial deficit of \$7.5 billion. The update highlighted substantial uncertainty related to oil revenues. As a result, Alberta real GDP growth forecasts for 2018 and 2019 have been revised downward to 2.5% and 2.0% from the 2.7% and 2.5% estimates in the provincial 2018 budget. Net financial debt (the difference between financial assets and liabilities) on March 31, 2019 is estimated to be \$28.1 billion.

In the context of this, the university has developed the budget with an assumption of no increase in the Campus Alberta grant and no tuition backfill beyond what was provided by the Province for 2018-19. Additionally the assumption has been made that the Infrastructure Maintenance Program funding remains at the same level as for 2018-19 (at \$34.9 million) and that all prior capital funding announcements made by government proceed as approved in the Government of Alberta Capital Plan.

2. Consolidated Budget

The consolidated budget for the upcoming year, as well as projections for the following two years, are presented below and include all university activities.

(\$000's)	2017-18	2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Projection	Projection
Revenue (Including deferrals)						
Government of Alberta grants	955,343	1,021,681	1,000,999	983,086	971,503	973,463
Federal and other government grants	196,782	190,510	204,393	196,265	203,299	211,404
Student tuition and fees	336,129	341,218	353,970	359,053	365,156	363,478
Sales of services and products	215,471	218,863	211,148	215,928	220,090	226,442
Donations and other grants	153,900	115,243	143,641	138,061	142,494	148,286
Investment income	72,101	70,984	83,327	84,682	84,788	84,493
Total revenue	1,929,726	1,958,499	1,997,478	1,977,075	1,987,330	2,007,566
Expense						
Salaries	944,063	992,918	969,378	976,351	976,987	981,247
Employee benefits	192,156	193,909	190,510	199,075	201,832	211,710
Materials, supplies and services	270,994	310,552	285,291	298,588	302,473	308,913
Scholarships and bursaries	120,038	116,417	125,623	130,124	135,244	140,544
Maintenance and repairs	125,317	92,566	121,972	107,061	99,219	102,985
Utilities	52,214	55,904	49,503	50,174	49,264	48,459
Amortization of tangible capital assets	172,139	181,878	179,582	177,953	179,601	184,594
Total expense	1,876,921	1,944,144	1,921,859	1,939,326	1,944,620	1,978,452
Annual operating surplus (deficit)	52,805	14,355	75,619	37,749	42,710	29,114
Impact of Future Benefit Liability	(16,598)	(15,903)	(24,682)	(26,233)	(28,303)	(24,430)
Annual operating surplus (deficit)	36,207	(1,548)	50,937	11,516	14,407	4,684

In addition to the consolidated budget above, which will appear in the institution's audited financial statements, Public Sector Accounting Standards (PSAS) also require a budget for the Statement of Change in Net Financial Assets. This budget is derived from the figures included in the consolidated budget and represents the budgeted change in the institution's financial assets (including endowments) less financial liabilities:

(\$000's)	2017-18	2018-19	2019-20
	Actual	Forecast	Budget
Annual surplus	105,980	75,619	37,749
Acquisition of tangible capital assets	(197,691)	(150,825)	(188,945)
Amortization of tangible capital assets	172,139	179,582	177,953
Loss on disposal of tangible capital assets	4,443	-	-
	(21,109)	28,757	(10,992)
Change in prepaid expenses	(782)	(136)	(170)
Change in spent deferred capital contribution:	(21,515)	(48,591)	(41,051)
Change in re-measurement gains and losses	26,673		
Increase (decrease) in net financial assets	89,247	55,649	(14,464)
Net financial assets, beginning of year	1,076,805	1,166,052	1,221,701
Net financial assets, end of year	1,166,052	1,221,701	1,207,237

The consolidated budget for the institution includes the Operating, Ancillary, Research, Capital and Special Purpose funds.

- **Operating** relates to the funds within the university's budget that represent the general operations of the institution. The revenue sources support the core teaching activities and the indirect costs of research. The university's budget process focuses on the allocation of these funds.
- **Ancillary** relates to cost recovery operations within the University of Alberta. These units are expected to be stand-alone enterprises that are funded by their own revenues. Major operations include residence and hospitality services, parking services and utilities.
- **Research** includes the annual spending allocation for research-related endowments and other research funding used in the direct pursuit of research endeavours. These are generally subject to restrictions and can only be used for the purposes for which the funds were provided.
- **Capital** includes both restricted and unrestricted funding used for major capital projects and large deferred maintenance projects.
- **Special Purpose** relates primarily to the Academic Medicine and Health Services Program (AMHSP), and the annual spending allocation for undergraduate student awards and non research-related endowment funds held by the university.

One other comment to note about the university's budget. There is a line towards the bottom of the numbers presented above called: Impact of Future Benefit Liability. This relates to a reduction in the benefit liability for the university's employee pension plans. It is removed from the overall financial picture as these amounts represent the change in the pension obligations and are not funds available to be used for any other purpose.

Following is the consolidated budget segregated into the various funds identified above.

(\$000's)	Ancillary					Total
	Operating	Operations	Research	Capital	Special Purpose	
Revenue (Including deferrals)						
Government of Alberta grants	679,517	-	120,996	111,122	71,451	983,086
Federal and other government grants	20,157	-	155,969	20,139	-	196,265
Student tuition and fees	359,053	-	-	-	-	359,053
Sales of services and products	106,676	94,838	14,181	-	233	215,928
Donations and other grants	10,759	-	86,791	26,208	14,303	138,061
Investment income	15,000	-	48,952	-	20,730	84,682
Total revenue	1,191,162	94,838	426,889	157,469	106,717	1,977,075
Expense						
Salaries	720,496	20,063	183,216	-	52,576	976,351
Employee benefits	151,718	4,352	28,621	-	14,384	199,075
Materials, supplies and services	113,883	23,470	136,403	3,609	21,223	298,588
Scholarships and bursaries	40,248	-	79,412	-	10,464	130,124
Maintenance and repairs	37,186	24,999	4,159	40,618	99	107,061
Utilities	42,792	6,956	426	-	-	50,174
Amortization of tangible capital assets	51,008	10,534	-	116,411	-	177,953
Total expense	1,157,331	90,374	432,237	160,638	98,746	1,939,326
Annual operating surplus (deficit)	33,831	4,464	(5,348)	(3,169)	7,971	37,749
Impact of Future Benefit Liability	(26,233)	-	-	-	-	(26,233)
Annual operating surplus (deficit)	7,598	4,464	(5,348)	(3,169)	7,971	11,516

An overview for each individual fund follows, including the key assumptions used in the development of the budget.

2.1. Operating Budget

The 2018-19 operating budget was originally developed with the assumption that provincial government funding would remain the same as the previous year. The university also planned to reduce the operating budget reliance on investment income to support ongoing expenses, and needed to address its structural deficit. Therefore, the institution implemented a 4% budget reduction to all faculties and units for the 2018-19 fiscal year.

In developing the 2018-19 operating budget, the university introduced a multi-year planning process to encourage planning of expenditures on a longer term basis. For the two out years (2019-20 and 2020-21), the planning parameters incorporated further budget reductions of 2.5% in each year.

Ultimately, as confirmed in the Campus Alberta grant received in the summer of 2018, the university was allocated a 2% grant increase along with tuition backfill funding to compensate for the government imposed tuition freeze for domestic students. This additional funding amounted to a total of \$16.9 million for the 2018-19 fiscal year, for which the university is very grateful.

As is the university's normal process to address budget changes subsequent to the official approval of the budget, the funds received were allocated on a one-time basis for 2018-19, with the base funds incorporated in the development of the next budget for 2019-20. The one-time allocations include:

- \$9.5 million for program development in faculties (determined by the Provost through a faculty submission process)
- \$2 million for student safety and security infrastructure
- \$1 million for new *For the Public Good* initiatives (including experiential learning, signature areas, professional and leadership development)
- \$0.5 million for special hires (spousal hires, deans, etc.)
- \$0.25 million for student mental health initiatives
- \$3.5 million to partially cover benefit cost increases

The above amounts were distributed in the latter half of the 2018-19 fiscal year with spending estimates incorporated in the forecast for 2018-19, and in the budgeted expenditures for the 2019-20 fiscal year.

With this additional \$16.9 million in base funding, the university was able to update the planning parameter for 2019-20, to incorporate 0% change to faculty and unit budget allocations, versus the 2.5% budget reduction incorporated in the planning parameters a year ago for 2019-20.

2.1.1. Operating Revenues

2.1.1.1. Government of Alberta Grants

As noted in the introduction, the institution continues to approach the upcoming fiscal year with caution due to the uncertainty generated by the upcoming 2019 provincial election and the province's ongoing fiscal challenges. As a result, the budget has been developed assuming no additional funding or tuition backfill in the Campus Alberta Grant. Additionally, the Infrastructure Maintenance Program grant is assumed to remain flat.

2.1.1.2. Federal and Other Government Grants

The largest component of this category relates to the Federal Research Support Fund provided to the institution in order to support research grants provided by the Tri-Council agencies. The amount budgeted for the 2019-20 fiscal year is consistent with the amount forecasted to be received in the current year, \$18.4 million.

2.1.1.3. Student Tuition and Fees

The 2019-20 budget as it relates to tuition and fees follows the same approach as in 2018-19. With the recent approval of Bill 19 and subsequent changes to the Post Secondary Learning Act, the way that the university sets, assesses, and communicates tuition and fees for both domestic and international students will change in future. The Office of the Registrar is currently working through the system changes that will be required to implement Bill 19. By October of 2019 when offers of admission for prospective new students for September 2020 enrollment commence, changes required by Bill 19 will need to be incorporated in offer letters. But as noted, there is no change in approach for the 2019-20 academic year.

The overall budgeted increase in tuition and fees is driven by a proposed international tuition increase as well as the impact of tuition deferrals. Given the government's continuation of the tuition freeze for the 2019-20 academic year, domestic student tuition remains unchanged.

Tuition and fees for 2019-20 have been calculated on the basis of 35,775 full learning equivalent students. This same number was used for the 2020-21 and 2021-22 tuition and fees computation. This is essentially the same number as in the forecast for 2018-19. Given the timing of when this budget is prepared, versus the process for confirmation of the entering class for September 2019, the final number is bound to be slightly different.

International student tuition is proposed to increase by 2.77%, in line with the expected overall increase in the university's costs to deliver programs. This rate has been calculated based on external sources for wage growth and the Alberta consumer price index (CPI) for the upcoming fiscal year. It is the government's expectation that international tuition be set at a level which covers the full costs of education for international students, and none of the Campus Alberta grant may be used to subsidize these costs.

Tuition deferral results from our academic year being out of synch with our fiscal year. From a financial accounting perspective, there is a requirement to defer tuition equating to the number of days of instruction that fall into the next fiscal year (meaning the number of days after March 31). As our budget is required (by government) to be presented alongside the audited financial results, we must follow all accounting rules in calculating our budget numbers. Each day of instruction that falls in the next fiscal year equates to \$1.9 million in tuition deferral.

2.1.1.4. Investment Income

As noted in previous years, the University of Alberta had become reliant on investment income to support ongoing expenditures. Given the uncertainty inherent to this type of income, a strategy was developed to reduce dependence on this income stream at a measured pace. Hence, the investment income expected to support operational expenditures is reduced from \$17 million in the 2018-19 fiscal year to \$15 million in 2019-20. Any investment revenues realized in excess of these amounts will be set aside as reserves, first to fully fund the required 17% reserve calculated on the principal of funds invested to allow for market fluctuations, and subsequently to fund the strategic initiatives fund, which is envisioned as a component of the new budget model to be implemented in the 2020-21 fiscal year. The 17% reserve is required as the cash flow the university invests to generate these earnings is otherwise owed to faculties, units and researchers.

2.1.1.5. All Other Sources of Revenues

These revenue streams are budgeted with an increase comparable to Alberta CPI for the year. These funds flow directly to the faculty or unit from which they are generated, and as a result, have no impact on the amount of budget allocation that is distributed by the university.

2.1.2. Operating Expenditures

Unless otherwise stated, expenditures associated with materials and supplies are expected to grow by 2.20% in the 2019-20 fiscal year, representing the estimated Alberta CPI.

2.1.3.1. Salaries

Salaries are expected to increase in the year, primarily due to the impact of merit increases to both academic and support staff.

2.1.3.2. Benefits

The increase in benefits is driven by increased salaries and an overall increase in the cost of the employee benefit plans. These increases include some of the following items:

- Increased contribution maximums for both CPP and EI.
- Increased costs related to health and dental benefits provided to university employees.
- Increased pension costs related to the overall increase in salaries. Pension costs represent approximately 50% of the institution's overall benefit costs.

Benefit costs have been increasing annually at a rate of 5 to 6%. Containing benefits costs will be a significant challenge in the years ahead.

2.1.3.3. Institutional Budget Priorities and One-time funding (continuation from 2018-19 fiscal year)

In addition to the general inflationary cost increases noted, other known factors are built into the expenditure budgets for the 2019-20 fiscal year. This includes estimates for the spending of the one-time budget funds allocated in 2018-19 and the following institutional base budget priorities:

- Funding for pre-existing liabilities \$1.9 million
- Strategic funding and faculty supports \$2.0 million
- Fundraising and outreach activities \$3.5 million
- Funding targeted to reduce the deferred maintenance liability \$1.0 million
- Institutional contract obligations \$1.0 million

2.1.3. Overall Budget Planning Assumptions

The above discussion provides insights into the assumptions and planning parameters used to develop the operating budget for next fiscal year. The table below provides a summary of these, along with the similar figures used for the next two years.

Revenue	2019-20	2020-21	2021-22
Operating Grant	0%	-3%	-2%
Domestic Tuition	0%	2%	2%
International Tuition	2.77%	2.77%	2.77%
Investment Income	\$15 million	\$13 million	\$11 million

Expenditures	2019-20	2020-21	2021-22
ATB (NASA & AASUA)	TBN	TBN	TBN
Merit (NASA & AASUA)	1.06%	1.06%	1.06%
ATB (graduate students and post-doctoral fellows)	TBN	TBN	TBN
Employee Benefits	Custom	Custom	Custom
Other Costs	2.20%	2.00%	2.00%

ATB - Across the board salary increase

TBN - To be negotiated

Custom - benefits amounts are calculated using a combination of staff headcounts, staff salaries and benefit costs / rates particular to each employee group

Additional explanatory comments:

- The decrease in the government grant noted in both projection years is a cautious approach to support provided by government in a period of provincial fiscal uncertainty.
- The increase in domestic tuition is consistent with the recently introduced Bill 19, which generally caps tuition increases for domestic students at Alberta CPI starting in the fall of 2020.
- As the University of Alberta continues to evaluate the international tuition requirements imposed by Bill 19 starting in 2020-21, the tuition increase proposed for 2019-20 was incorporated in each of the next two years as a placeholder. What is ultimately decided is not yet known, but almost certainly will be different than 2.77%.

Another key consideration in developing the institutional budget is the underlying sensitivities concerning major revenue sources and expenditure types. The following represent the key sensitivities.

Sensitivity	Amount
Operating Grant (1% change)	\$6.5M
Domestic Tuition (1% change)	\$1.5M
International Tuition (1% change)	\$1.1M
Mandatory Non-Instructional Fees (1% change)	\$0.3M
ATB (1% for NASA and AASUA)	\$6.5M
Merit (annual impact)	\$7.0M

Employee Benefits (1% increase in staff headcount)	\$1.6M
Employee Benefits (1% increase in salary of current staff)	\$0.8M

Given the above planning parameters and assumptions, projections have been developed with 2.5% budget reductions applied in each of 2020-21 and 2021-22 fiscal years. This is preliminary and subject to annual review as part of the multi-year planning process.

The table below provides an overall outline of the following in relation to the operating budget:

- Actual results for 2017-18
- Budget and forecast for the year ending March 31, 2019
- Budget for the year ending March 31, 2020
- Projections for the years ending March 31, 2021 and March 31, 2022

(\$000's)	2017-18	2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Projection	Projection
Revenue (Including deferrals)						
Government of Alberta grants	663,018	665,688	679,517	679,517	659,748	647,203
Federal and other government grants	1,414	1,559	19,723	20,157	20,560	20,971
Student tuition and fees	336,098	341,218	353,970	359,053	365,156	363,478
Sales of services and products	103,797	103,207	104,380	106,676	108,810	110,986
Donations and other grants	11,277	11,347	10,527	10,759	10,974	11,194
Investment income	23,663	17,000	17,000	15,000	13,000	11,000
Total revenue	1,139,267	1,140,019	1,185,117	1,191,162	1,178,248	1,164,832
Expense						
Salaries	692,811	711,502	713,539	720,496	713,112	708,284
Employee benefits	147,527	147,692	142,835	151,718	152,954	160,991
Materials, supplies and services	100,515	110,640	108,165	113,883	111,229	111,415
Scholarships and bursaries	37,404	37,417	39,382	40,248	41,053	41,874
Maintenance and repairs	29,073	32,842	35,437	37,186	36,476	37,205
Utilities	45,876	48,407	42,566	42,792	42,235	41,700
Amortization of tangible capital assets	52,009	54,227	54,227	51,008	52,137	52,958
Total expense	1,105,215	1,142,727	1,136,151	1,157,331	1,149,196	1,154,427
Annual operating surplus (deficit)	34,052	(2,708)	48,966	33,831	29,052	10,405
Impact of Future Benefit Liability	(16,598)	(15,903)	(24,682)	(26,233)	(28,303)	(24,430)
Annual operating surplus (deficit)	17,454	(18,611)	24,284	7,598	749	(14,025)

2.2. Ancillary Operations

Ancillary operations at the university are comprised of the following:

- Residence and dining services located on Edmonton campuses
- Augustana residence and dining services
- Parking
- ONEcard office
- Bookstore
- Commercial property and real estate
- Utilities

As noted earlier in the document, ancillary operations are expected to be stand-alone enterprises that are funded by their own revenues. This means they each are expected to cover their operating costs, as well as establish appropriate and adequate operating and capital reserves. To the extent loans may be required for capital enhancements or to address deferred maintenance, the revenues must also cover the cost of debt repayment, together with the applicable interest.

In the interest of keeping rates as low as possible, for many years the University's residence and meal plan rates have not been sufficient to cover all of the operating costs while also allowing for adequate investments in maintenance and renewal activities. As a result, new residence projects and major refurbishments are mostly debt-financed. In addition, operating and capital reserves are currently in a deficit position of approximately \$10.6 million, and residence and dining services have an accumulated deferred maintenance liability of \$93 million.

Here is the forecast, budget and reserve information for residences and hospitality services in the Edmonton facilities:

Edmonton Residence and Dining Services			
(\$000's)	2018-19		2019-20
	Budget	Forecast	Budget
Revenue	\$ 42,043	\$ 37,563	\$ 40,387
Expense	40,114	38,770	37,764
Annual operating surplus (deficit)	1,929	(1,207)	2,623
Reserves			
Operating	\$ (8,698)	\$ (10,637)	\$ (21,518)
Capital	1,913	-	-
Total reserves (deficit)	\$ (6,785)	\$ (10,637)	\$ (21,518)

The following guiding principles have been established to govern residence and dining services:

- Quality housing and good nutrition are critical to student academic and experiential success.
- Residence and dining services must operate on a financially sustainable basis having due regard for operating costs, addressing deferred maintenance, as well as maintaining operating and capital reserves. No profit is sought, but no loss is acceptable either.

- All funds received from students for shelter and food stay within the residence and dining system.
- No student tuition or government base, capital, or maintenance funding is available for investment in residences or dining operations.
- Residences will be operated as a system.
- Student input is highly valued. Students will assist in shaping the development of residence and dining plans and priorities to sustain and improve the residence and food system.

Obviously this is an area of university operations that we will need to pay close attention to in coming years as we come to grips with substantial residence upgrade and deferred maintenance requirements and work our way through the financial challenges.

The overall increase in ancillary revenues (for all ancillary operations) is driven predominantly by the following rate increases:

- A 5% proposed increase in all residence rates except for Augustana Campus which is proposed at 3%.
- A 2.27% proposed increase in meal plan rates except for Augustana Campus which is proposed at 3%.
- A 2.27% increase in monthly parking rates, with visitor parking rates remaining unchanged.

The decrease in expenditures for the 2019-20 fiscal year is driven by cost containment and efficiencies within a number of the ancillary units. The combined figures for all ancillary operations are below:

(\$000's)	2017-18	2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Projection	Projection
Revenue (Including deferrals)						
Government of Alberta grants	-	-	-	-	-	-
Federal and other government grants	-	-	-	-	-	-
Student tuition and fees	16	-	-	-	-	-
Sales of services and products	97,324	104,606	92,466	94,838	96,713	100,729
Donations and other grants	1	-	10	-	-	-
Investment income	11	-	1	-	-	-
Total revenue	97,352	104,606	92,477	94,838	96,713	100,729
Expense						
Salaries	24,065	25,677	22,313	20,063	20,226	20,404
Employee benefits	5,251	5,469	4,621	4,352	4,363	4,414
Materials, supplies and services	23,793	28,810	24,981	23,470	23,892	24,857
Scholarships and bursaries	-	-	-	-	-	-
Maintenance and repairs	20,694	26,424	24,732	24,999	25,962	25,993
Utilities	5,952	7,096	6,532	6,956	6,582	6,290
Amortization of tangible capital assets	8,377	10,960	8,664	10,534	10,560	10,591
Total expense	88,132	104,436	91,843	90,374	91,585	92,549
Annual operating surplus (deficit)	9,220	170	634	4,464	5,128	8,180

2.3. Research

Research revenues at the University of Alberta come from five major sources:

- Government of Alberta grants from a number of Ministries
- Federal government grants including those provide by the Tri-Council Agencies
- Fee-for-service research activities for outside entities
- Donations and nongovernmental grants
- The endowment spending allocation resulting from research-related endowments

Research productivity is expected to remain strong but the budgeted research revenues are expected to slightly decrease in the upcoming fiscal year. There are a number of factors that drive this decrease:

- The Research Support Fund (approximately \$18M) is budgeted as part of the Operating fund and not the Research fund where it had been in previous fiscal years. This change was made as these funds are intended to support indirect research costs that are generally recorded within the operating fund.
- Research revenues in the previous two fiscal years were exceptionally strong due to large awards received from the Canada First Research Excellence Fund and the Strategic Investment Fund (SIF). There are no known replacements for these revenue streams at this time. This factor also impacts both federal and provincial grants as both levels of government contributed to the SIF program.
- Partially offsetting the impact of the above two factors is an expected 1% increase in the overall level of research funding to be received from provincial and federal sources that do not relate to the above two specific types of grants.
- In addition, the increase in investment income relates to an overall increase in the value of the research-related endowment funds leading to a larger spending allocation.

(\$000's)	2017-18	2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Projection	Projection
Revenue (including deferrals)						
Government of Alberta grants	146,271	148,623	127,600	120,996	126,074	131,487
Federal and other government grants	175,246	171,769	164,482	155,969	162,515	169,492
Student tuition and fees	15	-	-	-	-	-
Sales of services and products	13,897	10,850	14,041	14,181	14,323	14,466
Donations and other grants	87,601	79,384	91,204	86,791	90,273	93,982
Investment income	24,564	29,730	46,601	48,952	50,428	51,623
Total revenue	447,594	440,356	443,928	426,889	443,613	461,050
Expense						
Salaries	172,699	197,987	177,880	183,216	188,713	194,374
Employee benefits	26,978	27,999	27,787	28,621	29,480	30,364
Materials, supplies and services	123,701	139,037	129,907	136,403	143,225	150,386
Scholarships and bursaries	72,029	67,416	75,630	79,412	83,383	87,552
Maintenance and repairs	3,772	2,557	3,961	4,159	4,367	4,585
Utilities	386	401	405	426	447	469
Amortization of tangible capital assets	-	-	-	-	-	-
Total expense	399,565	435,397	415,570	432,237	449,615	467,730
Annual operating surplus (deficit)	48,029	4,959	28,358	(5,348)	(6,002)	(6,680)

2.4. Capital

2.4.1. Capital Investments

While there are capital items purchased or funded with operating and other funds (such as learning materials, IT equipment and certain renovation projects), the capital budget incorporates significant building maintenance projects and larger scale building construction and renovation projects.

Throughout this section, it is important to note that the capital plan and the resulting capital budget are developed as 'point-in-time' items. Due to the unpredictable nature with which, for example, government grants, borrowing resolutions, and philanthropic gifts materialize, capital projects may be added or the scope changed throughout the year. All material changes, regardless of when they occur, remain subject to the institution's normal governance and approval processes.

The capital budget included within the University of Alberta consolidated budget is subject to complex financial accounting requirements. The figures throughout the capital budget have been translated for the purposes of being presented with the institution's audited financial statements.

2.4.2. Capital Plan Development

The University develops an annual capital plan and, further, identifies its capital requirements in a submission to the Government of Alberta through the Building and Land Inventory System (BLIMS). Recent submissions, the latest dated August 2018, included a number of priorities which focus on the

renewal and refurbishment of existing buildings. The following capital budget is reflective of the information contained within the capital plan and that which was provided within our BLIMS submission.

2.4.3. Capital Budget

(\$000's)	2017-18		2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Budget	Projection	Projection
Revenue (Including deferrals)							
Government of Alberta grants	86,077	100,988	119,032	111,122	111,122	111,299	117,416
Federal and other government grants	20,122	17,181	20,188	20,139	20,139	20,224	20,941
Student tuition and fees	-	-	-	-	-	-	-
Sales of services and products	-	-	-	-	-	-	-
Donations and other grants	31,547	21,004	26,287	26,208	26,208	26,303	27,235
Investment income	277	-	-	-	-	-	-
Total revenue	138,023	139,173	165,507	157,469	157,469	157,826	165,592
Expense							
Salaries	-	-	-	-	-	-	-
Employee benefits	-	-	-	-	-	-	-
Materials, supplies and services	5,814	-	1,374	3,609	3,609	1,961	-
Scholarships and bursaries	-	-	-	-	-	-	-
Maintenance and repairs	71,750	30,661	57,752	40,618	40,618	32,310	35,099
Utilities	-	-	-	-	-	-	-
Amortization of tangible capital assets	111,753	116,691	116,691	116,411	116,411	116,904	121,045
Total expense	189,317	147,352	175,817	160,638	160,638	151,175	156,144
Annual operating surplus (deficit)	(51,294)	(8,179)	(10,310)	(3,169)	(3,169)	6,651	9,448

Due to the nature of Public Sector Accounting Standards that govern the preparation of our audited financial statements, it adds the complexity of revenue deferrals. In essence, a large portion of the revenue in this fund cannot be recognized until the underlying expenses (predominantly amortization of tangible capital assets) have been incurred. In order to remove this impact, the following three tables provide a view of the capital budget for next year on a near "cash" basis.

The key figures in the following tables are:

- Government of Alberta grants which provides the expected amount of government funding in relation to capital projects.
- Maintenance and repairs which provides the expected amount of maintenance, repair and deferred maintenance to be conducted on a stand-alone basis as well as the expected amount that will be performed as capital projects are completed. These costs are expensed as they do not extend the useful life of the building.

The following table provides an outline of anticipated Government of Alberta revenues on a cash basis:

Capital Budget: Revenue			
(\$000's)	2019-20	2020-21	2021-22
	Budget	Projection	Projection
Provincial Government Grants			
Infrastructure Maintenance Program	34,914	34,914	34,914
Dentistry/Pharmacy Renewal	48,000	49,000	44,000
Greater Campus Area Utility System Upgrade*	9,100	4,900	1,900
Other			
Other Projects - Donation Presidents Circle	35	-	-
Total revenue	92,049	88,814	80,814

*This utility system serves: UofA North Campus; Alberta Health Services (UofA Hospital, Stollery Children's Hospital, Mazankowski Alberta Heart Institute, Kaye Edmonton Clinic and the Cross Cancer Institute); Alberta Infrastructure (Canadian Blood Service and Jubilee Auditorium); and others such as St. Joseph's College, Stephen's College and the National Institute for Nanotechnology).

The following table outlines maintenance and repair projects planned within the capital fund (others do occur within the operating and ancillary budgets).

Capital Budget: Maintenance and Repairs			
(\$000's)	2019-20	2020-21	2021-22
	Budget	Projection	Projection
Project			
Central Academic Building (Main and Lower Level)	3,700	50	-
Chemistry West (Lab Renewal)	3,000	-	-
ECERF - Nano Fab Lab Ventilation Renewal	1,000	-	-
HRIF - MSB Lab Renewal Program 2017-2018	600	550	-
Van Vliet Men's Change Rooms	900	125	-
Van Vliet Women's Change Room	900	125	-
Subtotal	10,100	850	-
Other Renovations	2,354	1,546	185
Infrastructure Maintenance Program	28,164	29,914	34,914
Total maintenance and repairs	40,618	32,310	35,099

Major renovation projects often involve both repairs and maintenance as well as capital additions or overall improvements to buildings. The following capital projects represent capital additions to buildings as defined by accounting standards. In this case, the expenditures do not appear on the statement of operations; rather they are captured as investments in tangible capital assets on the university's statement of financial position.

One significant project, the Lister (Classic) Tower refurbishment included in the table below is worthy of mention. A request for approval to access debt financing through the Alberta Capital Finance Authority in the amount of \$75.5 million was submitted to government in May of 2018. This project cannot proceed until and unless that approval is granted.

Capital Additions			
(\$000's)			
	2019-20	2020-21	2021-22
Project	Budget	Projection	Projection
Biological Sciences Renewal	848	-	-
Central Academic Building (Air Handling)	1,500	-	-
Chemistry Electrical Vaults	6,000	2,000	994
Dentistry/Pharmacy Renewal	20,000	65,000	75,000
Edmonton Clinic Health Academy	2,600	2,300	1,085
HRIF - Wet Lab Development (BARB)	1,300	950	-
Peter Lougheed Hall	500	-	-
South Campus Infrastructure Development	1,850	500	-
South Campus Power Service (CUBE)	918	-	-
Greater Campus Area Utility System Upgrade*	9,100	4,900	1,900
UA Botanic Garden	1,000	64	-
Van Vliet East Mechanical	700	-	-
Van Vliet Electrical Vault	5,500	-	-
Subtotal	51,816	75,714	78,978
Other Capital Projects	1,752	-	1
Energy Management Envision	4,255	4,000	1,500
Capital Interest	2,068	-	-
Total tangible capital acquisitions	59,891	79,714	80,479
Operating & Ancillary			
(\$000's)			
	2019-20	2020-21	2021-22
Project	Budget	Projection	Projection
Lister (Classic) Towers Renewal	25,000	25,000	25,000
NREF Renewal	13,000	4,000	365
R.E. Phillips Building Renovation	4,519	-	-
RCRF (South Campus Services)	1,000	2,500	-
Total tangible capital acquisitions (100/310)	43,519	31,500	25,365

*This utility system serves: UofA North Campus; Alberta Health Services (UofA Hospital, Stollery Children's Hospital, Mazankowski Alberta Heart Institute, Kaye Edmonton Clinic and the Cross Cancer Institute); Alberta Infrastructure (Canadian Blood Service and Jubilee Auditorium); and others such as St. Joseph's College, Stephen's College and the National Institute for Nanotechnology).

2.4.4. Deferred Maintenance

Excellence in teaching and research needs to be supported by well-functioning labs, classrooms, and other building infrastructure. Unfortunately, government grants alone have been incapable of addressing the necessary maintenance activities across our campuses to avoid an increase to our deferred maintenance liabilities. As of December 31, 2018, the deferred maintenance liability stands at \$309 million with a five-year projected aggregate liability of \$893 million. In the upcoming budget, we have made a modest additional investment of \$1 million in base funding from the operating budget to address deferred maintenance. Ideally it would be more, but our operating resources are constrained. It is our intent to increase support for attending to deferred maintenance needs as resources permit.

2.5. Special Purpose

The overall decrease in both revenues and expenditures relates primarily to a shift in the Academic Medicine and Health Services Program agreements, as certain activities have been shifted to Alberta Health Services. This shift has already commenced in the current year, subsequent to the development of the 2018-19 budget.

(\$000's)	2017-18	2018-19		2019-20	2020-21	2021-22
	Actual	Budget	Forecast	Budget	Projection	Projection
Revenue (Including deferrals)						
Government of Alberta grants	59,977	106,382	74,850	71,451	74,382	77,357
Federal and other government grants	-	-	-	-	-	-
Student tuition and fees	-	-	-	-	-	-
Sales of services and products	453	200	261	233	244	261
Donations and other grants	23,474	3,508	15,613	14,303	14,944	15,875
Investment income	23,586	24,254	19,725	20,730	21,360	21,870
Total revenue	107,490	134,344	110,449	106,717	110,930	115,363
Expense						
Salaries	54,488	57,752	55,646	52,576	54,936	58,185
Employee benefits	12,400	12,748	15,267	14,384	15,035	15,941
Materials, supplies and services	17,171	32,065	20,864	21,223	22,166	22,255
Scholarships and bursaries	10,605	11,585	10,611	10,464	10,808	11,118
Maintenance and repairs	28	83	90	99	104	103
Utilities	-	-	-	-	-	-
Amortization of tangible capital assets	-	-	-	-	-	-
Total expense	94,692	114,232	102,478	98,746	103,049	107,602
Annual operating surplus (deficit)	12,798	20,112	7,971	7,971	7,881	7,761

3. Concluding Comments

As noted at the outset, this budget has been prepared at a time of significant uncertainty. Hence we have adopted conservative budget assumptions and will proceed forward on a note of caution and prudence.

We continue to focus on delivering our vision: To inspire the human spirit through outstanding achievements in learning, discovery, and citizenship in a creative community, building one of the world's great universities for the public good.

Item No. 5b

**Governance Executive Summary
Action Item**

Agenda Title	Board of Governors Delegations of Authority for Tuition and Fees
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Whereas the Board of Governors approved the Principles for Board of Governors Delegation of Authority on June 15, 2018, including the following statements:

- The Board of Governors has employed a structure that relies upon the delegation of its provincially-mandated authorities to its standing committees, the President or other members of Administration and other campus bodies; and
- Delegation is essential to ensure timely and efficient decision-making in smaller forums with access to appropriate resource people, while allowing the Board to focus on substantive and strategic issues of broad relevance to the university community;

Motion 1

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of increases to domestic tuition equal to or less than the Consumer Price Index, as defined in the Tuition and Fees Regulation, to the Board Finance and Property Committee.
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Motion 2

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of domestic tuition rates when frozen by the Minister responsible, or otherwise controlled by the Minister, to the President.

Motion 3

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of increases to existing mandatory non-instructional fees equal to or less than the agreed upon weighted annual inflation with both a ceiling of 5.0% and a floor of 0% to the Board Finance and Property Committee.
--

Motion 4

THAT the Board of Governors, on the recommendation of the Board Finance and Property Committee, delegate approval of new mandatory student instructional support fees, and changes to or deletions of existing mandatory student instructional support fees, to the Board Finance and Property Committee.

Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Steven Dew, Provost and Vice-President (Academic)
Presenter(s)	Steven Dew, Provost and Vice-President (Academic)

Details

Responsibility	Provost and Vice-President (Academic)
The Purpose of the Proposal is <i>(please be specific)</i>	To seek Board of Governors' approval of delegations of its authority for tuition and fees items.

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Executive Summary
(outline the specific item – and remember your audience)

Background:

In June 2018, the Board approved *Principles for Board Delegation of Authority* and then tasked the Board Ad Hoc Group on Committee Mandates and Membership (BAGMM) with reviewing the current Board delegation of authority to its committees and determining where changes should be made, under these new Principles, with particular consideration of further delegation of authority.

BAGMM reviewed each's committee's limitations of delegated authority, as outlined in Terms of Reference, and, in consultation with General Counsel and senior administration, compiled a list of possible future changes, some of which will take effect upon approval of the revised Terms of Reference. Others are included in this proposal, and still others are currently being worked on by Administration for Board approval at upcoming meetings. Final proposed changes to the Board's delegation of authority to its committees will come forward for Board approval as part of the revised committee Terms of Reference in Spring 2019.

Current Proposal:

The proposed delegations of authority will ensure timely and efficient decision-making, and align with the Principles for Board of Governors Delegation of Authority.

These proposals confirm the parameters within which the Board of Governors will delegate its authority for approval of tuition and fees proposals.

These proposals come forward to the Board of Governors within the context of the changes to the *Post-Secondary Learning Act* and the *Tuition and Fees Regulations* resulting from Bill 19. The proposals are intended to ensure that the consideration of tuition and fee related proposals that are routine are handled in an efficient manner. These routine proposals include:

- To increase domestic tuition by a rate equal to or less than CPI. Bill 19 restricts average increases to domestic tuition for the University to CPI.
- To approve domestic tuition rates when frozen or otherwise controlled by the Minister. Bill 19 gives the Minister the authority to prevent institutions from increasing domestic tuition. In situations where the Minister chooses to exercise this authority, or to control tuition in some other way, we are proposing that the President would simply approve those tuition rates on behalf of the Board.
- To increase MNIFs. Bill 19 mandates that MNIFs must be tied to real costs for goods and services. In each of the last two years, the University has produced a report through the Joint University Student Oversight Committee on MNIFs that describes the revenue received through MNIFs and the costs for the services towards which the MNIFs are dedicated. This report, and consultation with students at the Joint Oversight Committee, will provide accountability for any proposed increases to MNIFs.

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	<ul style="list-style-type: none"> • To create new mandatory student instructional support fees or to increase or delete existing ones. Mandatory student instructional support fees are assessed in anticipation of costs for supplies, equipment, materials, or services which are not directly related to the delivery of instruction in a course or program, but are considered required elements of a course or program. Examples include but are not limited to the costs of food, lodging, and transportation for required field trips; supply of certain specialized professional tools which the student will retain; and fees for arranging professional placements such as practica, internships, and work experience. These fees are small, and are typically tied to a single course or program. <p>Note that we are in the process of consulting with Advanced Education on the impact of Bill 19 and other types of fees at the University. The results of those consultations may impact future delegations as Advanced Education confirms their expectations for handling of various types of fees.</p> <p>We are proposing that the Board retain authority for approval for the following kinds of proposals, which we would not currently describe as routine:</p> <ul style="list-style-type: none"> • Increases to international tuition • Exceptional increases to domestic tuition • New mandatory non-instructional fees <p>In addition, BFPC (and the President, in the case of Motion 2) always has the option of choosing not to exercise delegated authority, and referring proposals to the full Board.</p> <p><u>Consultation</u> The University of Alberta has two robust consultation mechanisms through which the students are engaged in discussions about tuition and fees proposals: the Tuition Budget Advisory Committee (TBAC) and the Joint University Student Oversight Committee on MNIFs. These two consultation mechanisms will remain, and will continue to be an important mechanism through which we communicate with students about tuition and fees, regardless of the proposals.</p> <p>In addition, we will consult annually with BFPC and the Board on the tuition and fees proposals coming forward.</p> <p>Role of the General Faculties Council Academic Planning Committee (APC): APC currently has the authority to recommend to the Board proposals related to tuition and fees. We are not proposing any changes to this authority.</p>
<p>Supplementary Notes and context</p>	<p><u>Motion 3 Amended at BFPC</u></p> <p>At the February 26, 2019 Board Finance and Property Committee meeting, Motion 3 was amended, at the request of Students' Union</p>

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	<p>President Reed Larsen, to include <i>equal to or less than the agreed upon weighted annual inflation with both a ceiling of 5.0% and a floor of 0%</i> to ensure adherence to the consultation process developed by the Joint University Student Oversight Committee on MNIFs.</p> <p><u>Next steps:</u> Board Standing Committee Terms of Reference are currently being reviewed and do not yet reflect these recommended changes.</p>
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Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity)</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who are actively participating:</u></p> <ul style="list-style-type: none"> ● Office of the Provost and Vice-President (Academic) ● Office of the Vice-President (Finance and Administration)
	<p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> ● President's Executive Committee - Operational ● Tuition Task Force ● Vice-Provost's Council ● Tuition Budget Advisory Committee (TBAC) – January 23 ● Board Finance and Property Committee ● Board of Governors
	<p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> ● GFC Executive Committee ● Academic Planning Committee ● Board Governance Committee
<p>Approval Route (Governance) (including meeting dates)</p>	<p>Board Finance and Property Committee (February 26) Board of Governors (March 15)</p>

Strategic Alignment

<p>Alignment with <i>For the Public Good</i></p>	<p>OBJECTIVE 21: Encourage continuous improvement in administrative, governance, planning and stewardship systems, procedures, and policies that enable students, faculty, staff, and the institution as a whole to achieve shared strategic goals.</p>			
<p>Alignment with Institutional Risk Indicator</p>	<p>Please note below the specific institutional risk(s) this proposal is addressing.</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input checked="" type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success </td> </tr> </table>		<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input checked="" type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input checked="" type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
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<p>Legislative Compliance and jurisdiction</p>	<p>Post-Secondary Learning Act Tuition and Fees Regulation Principles for Board of Governors Delegation of Authority Board Finance and Property Terms of Reference 3(c & d)</p>			

Attachments: none

Prepared by: Kathleen Brough, Senior Administrative Officer, Office of the Provost and Vice-President (Academic)

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**Governance Executive Summary
Action Item**

Agenda Title	<i>Conflicts of Interest Amendment Act - Codes of Conduct: Employees' Obligations Respecting Conflicts of Interest and Board Members' Obligations Respecting Conflicts of Interest</i>
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Motion 1:

<p>THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee and General Faculties Council, approve the Code of Conduct: Employees' Obligations Respecting Conflicts of Interest, as set forth in Attachment 1, to take effect July 1, 2019.</p>

Motion 2:

<p>THAT the Board of Governors, on the recommendation of the Board Human Resources and Compensation Committee, approve the Code of Conduct: Board Members' Obligations Respecting Conflict of Interest, as set forth in Attachment 2, to take effect July 1, 2019.</p>
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Item

Action Requested	<input checked="" type="checkbox"/> Approval <input type="checkbox"/> Recommendation
Proposed by	Office of General Counsel, Provost and Vice-President (Academic) and Vice-President (Finance & Administration)
Presenter(s)	Brad Hamdon, General Counsel; Marion Haggarty-France, University Secretary; Wayne Patterson, Vice-Provost & Associate Vice-President (Human Resources)

Details

Responsibility	Office of General Counsel, Provost and Vice-President (Academic) and Vice-President (Finance & Administration)
The Purpose of the Proposal is <i>(please be specific)</i>	To present to the Board of Governors the Code of Conduct: Employees' Obligations Respecting Conflicts of Interest and the Code of Conduct: Board Members' Obligations Respecting Conflict of Interest, as approved by the Ethics Commissioner on January 17, 2019.
Executive Summary <i>(outline the specific item – and remember your audience)</i>	<p>The <i>Conflicts of Interest Amendment Act</i> came into force in December of 2017. The Act imposes an obligation on public agencies, including the University of Alberta, to have Codes of Conduct governing their employees and boards of governors.</p> <p>Both the Employee and the Board of Governors' Codes of Conduct must address the following:</p> <ul style="list-style-type: none"> – A requirement to act impartially in carrying out their duties; – Restrictions on acting in self-interest or furthering private interests; – Disclosure of real and apparent conflicts of interest; – Restrictions on the acceptance of gifts, including monetary limits and maximum values; and – Limitations on concurrent employment or appointments with a process for approval. <p>The University has existing policies and procedures and (for employees) collective agreement language in place to comply with the majority of the</p>

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	<p>Act's requirements. Accordingly, the Codes of Conduct are mostly a re-statement of existing language that has been approved through the normal governance approval processes or through collective bargaining.</p> <p>The Ethics Commissioner had indicated that she would not accept a Code(s) of Conduct with hyperlink references to other policy documents. As a result, a "copy and paste" approach was adopted, copying the most relevant sections from existing University policies, procedures and collective agreements to address the requirements of the legislation. The attached Annotated Version of the Employee Code shows the source of the original language, if applicable. Because the Board of Governors Code of Conduct does not rely as heavily on existing policy language, we did not prepare an annotated version of that Code.</p> <p>Two areas where gaps were identified within current policies and procedures were with respect to the acceptance of gifts and concurrent employment. The University worked with the Ethics Commissioner's Office for several months to try to develop acceptable language to address these areas.</p> <p>In November and December, the five universities in Alberta worked with the Ethics Commissioner to develop "guiding principles" related to these two areas where agreement could not be reached. The guiding principles have been utilized in preparing the Codes.</p> <p>The Codes of Conduct for the University of Alberta were approved by the Ethics Commissioner on January 17, 2019 and must be publicly posted as per Legislation by April 30, 2019. Once the Codes have been finally approved, they will come into force on July 1, 2019.</p> <p>A roll out plan to introduce the Codes more broadly to the University community is being developed and will commence once the Codes has been approved. It will include frequently asked questions and other information to help employees and Board Members understand what their obligations are under the Codes.</p>
Supplementary Notes / context	

Engagement and Routing (Include meeting dates)

<p>Consultation and Stakeholder Participation (parties who have seen the proposal and in what capacity.</p> <p><For information on the protocol see the Governance Resources section Student Participation Protocol></p>	<p><u>Those who have been consulted:</u></p> <ul style="list-style-type: none"> • PEC-O, Deans Council, General Counsel, external counsel – throughout the process (January 2018 – January 2019) <p><u>Those who have been informed:</u></p> <ul style="list-style-type: none"> • PEC-O – November 8, 2018 • BHRCC – November 27, 2018 • Board of Governors – December 14, 2018 • NASA – December, 2018 • GFC Exec – January 14, 2019 • AASUA – January 23, 2019 • PEC-S – January 24, 2019 • GFC – January 28, 2019 • Deans' Council – February 6, 2019
Approval Route (Governance)	February 25, 2019 - General Faculties Council (recommendation for

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(including meeting dates)	Employee Code of Conduct only) February 26, 2019 - Board Human Resources Compensation Committee (for recommendation) March 15, 2019 - Board of Governors (for approval)
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Strategic Alignment

Alignment with <i>For the Public Good</i>	Excel: To excel and achieve our full potential as an institution and as individuals, the University of Alberta will sustain a learning and research culture that inspires, supports, and champions high professional standards and outstanding achievements in basic and applied research and scholarship, creative activity, administration, and governance.	
Alignment with Institutional Risk Indicator	Please note below the specific institutional risk(s) this proposal is addressing.	
	<input type="checkbox"/> Enrolment Management <input type="checkbox"/> Faculty and Staff <input type="checkbox"/> Funding and Resource Management <input type="checkbox"/> IT Services, Software and Hardware <input type="checkbox"/> Leadership and Change <input type="checkbox"/> Physical Infrastructure	<input type="checkbox"/> Relationship with Stakeholders <input checked="" type="checkbox"/> Reputation <input type="checkbox"/> Research Enterprise <input type="checkbox"/> Safety <input type="checkbox"/> Student Success
Legislative Compliance and jurisdiction	Conflicts of Interest Act Bill 27: Conflicts of Interest Amendment Act	

Attachments:

1. Code of Conduct: Employees' Obligations Respecting Conflict of Interest (34 pages)
 - a. Code of Conduct: Employees' Obligations Respecting Conflict of Interest – Annotated Version (34 pages)
2. Code of Conduct: Board Members' Obligations Respecting Conflict of Interest (11 pages)

Prepared by: Brad Hamdon, General Counsel, bhamdon@ualberta.ca and Wayne Patterson, Vice-Provost and Associate Vice-President (Human Resources), wayne.patterson@ualberta.ca



**Code of Conduct:
Employees' Obligations Respecting
Conflicts of Interest**

5th Submission (Clean)

January 16, 2019

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A. Preamble

The highest Standards of Ethical Conduct are essential to the success of any great institution. Academic freedom, open inquiry and the pursuit of truth, which form the foundation of an institution of higher learning, depend on a shared commitment to the highest Standards of Ethical Conduct.

Much of the substantive language in this Code has been copied from existing University policies, procedures and collective agreements.

B. Application of this Code

This *Code of Conduct: Employees' Obligations Respecting Conflicts of Interest* (the "Code") applies in respect of all Representatives of the University, including the President of the University when acting as an Employee or meeting their obligations as a senior official or designated senior official under the *Conflicts of Interest Act*, but does not include:

- Members of the Board of Governors or the President of the University when acting as a Board Member, who are governed by the separate *Code of Conduct: Board of Governors*;
- Non-employees, including professors emeriti, visiting academics, volunteers, contractors, or others acting on behalf of the University. The obligations and standards of conduct owed by these persons are contained in the individual policies and procedures provided by the University.

Together, the *Code of Conduct: Employees' Obligations Respecting Conflicts of Interest* and the *Code of Conduct: Board Members' Obligations Respecting Conflicts of Interest* work together to exemplify the University's ethical standards, provide individuals with principles to guide their behaviour, and emphasize the importance the University places on the avoidance of real or apparent conflicts of interest. Any questions about the interpretation or operation of this Code may be addressed to the Vice-Provost and Associate Vice-President (Human Resources).

This Code is intended to operate alongside existing collective agreements but does not purport to change any rights or obligations negotiated between the University and any union.

C. Global Definitions

The following definitions apply to all sections of this Code, excepting where a definition is specifically provided as otherwise in a section of this Code, within a collective agreement, or in the Handbook of Terms and Conditions of Employment For Management and Professional Staff (Excluded):

Allowed Conflict: Conflict that can be managed in a way that is compliant with legislation, considers, protects and serves the interests, integrity and reputation of the University, and will withstand the test of reasonable and independent scrutiny.

Board of Governors: The Governors of the University of Alberta as defined in the *Post Secondary Learning Act* P-19.5 2003.

Conflict(s): Conflict of interest, conflict of commitment, or institutional conflict.

Conflict of Commitment: A situation whereby the external or personal activities, undertakings or relationships of a person are so demanding or organized in such a manner or are otherwise such that they may interfere with the person's obligations to the University or to others or institutions that are separate from the University but to whom the person owes an obligation because of their relationship to the University.

Conflict of Interest: A situation in which there is or may be perceived to be a divergence between the private financial benefit or financial interest or personal benefit of a person, **family member**, or an **outside party**, and that person's obligations to the University, such that an impartial observer might reasonably question whether related actions to be taken or decisions made by the person would be influenced by consideration of the person's own interests.

Conflict Review Officer: According to those relationships detailed in the disclosure report, the next appropriate senior reporting officer.

Disclosure Report: A report that discloses conflict-type specific considerations relevant to deciding whether a person wishing to proceed with an activity that would or may give rise to conflict should be allowed to undertake that activity.

Family Member: Includes a person's spouse or adult interdependent partner or another individual to whom the person is related by blood, marriage or adoption.

Financial Benefit: The receipt or expectation of anything of monetary value, including pay or salary or other payments for services (e.g. consulting fees or honoraria), equity (shares, options or the like) security or other ownership interests, and intellectual property rights (e.g. patents, copyrights, royalties or carried interests or options related to such rights)

Financial Interest:

(A) Ownership in the form of shares in a privately held company or

(B) Ownership in a publicly traded company in the form of shares with a market value of greater than \$50,000.00 or representing more than 10% of the company's outstanding shares or

(C) Where the person is a member of a board of either a privately held or publicly traded company.

Good Faith (or "**Good Faith Disclosure**"): A submission of information, that is based on reasonable belief and is not malicious, frivolous or vexatious, to the appropriate University authority.

Institutional Conflict: A situation in which the University, or an institution, has an existing relationship with a party with which the University or the institution proposes to enter into an activity such that an impartial observer might reasonably question whether the existing relationship might prejudice decisions of the University or an institution with respect to the activity.

Office of Administrative Responsibility: The area within University administration, that is ultimately responsible for administering a particular policy and/or procedure.

Outside Party: Includes any corporation, partnership, sole proprietorship or other legal entity organized for the furtherance of a non-University interest (for profit or otherwise) and clients or patients to whom the person or the University provides individual professional services

Personal Benefit: The receipt or expectation of any personal (workplace or otherwise) benefit of a non-monetary value.

President of the University (or "**President**"): The individual appointed by the Board of Governors to the position of President pursuant to Section 81 of the *Post-Secondary Learning Act*, SA 2003 c P-19.5.

- For greater certainty, the President is the “chief executive officer” of the University for the purposes of the *Conflicts of Interest Act*, as that term is defined at Section 23.92(1)(b) of that Act.
- For greater certainty, the President is both a “senior official” and a “designated senior official” for the purposes of the *Conflicts of Interest Act*, as those terms are respectively defined at Sections 23.92(1)(k) and 23.92(1)(d) of that Act, by designation under Order in Council 085/2018 of the Lieutenant Governor in Council.

Reporting Individual: A person required to report in accordance with this Code.

Reporting Officer: For any person, the holder of the office to whom the person reports or who has supervisory responsibility over the reporting individual. Specifically, for example:

- for a Vice-President, the President.
- for a Deputy Provost or a Vice-Provost, the Provost and Vice-President (Academic).
- for an Assistant or Associate Vice-President, the appropriate Vice President
- for a Dean of a Faculty and the Chief Librarian, the Provost and Vice-President (Academic).
- for an Associate Dean or Vice-Dean, the Dean.
- for a Chair of a Department, the Dean.
- for the Director of an administrative unit or equivalent, the Vice-President responsible for that unit.
- for support staff, the holder of the office to whom the support staff reports or who has supervisory responsibility over the support staff; however, the reporting officer for a support staff will not be another support staff.
- for academic staff of a Faculty with departments, the Chair.
- for academic staff of a Faculty without departments, the Dean.
- for a post-doctoral fellow, the supervisor of the post-doctoral fellow.
- for a graduate student, the student's supervisor or supervisory committee.
- for a staff member of a centre or institute, the person within the University responsible for that centre or institute

Representative of the University of Alberta (or “Representative”): Executive officers, faculty, staff, post-doctoral fellows, and student employees.

Reprisal: Punitive actions taken against a person for making a good faith disclosure, including, but not limited to:

- Disciplinary action
- Termination
- Adversely affecting employment conditions
- A threat to do any of the above

Respondent: A party against whom an allegation has been made.

Safe Disclosure: Individuals are not subject to reprisal for reporting allegations made in good faith.

Standards of Ethical Conduct: Actions and behaviours which uphold the principles of integrity, respect and accountability, supported by an awareness of and compliance with the Code, relevant policies and procedures, collective agreements, applicable legislation and professional standards.

D. Ethical Conduct and Impartiality

Overview

The highest Standards of Ethical Conduct are essential to the success of any great institution. Academic freedom, open inquiry and the pursuit of truth, which form the foundation of an institution of higher learning, depend on a shared commitment to the highest Standards of Ethical Conduct.

Whether involved in research, teaching or the governance and administration of the organization, all Representatives of the University of Alberta have an obligation to conduct themselves in a manner that is consistent with the University's stated values regarding ethical conduct.

As part of this obligation, and to protect the University and individuals from harm, Representatives of the University are encouraged to report conduct that does not meet the University's ethical standards.

Purpose

- Describe the expectations concerning ethical conduct for Representatives of the University
- Confirm the rights of individuals in reporting conduct that does not meet the University's standards
- Confirm the University's obligation to protect person(s) making a **good faith disclosure** from **reprisal**
- Confirm the University's obligation to protect the rights of the person(s) against whom allegations are made
- To outline the procedures individuals should take when reporting conduct that does not meet the University's ethical standards

Policy

1. Standards of Ethical Conduct

All Representatives of the University of Alberta are prohibited from acting in self-interest or furthering their private interests by virtue of their position or through carrying out their duties and shall maintain the highest Standards of Ethical Conduct.

2. Impartiality

Representatives are required to conduct themselves impartially in fulfilling their University duties. This means Representatives must discharge their duties in a non-partisan manner so as to ensure that public confidence and trust remain in the Representative and the University as a whole. Impartiality requires compliance with Section D-1 and the other provisions of this Code but is not intended to limit the academic freedom of the Representative.

3. Reporting

Representatives of the University are encouraged to report conduct that does not meet the University's ethical standards. Such reports must meet the definition of good faith disclosure and be submitted to the appropriate authority.

The University will maintain an environment of **safe disclosure** when such a report is made, in which:

- a. The persons and offices that receive and/or investigate such reports shall protect the identity of the person making the report to the extent possible under government legislation, University policies, and collective agreements in effect at the time of the alleged misconduct.

- b. The University will not tolerate any reprisal, directly or indirectly, against anyone who, in good faith, makes a report.
- c. All individuals against whom allegations are made will maintain the rights, privileges and protections afforded to them through the *Freedom of Information and Protection of Privacy (FOIPP) Act* and other applicable government legislation, University policies, and collective agreements in effect at the time of the alleged misconduct.

Procedure

4. Disclosure of Misconduct

University process indicates that allegations or concerns of conduct that does not meet the University's ethical standards are primarily addressed utilizing the procedures associated with relevant University policies and procedures, collective agreements, government legislation and relevant professional standards.

Complainants should generally contact their manager or supervisor to disclose matters of alleged misconduct. Alternately, complainants may also contact the **Office of Administrative Responsibility** associated with the relevant policy and/or procedure.

In instances where it is unknown where to disclose the matter, or the complainant has reasonable apprehension about coming forward, reports can be made to the Office of Safe Disclosure and Human Rights (OSDHR).

Initial disclosures to the OSDHR may be made verbally or in writing. OSDHR may request that disclosures be made in writing dependent on the nature of the concern and the requirements of the underlying policies. Be advised that disclosures made to OSDHR do not necessarily constitute institutional knowledge as this office's main goal is to provide advisory and referral services to the appropriate mechanism.

Typically, in order for matters to be formally addressed, they will need to be reported to a **Representative of the University of Alberta** outside the OSDHR.

In general, disclosures should comprise of:

- The date and time of the incident(s);
- Identification of individuals responsible for the misconduct;
- Details of the alleged misconduct; and
- Name and contact information of the individual making the disclosure. Anonymous reporting may be permitted if it is permitted in the underlying processes (e.g. anonymous reporting is considered for fraud and irregularity but not for harassment).

5. Good Faith Disclosures and Reprisal

Any person making a good faith disclosure shall not be subject to reprisal.
Any person who believes they are subject to reprisal should contact the OSDHR.

6. Duty of Respondents

Those persons against whom allegations are made (**respondents**) must be treated in a fair and reasonable manner. Specifically, should formal complaints be made, respondents are entitled to:

- Be informed as to who has made the allegation against them, except for matters where the relevant policy and procedure specifically allow for anonymous or confidential complaints or the safety of the complainant may be in question;
- Only respond to allegations that have been made in a timely manner (as outlined in relevant policy if applicable);
- Be privy to enough details pertaining to the allegation to respond accurately; and/or
- Have the matter resolved in an expedient manner.

Respondents who feel that this duty is not being met, should contact the OSDHR.

E. Avoidance of Conflicts of Interest

Overview

The University is committed to academic freedom and excellence in teaching and research. In pursuit of this mission, the University and members of the University community frequently engage in activities or situations where actual or perceived **conflicts** will exist, or which raises the potential of actual or perceived conflicts. Rather than disallow all conflicts, the University assesses conflict considerations and, when appropriate, permits certain managed conflict.

However, conflict is permitted only if it can be managed in a way that:

- a. Is compliant with legislation;
- b. Considers, protects and serves the interests, integrity and reputation of the University; and,
- c. Withstands the test of reasonable and independent scrutiny.

To maintain public trust and confidence, the University manages conflict in a fair, open, consistent, and practical manner. All members of the University share in the responsibility to appropriately address conflict.

Assessing conflict requires the collection of personal information as defined in the *Freedom of Information and Protection of Privacy Act*. The University will conduct this and other conflict-related activities with the utmost discretion and in compliance with legislation.

Definitions

For the purposes of this Section 'E' only, the following definitions apply:

Academic Staff: An employee of the Board of Governors who, as a member of a category of employees or individually, has been designated as an academic staff member by the Board of Governors.

Conflict Review Committee: A committee established in accordance with this section.

Employee: All University of Alberta employees, including but not limited to faculty, staff, post-doctoral fellows, and student employees.

Event: Social, cultural, or sporting activities, charity or special functions, presentations, awards ceremonies, fundraisers, conferences and meetings hosted by a third party. It includes lunches, dinner, drinks, or other meals taken together.

Friend of the University: A person considering becoming a donor of the University.

Gift: A gift, bonus, reward or favour of any kind given to an individual. It does not include awards received.

Institution: The University or any corporation, partnership, or other legal entity owned, controlled or subject to the direction of the University.

Other Staff: Those individuals employed by the University on a part or full-time basis, who are not academic staff or support staff, and whether or not they are part of a bargaining unit.

Person: Includes academic staff, support staff, other staff, postdoctoral fellows and a person's corporation.

Person's Corporation: Any professional corporation or corporation beneficially owned or controlled by a person.

Students: Includes undergraduate and graduate students.

Support Staff: An employee of the University who is a member of, and pays dues to, the Non-Academic Staff Association (NASA).

Policy

The University will be vigilant and pro-active concerning conflict.

A person engaging in an activity or a situation that involves either existing (actual or perceived) or potential (actual or perceived) conflict shall report the conflict so that it may be assessed and, where appropriate, managed in accordance with the associated procedures. A person shall not engage in, or continue, the activity or situation until the University has assessed whether the conflict is permitted and, if so, how the conflict will be managed.

The University determines whether or not a situation or activity involves conflict. Therefore, all existing or potential conflict must be reported.

Purpose

- To reduce the incidence of conflict or potential conflict (**conflict of interest** or **conflict of commitment** or **institutional conflict**) and appropriately manage any permitted conduct.
- To clarify reporting requirements for existing or potential conflict, whether it is actual or perceived, and to outline the process for assessing conflict in order to make informed and sound decisions pertaining to matters of conflict of commitment or conflict of interest.

Procedure - Disclosure and Assessment of Conflicts of Interest

1. Reporting by a Person

- a. A person engaging in an activity or situation that involves either existing or potential conflict shall report the conflict so that it may be assessed and, where appropriate, managed.
- b. A person shall not engage in, or continue, the activity or situation until the University has assessed whether the conflict is permitted and, if so, how the conflict will be managed.
- c. In accordance with this procedure, a person will self-assess and report activities or situations that may involve actual or perceived conflict and will complete a **disclosure report** and submit it to a **reporting officer**.

- d. The following persons are required to complete a disclosure report on an annual basis, according to a 12-month in-the-future **reporting period**:
- **academic staff** under the Faculty Agreement or Librarian Agreement or Faculty Service Officer Agreement or Administrative and Professional Officer Agreement;
 - **support staff** who make financial or hiring decisions or who may have a research-related conflict;
 - **other staff** who make financial or hiring decisions;
 - other staff employed in a department, office or unit which has as its primary function the creation of legal relationships with individuals or entities that are not part of the University;
 - other staff who have the authority to enter into contracts or commitments on behalf of the University;
 - other staff who, as part of normal duties, have regular formal contact with individuals or entities that are not subject to the conflict policy;
 - a person who may have a research-related conflict.
- e. Notwithstanding the requirements outlined in 1.d. of this procedure, the University has the discretion to require additional persons to complete a disclosure report on an annual basis, according to a 12-month in-the-future reporting period, or on a case-by-case basis.
- f. Any time there is a change in material facts that were disclosed in a disclosure report, a **reporting individual** must submit a revised disclosure report immediately.
- g. A reporting officer will:
- solicit and monitor the submission of disclosure reports from those persons who they anticipate receiving a disclosure report;
 - send second notice date-specified requests for a disclosure report to persons from whom they would anticipate receiving a disclosure report; and
 - refer to a **conflict review officer** in instances where an expected disclosure report has not been submitted.
- h. The failure of a reporting officer to solicit a disclosure report does not release a person from their obligation to disclose existing or potential conflict.

2. Assessment by a Reporting Officer

- a. A reporting officer will receive disclosure reports from reporting individuals and will assess the information that has been provided in the disclosure report in accordance with this procedure.
- b. If the reporting officer has a financial benefit or **financial interest** or **personal benefit** in the considerations being assessed, the reporting officer will refer the disclosure report to the next appropriate senior reporting officer who will assume the role of reporting officer or assign an alternate.
- c. Where an existing or potential activity or situation is assessed for an actual or perceived conflict and where it is determined that there is:
- no conflict, the reporting officer will contact the reporting individual to indicate that they are free to proceed with the activity or engage in the situation.
 - a conflict and the activity or situation does not sufficiently serve the interests of the University or is not appropriately manageable or not able to withstand the test of reasonable and independent scrutiny, the conflict will not be allowed and the reporting

officer will contact the reporting individual to indicate that they are not free to proceed with, or continue to engage in, the activity or situation.

- a conflict and the activity or situation can be managed as an **allowed conflict**, a suitable method of monitoring and managing the allowed conflict will be determined and implemented before the reporting individual is free to proceed with, or continue to engage in, the activity or situation.

3. Management of Allowed Conflict

When an activity or situation can be managed as an allowed conflict, the reporting officer will:

- a. Work with the reporting individual to settle on the terms and conditions under which an activity or situation associated with an allowed conflict will be conducted and managed;
- b. Ensure documentation of any outcome in a memorandum of agreement in the specified form;
- c. Ensure the term, conditions, and management of an activity associated with an allowed conflict is consistent with the *Freedom of Information and Protection of Privacy Act* and other legislation and University policy relevant to that activity;
- d. Administer or delegate the on-going monitoring and management of allowed conflict;
- e. Document all related matters and maintain records;
- f. Refer unresolved matters to a conflict review officer appropriately; and
- g. Keep senior officers of the University appropriately apprised.

In all instances of conflict involving research, the disclosure form should be submitted to the individual's reporting officer who will then consult with the Dean, Vice-President (Research) and Office of Faculty and Staff Relations as appropriate.

4. Referral Process

- a. In the case of conflict of commitment, it is expected that the reporting individual and the reporting officer will come to an agreement; however, in the event that this is not possible, the position of the reporting officer is final and will stand as the University's position on the matter.
- b. In the case of conflict of interest, the reporting individual and reporting officer need to first agree on whether the conflict considerations warrant an allowed conflict or not and, where applicable, on the method by which an allowed conflict is to be monitored and managed. If agreement cannot be reached, the matter is to be referred by the reporting officer to a conflict review officer or **conflict review committee**.
- c. The conflict review officer or conflict review committee will work with the reporting individual and reporting officer in an effort to reach an agreeable outcome and will ensure documentation of any outcome in a memorandum of agreement in the specified form. If an agreeable outcome cannot be reached, the conflict review officer or conflict review committee will render a decision which shall be final and binding.

5. Conflict Review Committee Membership

- a. For conflict involving research activity:
 - i. Chair, appointed by the Vice-President (Research);
 - ii. One representative of the Research Services Office;
 - iii. One academic staff member, appointed by the Vice-President (Research); and
 - iv. Two members-at-large, appointed by the Provost and Vice-President (Academic).

Within the overall membership, it is recommended that there be one member with legal expertise and one with previous conflict resolution experience.

- b. For conflict involving non-research activity:
 - i. Chair, appointed by the Provost and Vice-President (Academic);
 - ii. One staff member appointed by the Vice-Provost and Associate Vice-President (Human Resources); and
 - iii. Two members-at-large, appointed by the Vice-Provost and Associate Vice-President (Human Resources).

Within the overall membership, it is recommended that there be one member with legal expertise and one with previous conflict resolution experience.

Procedure - Receipt and Acceptance of Gifts and Event Invitations

For the purpose of this Procedure, Gifts and Events do not include:

- normal and nominal Gifts and Event invitations between friends, where unrelated to the Representative's duties or position with the University;
- Gifts accepted by a Representative on behalf of the University; or
- attendance at social Events if the social Event is sponsored by a charitable foundation, a not-for profit organization, the Governor General of Canada, a provincial Lieutenant Governor, any Canada federal, provincial, municipal or regional government or any member of any such government, or a consul or ambassador of a foreign country.

The exception for social Events sponsored by a not-for-profit organization does not apply to not-for-profit organizations constituted to serve management, union, or professional interests, or those having a majority of members that are profit-seeking enterprises or are representatives of profit-seeking enterprises.

Any Representative who is uncertain if acceptance of a Gift or an Event Invitation is appropriate should contact their Dean, Vice-President, the Provost or the President. The President should contact the Chair of the Board of Governors.

If there is uncertainty as to the value of a Gift or an Event, the Vice-President (Finance & Administration) shall have the authority to determine its value.

1. Acceptance of Gifts

- a. Representatives must not accept any Gift directly or indirectly connected with the performance of their University duties or by virtue of their position if the acceptance of the Gift creates a conflict of interest or the perception of a conflict of interest. Gifts which are not expected to create a conflict of interest are those received as:
 - i. a token received as part of reasonable protocol;
 - ii. a social obligation;
 - iii. a cultural practice;
 - iv. a normal exchange of hospitality between two persons doing business together;
or
 - v. incident for participating in a public Event.
- b. Gifts cannot be in the form of cash or cash equivalents.

- c. Representatives must exercise reasonable discretion in determining whether the acceptance of any Gift is appropriate. A Representative must never solicit a Gift in connection with their position or duties.
- d. The maximum cash value of any one Gift that a Representative may accept is \$250.00, not exceeding \$500.00 per calendar year received from a single source.
- e. If a Gift is also offered to a spouse, adult interdependent partner or minor child in their capacity as a spouse, adult interdependent partner or minor child of a University Representative, the same considerations apply as if the Gift was given to the Representative directly.
- f. A Representative may seek an exemption, in writing, from any maximum valuation set out in this Procedure from their Dean, Vice-President, the Provost or the President. The President may seek an exemption in writing from the Chair of the Board of Governors. An exemption may be sought any time before or within a reasonable time after accepting a Gift. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the Gift would be contrary to the principles of this Code. Any exemption granted will be made in writing.
- g. Should any Gift be accepted of which the cash value exceeds any maximum valuation, and there is no exemption approved in writing, the Gift should be returned to the party who offered it as soon as practical. If returning the Gift is not possible, or would be socially or culturally unacceptable, the Gift must be surrendered to the Vice-President (Finance and Administration) and become the property of the University of Alberta.

2. Acceptance of Invitations and Attending Events

- a. Representatives must not accept any invitation to an Event, or attend any Event, if the acceptance or attendance creates a conflict of interest or the perception of a conflict of interest. Events which are not expected to create a conflict of interest include those Events:
 - i. where a significant cross-section of Representatives have been invited;
 - ii. where the Representative pays for their own food, beverages, and all other expenses; or
 - iii. attended as an incident of the social obligations that normally accompany the Representative's position at the University.
- b. Representatives must exercise reasonable discretion in determining whether the acceptance of any invitation to or attendance at any Event is appropriate.
- c. The maximum cash value of attending an Event that a Representative has been invited to, inclusive of any food and beverage, is:
 - i. for the President, Vice Presidents, Associate Vice-Presidents, Deans, Vice-Provosts, Deputy Provosts, or General Counsel:
 - a. \$1,000.00 per Event, not exceeding \$2,000.00 per calendar year received from a single source, if the Event invitation is from a donor or Friend of the University; or
 - b. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source, if the Event invitation is from any person other than a donor or Friend of the University.
 - ii. for any other Representative:
 - a. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source.

- d. Notwithstanding the above, if a Representative accepts an invitation to speak or participate in an active role at a conference, seminar, workshop, panel, or other similar engagement, and the Representative is attending in their role as a University employee or participation relates to their related academic activities, then the total cash value of attending the engagement, inclusive of all transportation, hospitality, accommodation, registration, food and beverage, and related incidentals must be reasonable in the circumstances and shall not exceed a maximum cash value of \$8,000 per engagement or \$16,000 per calendar year for engagements from a single source. The cash value of these engagements will be calculated and considered separately from other Event invitations.
- e. If the invitation to attend an Event is also extended to a spouse, adult interdependent partner or minor child, the total cash value of all tickets received are to be taken into account.
- f. If a Representative is invited to an Event at which the total cash value of attendance, inclusive of any food and beverage, exceeds any maximum cash value, the Representative may seek an exemption in writing from their Dean, Vice-President, the Provost or the President. The President may seek an exemption in writing from the Chair of the Board of Governors. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the invitation or attendance at the Event would be contrary to the principles of this Code. Any exemption granted will be made in writing.
- g. Should a Representative attend an Event at which the total cash value of attending exceeds any maximum valuation set out in this Code, and there is no exemption approved in writing, the cash value of attending the Event, inclusive of any food and beverage, which exceeds the maximum valuation under this Code will be reimbursed by the Representative to the person/entity who originally covered the cost.

F. Managing Conflicts of Interest: Concurrent Activities and Supplementary Professional Activities

Requirement to Report Concurrent Activity

A Representative involved in a concurrent appointment, business, undertaking, employment, or self-employment (collectively “concurrent activity”) other than their position with the University may be in a potential conflict. Representatives are therefore required to report all concurrent activity, subject to the pre-approvals below, so that the activity may be assessed for a conflict and where appropriate, managed. Reports must be made in accordance with Section ‘E’. Where a current Representative is considering engaging in a new concurrent activity, the Representative must seek prior approval of the University before doing so.

Some Representatives’ concurrent activity may be the kind of activity defined as “Supplementary Professional Activities” (or “SPA”) in their collective agreement. In the case of an appointment, business, undertaking, employment or self-employment meeting the definition of SPA within a collective agreement, the Representative’s obligations in respect of that activity will be wholly as set out in their collective agreement and will not need to be additionally reported under Section ‘E’. Collective agreements with SPA obligations are discussed further below.

Where a Representative subject to a collective agreement engages in concurrent activity that does not meet the definition of “SPA” under their collective agreement, or where the concurrent activity is not otherwise

contemplated within their collective agreement, the Representative must report the concurrent activity unless the activity is pre-approved as below.

The requirement to report includes where a Representative receives income through a research grant where the research work:

- i. is not administered by the University through the Research Services Office; and
- ii. the research work does not meet the definition of Supplementary Professional Activity in the Representative's collective agreement.

Pre-Approved Concurrent Activity

The University deems some concurrent activity to be pre-approved. In those situations, the Representative is not required to report the activity unless it otherwise creates an actual or perceived conflict of interest.

Pre-approval is deemed for:

- a. Representatives engaging in concurrent activity for which the Representative will not receive nor be entitled to receive remuneration.
- b. Students of the University who are also employees of the University, where the concurrent activity is in the retail, hospitality, or service industry.
- c. Academic staff who do not hold a full-time position at the University, where:
 - i. their position at the University is unpaid;
 - ii. the academic staff member teaches no more than two courses per semester at the University;
 - iii. the concurrent activity is with another post-secondary institution; or
 - iv. the concurrent activity requires the academic staff member to be a member of a specified professional association which has a code of conduct and can discipline members for a breach of their code. The "specified professional associations" must be approved by the President or President's delegate. The associations currently approved are listed at Appendix A.
- d. Academic staff, whether full-time or part-time at the University, where the University knows at the time of their hiring or appointment that:
 - i. the academic staff member is being concurrently or jointly hired or appointed to the concurrent activity at another organization; or
 - ii. the academic staff member is already engaged in the concurrent activity at another organization.
- e. Non-student employees of the University who are members of the Non-Academic Staff Association or who are support staff excluded from the Non-Academic Staff Association, whose concurrent activity requires 20 hours or less per week, the required hours of which are not scheduled during the Representative's normal working hours at the University.

In limited circumstances, the manner in which concurrent activity may need to be reported and approved is addressed by external documentation. These situations are where:

- a. the Representative's concurrent activity meets the definition of Supplementary Professional Activity within their collective agreement, as the obligations relating to the reporting and approval of the activity will be wholly governed by their collective agreement; or
- b. the Representative is the President, as the President's obligations relating to the reporting and approval of concurrent activity are governed by the *Conflicts of Interest Act* and the requirement at Section I-2 of this Code.

Collective Agreements with SPA Obligations

The University's collective agreements provide direction for certain Representatives with respect to professional development through activity which is supplementary to their primary obligations to the University (known as 'SPA'). The types of Representatives with SPA obligations, and the nature of those obligations, are excerpted directly from the relevant collective agreements below.

The University endeavours to include the most recent excerpts from its collective agreements regarding SPA in this Code. However, because collective agreements frequently evolve through bargaining, the excerpts provided may at times be out of date. In the case of a discrepancy between an included excerpt and a collective agreement, the collective agreement will govern. Representatives governed by a collective agreement have a responsibility to know its contents and how it affects them in their role with the University.

Collective agreements are posted on the Human Resource Services website:

<https://www.ualberta.ca/faculty-and-staff/my-employment/collective-agreements-and-handbooks>

1. Faculty - Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/faculty-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

Scope and context of SPA

- 8.01 A staff member is a full-time employee and has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.
- 8.02 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.
- 8.03 Such SPA shall represent an integral part of the responsibility to relate theory to practice, thereby enabling teaching and research to remain professionally relevant. Routine, repetitive and trivial SPA are discouraged.

Authorization of SPA

- 8.04 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Required SPA

[...]

- 8.06 Where a Faculty Council has deemed SPA to be essential to the work of the Department, the Faculty Council shall recommend to the Board that such SPA be considered as part of the primary University responsibilities. The Board may approve such recommendations on such conditions as it deems appropriate, having regard to 8.11.

Definition of SPA

- 8.07 Without restricting the generality of the term SPA, this category shall include any of the following:
- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g. summer session at another university;
 - b) consulting;
 - c) personal services contracts;
 - d) private practice of the staff member's profession, e.g. medicine, dentistry, law, etc.
- 8.08 SPA may be categorized as major or minor in scope. Each Faculty Council shall decide what constitutes major SPA but all proposals to teach at another institution shall be considered major SPA.

Approval of SPA

- 8.09 A staff member shall obtain written approval of the Department Chair prior to undertaking major SPA. Prior to approving SPA, the Department Chair shall ensure that primary University responsibilities will be performed satisfactorily.
- 8.10 If there is a dispute with respect to a staff members SPA, the staff member shall have recourse to the Dean and the Provost, in that order. The decision of the Provost shall be final and binding.

Conditions

- 8.11 The authority and approval of SPA is subject to the following conditions:
- a) The staff member shall not compete unfairly with professionals outside the University.
 - b) The SPA shall not infringe upon the University's conflict of interest guidelines.
 - c) The SPA shall conform with regulations governing the use of University facilities and staff.
 - d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such SPA by the provision of students or postdoctoral fellows or the like; and withstanding that any formal contract with respect to those SPA has not been negotiated by or approved by the University.
 - e) When engaged in SPA a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in SPA.

[...]

Faculty regulations

- 8.20 Each Faculty Council shall develop regulations with respect to SPA. The regulations and any amendments thereto shall be filed with the Provost and the Association. The regulations shall include:
- a) The definition of what constitutes major SPA.
 - b) The format for the annual statement of SPA; the determination of the time period covered by the report; the date by which the report is to be submitted; and whether the annual statement about SPA shall be included in the annual report.
 - c) Any modifications to the requirement that SPA be taken into account in the evaluation of a staff member's performance.
 - d) Whether the time of year, week or day when SPA is performed is important to its approval and reporting.
 - e) Whether the annual statement shall include information about remuneration received from SPA.
 - f) Regulations governing the use of University facilities and staff for SPA including arrangements to reimburse the University for such use.
 - g) What evidence shall be required to ensure the staff member has adequate personal liability insurance to indemnify the University against any claims.
 - h) Such additional terms and conditions the Faculty Council may consider necessary; such terms and conditions shall be in addition to and not in contradiction to this Article.

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed under this agreement to a faculty position on the academic staff of the University in which the person has been or may be granted tenure; this term includes both full time and part time staff who hold such positions.

Faculty Council: The council created by that name in accordance with section 28 of the Post Secondary Learning Act; for the purposes of this Agreement voting on decisions required by this Agreement shall be restricted to the staff members in the Faculty.

Department: The academic unit of a Faculty, established as such by the Board.

Dean: The chief executive officer of a Faculty.

Department Chair: The chief executive officer of a Department. Responsibilities assigned herein to a Department Chair shall be the responsibility of the Dean in Faculties in which there are no departments.

Board: The Governors of the University of Alberta.

2. Faculty Service Officer Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Faculty Service Officer Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/faculty-service-officer-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

- 8.01 A staff member is a full-time employee and has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.
- 8.02 Under certain circumstances it is appropriate for staff members to assume responsibilities at the University in addition to their regular duties and for which they may receive additional remuneration. These shall be duties which are performed outside regular office hours or while on vacation, e.g. lecturing in evening session, lecturing in Extension non-credit courses, etc. Requests to assume additional responsibilities shall be submitted, in writing, to the **Dean**.
- 8.03 A staff member who proposes to engage in activities outside the University which are related to his or her duties at the University or which are of a consulting nature, whether during regular University office hours or not, shall so inform his or her immediate supervisor. If the proposed activities are during regular office hours, the permission of the immediate supervisor, in writing, must be obtained prior to the staff member undertaking the activities. If University facilities are proposed to be used in the conduct of the outside activities, the permission of the immediate supervisor, in writing, must be obtained prior to the staff member utilizing such facilities. If the staff member expects to make extensive use of such facilities, the staff member may be required to reimburse the University for such use.
- 8.04 Care must be taken by the staff member that the outside activities are not in conflict of interest with the University duties.
[...]
- 9.17 During leave, the staff member shall not undertake alternative employment without the advance written approval of the Provost.

Relevant Definitions (Article 1)

Faculty Service Officer: Group of academic staff who assist and collaborate with faculty members in teaching and research process. Such staff members will normally have a post-graduate degree in the particular discipline to which they are attached. The tasks they are assigned may include an administrative component but this will not be a major component of the assignment. A position in this category shall be established under the same procedures as those used for faculty positions and staff members shall be counted with faculty in the staff count.

Staff Member: A person who has been appointed to a faculty service officer position on the academic staff of the University in which the person has been or may be granted a continuing appointment; this term includes both full time and part time staff who hold such positions.

Dean: The chief executive officer of a Faculty.

3. *Library - Supplementary Professional Activities (SPA)*

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Librarian Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/librarian-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities

Scope, context and authorization of supplementary professional activity

- 8.01 A staff member has a primary obligation to fulfil University responsibilities. A staff member who proposes to engage in activities outside the University which are related to his or her duties at the University or which are of a consulting nature, shall so inform the Chief Librarian. If the proposed activities are during regular office hours, the permission of the Supervisor and Chief Librarian, in writing, must be obtained prior to the staff member undertaking the activities. If University facilities are proposed to be used in the conduct of the outside activities, the permission of the Chief Librarian, in writing, must be obtained prior to the staff member utilizing such facilities. If the staff member expects to make extensive use of such facilities, the staff member may be required to reimburse the University for such use.
- 8.02 Under certain circumstances it is appropriate for staff members to assume responsibilities at the University in addition to their regular duties and for which they may receive additional remuneration. Requests to assume such additional responsibilities must be approved by the Supervisor and the Chief Librarian, in writing.
- 8.03 Such professional activity shall represent an integral part of the responsibility to relate theory to professional practice, thereby enabling professional practice to remain relevant.
- 8.04 Care must be taken by the staff member that the supplementary activities are not a conflict of interest with the University duties and do not prevent, hinder or unduly interfere with the staff member's primary responsibilities.
- 8.05 If there is a dispute with respect to a staff member's supplementary professional activity, the staff member shall have recourse to the Chief Librarian and the Provost, in that order. The decision of the Provost shall be final and binding.

Definition of supplementary professional activity

- 8.06 Without restricting the generality of the term supplementary professional activities, this category shall include any of the following:
- a) employment in any capacity by another employer; including the carrying out of teaching duties;
 - b) consulting;
 - c) personal services contracts.

Conditions

- 8.07 The authority and approval of supplementary professional activity is subject to the following conditions:
- a) The staff member shall not compete unfairly with professionals outside the University.
 - b) The supplementary professional activity shall not infringe upon the University's conflict of interest guidelines. (GFC Policy Manual Section 120.3)
 - c) The supplementary professional activity shall conform with regulations governing the use of University facilities and staff. (Research Policies and Services Manual)
 - d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such supplementary professional activity by the provision of students or postdoctoral fellows or the like; and notwithstanding that any formal contract with respect to those supplementary professional activity has not been negotiated by or approved by the University.
 - e) When engaged in supplementary professional activity, a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold

himself or herself to be an agent of the University when engaged in supplementary professional activity.

Relevant Definitions (Article 1)

Staff Member: A person who has a degree from an accredited graduate program in library and/or information studies, or an equivalent program, who has been appointed to a librarian position on the academic staff of the University of Alberta, in which the person has been or may be granted tenure; this term includes both full time and part time staff who hold such positions.

Chief Librarian: The chief executive officer of the University Libraries.

Supervisor: The Administrative Librarian to whom the staff member reports and is accountable, or the Chief Librarian, or another staff member who is delegated that responsibility on behalf of the Administrative Librarian. At least annually, the Chief Librarian shall provide to the Association a complete list of staff members and the Supervisor to whom each reports. When a staff member reports to more than one person, the Supervisor shall consult with the other person in making evaluations.

Provost: The Provost and Vice President (Academic) of the University.

4. Academic Teaching Staff – Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Academic Teaching Staff Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/academic-teaching-staff-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

8.1 This Article shall apply to full-time staff members with Career Status and Term 12 Status appointments.

Scope and Context of SPA

8.2 A staff member who is a full-time employee has a primary obligation to fulfill University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

8.3 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.

8.4 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Definition of SPA

8.5 Without restricting the generality of the term SPA, this category shall include any of the following:

- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g., summer session at another university;
- b) consulting;
- c) personal services contract; or
- d) private practice of the staff member's profession, e.g., dentistry, law, medicine, nursing, etc.

Approval of SPA

- 8.6 A staff member shall obtain written approval of the Department Chair prior to undertaking major SPA. Prior to approving SPA, the Department Chair shall ensure that primary University responsibilities will be performed satisfactorily.
- 8.7 If there is a dispute with respect to a staff member's SPA, the staff member shall have recourse to the Dean and the Provost, in that order. The decision of the Provost shall be final and binding.
- 8.8 The conditions governing SPA are set out in Appendix D.

[...]

APPENDIX D: Conditions for Supplementary Professional Activities (SPA)

1. The authority and approval of SPA is subject to the following conditions:
- a) The staff member shall not compete unfairly with professionals outside the University.
 - b) The SPA shall not infringe upon the University's conflict policy and related procedures and protocols, as amended from time to time.
 - c) The SPA shall conform with the University's related policies, procedures and protocols related to the use of University facilities and staff, as amended from time to time.
 - d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such SPA by the provision of students or postdoctoral fellows or the like; and notwithstanding that any formal contract with respect to those SPA has not been negotiated by or approved by the University.
 - e) When engaged in SPA a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in SPA.

[...]

4. SPA shall represent an integral part of the responsibility to relate theory to practice, thereby enabling teaching and/or teaching-related responsibilities to remain professionally relevant. Routine, repetitive and trivial SPA is discouraged.

Required SPA

[...]

6. Where a Faculty Council has deemed SPA to be essential to the work of the Department, the Faculty Council shall recommend to the Board that such SPA be considered as part of the primary University responsibilities. The Board may approve such recommendations on such conditions as it deems appropriate, having regard to 1.a.

Major SPA

7. SPA may be categorized as major or minor in scope. Each Faculty Council shall decide what constitutes major SPA but all proposals to teach at another institution shall be considered major SPA.

[...]

Faculty Regulations

13. Each Faculty Council shall develop regulations with respect to SPA. The regulations and any amendments thereto shall be filed with the Provost and the Association. The regulations shall include:
- a) The definition of what constitutes major SPA.
 - b) The format for the annual statement of SPA; the determination of the time period covered by the report; the date by which the report is to be submitted and whether the annual statement about SPA shall be included in the annual report.
 - c) Any modifications to the requirement that SPA be taken into account in the evaluation of a staff member's performance.
 - d) Whether the time of year, week or day when SPA is performed is important to its approval and reporting.
 - e) Whether the annual statement shall include information about remuneration received from SPA.
 - f) Regulations governing the use of University facilities and staff for SPA including arrangements to reimburse the University for such use.
 - g) What evidence shall be required to ensure the staff member has adequate personal liability insurance to indemnify the University against any claims.
 - h) Such additional terms and conditions the Faculty Council may consider necessary; such terms and conditions shall be in addition to and not in contradiction to this Appendix

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed under this Agreement to a position with teaching and/or teaching-related responsibilities (in accordance with Article 7) on the academic staff of the University (where teaching shall involve University credit courses) and where the funding source permits payment of such responsibilities

Department Chair: The administrative head of a Department reporting to the Dean. Responsibilities assigned in this Agreement to a Department Chair shall be the responsibility of the Dean in Faculties in which there are no Departments.

Dean: A University employee who "has general supervision over and direction of the academic work and instructional staff of the Faculty and of the officers and employees employed in connection with that work, and has the other powers, duties and functions that are assigned to the dean by the president" pursuant to Section 21(2) of the Post-Secondary Learning Act (Alberta).

Provost: The Provost and Vice President (Academic) of the University. The Provost is the Chief Operating Officer and Senior Vice President.

Faculty Council: The council created by that name pursuant to Section 28(2) of the Post-Secondary Learning Act (Alberta); for the purposes of this Agreement voting on decisions required by this Agreement shall be restricted to the academic staff members in the Faculty.

5. Temporary Administrative and Professional Staff (TAPS) – Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Temporary Administrative and Professional Staff Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/temporary-administrative-and-professional-staff-agreement.pdf>

Relevant Excerpts

Article 9: Supplementary Professional Activities (SPA)

All Staff Members

9.01 This Article shall apply to all full-time staff members.

Scope and Context of SPA

9.02 A staff member who is a full-time employee has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

9.03 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.

9.04 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Definition of SPA

9.05 Without restricting the generality of the term SPA, this category shall include any of the following:

- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g., summer session at another university;
- b) consulting;
- c) personal services contract;
- d) private practice of the staff member's profession, e.g., medicine, nursing, law, etc.

Approval of SPA

9.06 A staff member shall obtain written approval of the Supervisor prior to undertaking major SPA. Prior to approving SPA, the Supervisor shall ensure that primary University responsibilities will be performed satisfactorily.

9.07 If there is a dispute with respect to a staff member's SPA, the staff member shall have recourse to the Dean and the Vice-President, in that order. The decision of the Vice-President shall be final and binding.

9.08 The conditions governing SPA are set out in Appendix D.

[...]

Appendix D: Conditions for Supplementary Professional Activities (SPA)

1. SPA at the University

1.1 Under certain circumstances, a staff member may accept responsibilities at the University in addition to regular responsibilities for which the staff member may receive remuneration additional to regular salary.

1.2 The Supervisor and the Vice-President shall approve requests for approval of such SPA prior to the assumption of the responsibilities.

1.3 SPA shall be performed outside regular office hours unless otherwise approved by the Vice-President.

2. SPA Outside the University

2.1 A staff member who proposed to engage SPA for another employer or as a consultant or self employed professional shall inform the Supervisor in writing of such intention.

- 2.2 The written permission of the Supervisor is required if
- a) the activities will take place during regular University office hours; or
 - b) the activities involve University staff, students or the use of University facilities.

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed to a position on the academic staff of the University for a fixed term. This term includes all the categories enumerated in Article 6.03.

Supervisor: The person to whom a staff member reports

6. Administrative and Professional Officers – Supplementary Professional Activity

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Administrative and Professional Officer Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/administrative-and-professional-officer-agreement.pdf>

Relevant Excerpts

Supplementary Professional Activity Outside the University

- 8.09 A staff member who proposes to engage in supplementary professional activity for another employer or as a consultant or self-employed professional shall inform the Supervisor in writing of such intention.
- 8.10 The written permission of the Supervisor is required if:
- a) the activities will take place during regular University office hours; or
 - b) the activities involve University staff, students or the use of University facilities.
- 8.11 If the staff member expects to involve students, staff or the use of University facilities, the staff member may be required by the Vice-President to enter into a contract with the University.
- 8.12 A staff member shall not engage in supplementary professional activities which involve a conflict of interest or conflict of commitment with responsibilities to the University.

Relevant Definitions (Article 1)

Staff Member and APO: “Staff member” and “APO” means an Administrative Professional Officer (APO) who has been designated as continuing academic staff by the University of Alberta. An APO is a manager or other professional who provides leadership, strategic advice and direction in the organization; and is accountable for planning, negotiating, problem solving, risk assessment and prevention, and/or operational oversight of resources. An APO shall normally require an academic degree; professional designation or equivalent related experience.

Vice-President: A senior administrator with a number of reporting units within the University. Where the term “Vice-President” is used in the Agreement, unless otherwise stated, it means the specific Vice-President to whom the other administrative officials named are accountable unless otherwise specified.

G. Interaction Between the Code and Collective Agreements

The University's various collective agreements may contain provisions relating to matters this Code purports to apply to. Nothing in this Code is intended to affect the operation of any collective agreement. In the case of a discrepancy or inconsistency between this Code and a collective agreement, the terms of the collective agreement will govern.

Representatives of the University governed by a collective agreement have a responsibility to know its content and how it affects them in their role with the University.

H. Breaches of the Code

Any breach of any section of this Code by a Representative, including a breach of the conflict of interest provisions or the concurrent employment provisions, is a violation of the University's ethical standards. Individuals reporting an actual or alleged breach of any part of this Code should therefore disclose these complaints in the manner specified by Section 'D'.

Upon receiving an allegation that a Representative has breached the Code, if the complaint is credible, the authority receiving the complaint will notify the Respondent, and will either investigate the matter or will refer the matter to another appropriate authority to investigate. The investigating authority will make factual findings and as part of the investigation will give the Respondent a reasonable opportunity to respond. The investigating authority will then prepare a written report including a determination as to whether or not the Code has been breached. If the Code is determined to have been breached, the Respondent may seek to have the findings reviewed within a reasonable time. Any review process will occur in writing. A breach of the Code is a disciplinable event that may result in corrective action being taken against the Representative.

Complaints, Responses, Investigations and Discipline for Representatives Subject to a Collective Agreement

Notwithstanding the above, where an allegation is to be made against a Representative who is subject to a collective agreement, the disclosure of that complaint, and any response, investigation, and discipline relating to the complaint, will be as provided for in the Representative's collective agreement to the extent it differs or is inconsistent with this Code. If the Representative's collective agreement is silent, the procedures in this Code shall govern.

Because collective agreements frequently evolve through bargaining, and because collective agreement provisions relating to complaints, responses, investigations and discipline may be thorough and numerous, this Code does not attempt to provide excerpts of all responsive collective agreement language. Instead, Representatives are directed to their respective collective agreement:

Type of Representative	Name and link to relevant collective agreement (or policy)	Relevant Articles
Faculty	Faculty Agreement – July 2017	7, 9, 12-17, 27-29
Faculty Service Officers	Faculty Service Officer Agreement – July 2017	7, 9, 12-17, 27-29
Librarians	Librarian Agreement - July 2017	7, 9, 12-17, 27-29

Type of Representative	Name and link to relevant collective agreement (or policy)	Relevant Articles
Academic Teaching Staff	Academic Teaching Staff Agreement - July 2017	7, 9-15, 27
Temporary Administrative and Professional Staff	Temporary Administrative and Professional Staff (TAPS) Agreement – July 2017	8, 12-15, 24-26
Administrative and Professional Officers	Administrative and Professional Officer (APO) Agreement – July 2017	8, 12-16, 27-29
Trust/Research Academic Staff	Trust Research Academic Staff (TRAS) Agreement - July 2017	7, 12-16, 27-29
Non-Academic Staff (NASA)	Non-Academic Students Association (NASA) Agreement - June 2016 to March 2019	15, 18, 21
Graduate Students	GSA and Board of Governors Collective Agreement - Sept 2016 to Aug 2018	12, 23
Post-Doctoral Fellows	Postdoctoral Fellows Discipline Procedure <small>(note: Collective agreement currently being negotiated. Until then, discipline procedure is per policy).</small>	As per Procedure
Management and Professional Staff (MAPS)	Code of Conduct: Employees' Obligations Respecting Conflict of Interest	As per Code
Any other Representative not covered by a collective agreement	Code of Conduct: Employees' Obligations Respecting Conflict of Interest	As per Code

Note: The list of relevant articles is provided as a courtesy and may not be exhaustive.

I. Obligations Specific to the President

1. In addition to the obligations owed elsewhere in this Code, the President:
 - a. Must not take part in a decision in the course of carrying out their office or powers knowing that the decision might further their own private interest, the private interest of their own minor or adult child, or the private interest of any person directly associated with them, pursuant to Section 23.925(1) of the Conflicts of Interest Act;
 - b. Must not use their office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown or a public agency to further their own private interest, the private interest of their minor child, or the private interest of any person directly associated with them, or to improperly further any other person's private interest, pursuant to Section 23.925(2) of the Conflicts of Interest Act;
 - c. Must not use or communicate information not available to the general public that was gained by them in the course of carrying out their office or powers to further or seek to further a private interest of their own, or any other person's private interest, pursuant to Section 23.925(3) of the *Conflicts of Interest Act*, and

- d. Must not fail to appropriately and adequately disclose a real or apparent conflict of interest in the manner specified in this Code, pursuant to Section 23.925(4) of the *Conflicts of Interest Act*.
2. The President may not be involved in a concurrent appointment, business, undertaking, employment, or self-employment, other than their role as President of the University, without the written approval of the Ethics Commissioner pursuant to Section 23.926 of the *Conflicts of Interest Act*. The President must first report the concurrent activity in accordance with Section 'E' and obtain a determination from the University that the activity is not a conflict, or is an allowed conflict, before applying to the Ethics Commissioner for approval. The President may not engage in the concurrent activity until written approval from the Ethics Commissioner is obtained.

TRANSITIONAL: If the President is continuing under the same contract, agreement, or appointment with the University that was in effect as of December 15, 2017, the obligations specific to the President regarding concurrent activities as described in paragraph 2 above do not apply to the President until the earlier of:

- i. December 15, 2019, or
- ii. The date on which the President renews or extends their agreement, enters into a new agreement, or is re-appointed to continue as the President.

If the President renews, extends, enters a new agreement or is re-appointed as the President on any date after December 15, 2017, the obligations regarding concurrent activities as described in paragraph 2 above apply as of that date, subject to any other time periods required by the *Conflicts of Interest Act*.

The President may consult Section 23.971 of the *Conflicts of Interest Act* for greater detail on the transitional provisions.

3. The President is a designated senior official pursuant to Order in Council 085/2018 and the *Conflicts of Interest Act*. The President has a responsibility to know their obligations under that Act. The President's obligations as a designated senior official include, but are not limited to, the following:

Restrictions on Holdings (s. 23.93)

The President, within 60 days of the obligations as a designated senior official taking effect, must not own or have a beneficial interest in any publicly-traded securities, subject to the following exceptions:

- The securities are held in a blind trust which meets the criteria of the *Conflicts of Interest Act* and has been approved by the Ethics Commissioner;
- The securities are held in an investment arrangement which meets the criteria of the *Conflicts of Interest Act* and has been approved by the Ethics Commissioner;
- Prior to the expiry of the 60-day period, the President applied to the Ethics Commissioner for approval to retain the ownership or beneficial interest in the securities and the Ethics Commissioner granted approval or the Ethics Commissioner granted conditional approval and the President has taken all steps directed by the Ethics Commissioner with respect to the disposition of the securities; or

- After the expiry of the 60-day period, the President acquires the ownership or beneficial interest in the securities with the prior approval of the Ethics Commissioner.

If the President acquires the ownership or beneficial interest in publicly-traded securities by gift or inheritance after the obligations as a designated senior official take effect, the President has 60 days upon receiving the securities to dispose of them or meet one of the above exceptions.

Disclosure and Filing Requirements (ss. 23.931-23.932)

The President, within 60 days of the obligations as a designated senior official taking effect, must:

- File a disclosure statement with the Ethics Commissioner in the form and manner specified; and
- File a return (relating to persons directly associated with the President) with the Ethics Commissioner in the form and manner specified.

The President must also observe the following ongoing obligations:

- In each subsequent year from the filing of the first disclosure statement, file a disclosure statement with the Ethics Commissioner at the time specified by the Ethics Commissioner;
- Within 30 days after any material change to the information contained in a current disclosure statement, file with the Ethics Commissioner an amending disclosure statement, setting out the changes;
- Within 30 days after any material change to the information contained in a current return, file another return with the Ethics Commissioner; and
- Within 30 days of ceasing to be a designated senior official, file a return with the Ethics Commissioner.

Failing to file or knowingly filing false or misleading information is subject to reporting and administrative penalties under section 23.934 of the *Conflicts of Interest Act*.

Post-Employment Restrictions (s. 23.927-23.939)

The President, upon ceasing to be a designated senior official, must observe a number of post-employment restrictions. These restrictions include:

- For a period of 12 months from the last day they held the position of President, the President shall not:
 - lobby any public office holder, as those terms are defined in the *Lobbyists Act*, and
 - act on a commercial basis or make representations on their own behalf or on behalf of any other person in connection with any ongoing matter in which the

President, while acting as President, directly acted for or advised a department or public agency involved in the matter.

- For a period of 12 months from the last day the President had a direct and significant official dealing with a department or public agency, the President shall not:
 - make representations with respect to a contract with or benefit from that department or public agency; or
 - solicit or accept on their own behalf a contract or benefit from that department or public agency.
- For a period of 12 months from the last day the President had a direct and significant official dealing with an individual, organization, board of directors or equivalent body of an organization, the President shall not:
 - accept employment with that individual or organization or an appointment to the board of directors or equivalent body.

Notwithstanding the above:

- Nothing restricts the (former) President from being appointed to the board of directors or a governing body of another public agency; and
- Nothing restricts the (former) President from accepting employment with a department of the public service or a public agency in accordance with Part 1 of the *Public Service Act*.

The (former) President may apply to the Ethics Commissioner for a reduction or waiver of any time period for the post-employment restrictions, pursuant to section 23.938 of the *Conflicts of Interest Act*.

Contravention of the post-employment restrictions is an offence under section 23.939 of the *Conflicts of Interest Act* and may be subject to a fine up to \$50,000.

TRANSITIONAL: If the President is continuing under the same contract, agreement, or appointment with the University that was in effect as of April 4, 2018, the obligations specific to the President as a designated senior official as described in paragraph 3 above do not apply to the President until the earlier of:

- i. April 4, 2020, or
- ii. The date on which the President renews or extends their agreement, enters into a new agreement, or is re-appointed to continue as the President.

If the President renews, extends, enters a new agreement or is re-appointed as the President on any date after April 4, 2018, the obligations as a designated senior official described in paragraph 3 above apply as of that date, subject to any other time periods required by the *Conflicts of Interest Act*.

The President may consult Section 23.971 of the *Conflicts of Interest Act* for greater detail on the transitional provisions.

J. Notice Period & Amendments

1. This Code will be submitted to the Ethics Commissioner for review pursuant to Section 23.922 of the *Conflicts of Interest Act*.
2. Providing approval has been received from the Ethics Commissioner in accordance with the *Conflicts of Interest Act*, this Code will be made public on the University of Alberta website on or before April 30, 2019.
3. The period from the date the Code is made public, until June 30, 2019 will be the public notice period.
4. This Code will be implemented on July 1, 2019.
5. The University reserves the right to amend this Code at any time, including but not limited to:
 - a. on the advice or demand of the Office of the Ethics Commissioner of Alberta; or
 - b. where required to ensure compliance with any changes to the *Conflicts of Interest Act*, the *Post-Secondary Learning Act*, or any other applicable legislation or order-in council; or
 - c. where changes are made to University of Alberta policies and procedures through the appropriate internal approval processes and/or to collective agreements through normal negotiation processes.
6. Any amendment or replacement of this Code will be submitted to the Ethics Commissioner for approval in a manner pursuant to Section 23.923(2) of the *Conflicts of Interest Act* and any other applicable legislation.

Appendix A: Specified Professional Associations Approved by the President

The University deems some concurrent activity to be pre-approved. In those situations, the Representative is not required to report the activity unless it otherwise creates an actual or perceived conflict of interest.

Where the Representative is an academic staff member who does not hold a full-time position at the University, and the concurrent activity requires the Representative to be a member of a specified professional association which has a code of conduct and can discipline members for a breach of that code, the concurrent activity is deemed pre-approved if the membership required is with one of the following professional associations which have been approved by the President (or the President's delegate):

- Alberta Association of Architects
- Alberta Association of Landscape Architects
- Alberta College of Pharmacy
- Alberta College of Social Workers (ACSW)
- Alberta Institute of Agrologists (AIA)
- Alberta Medical Association
- Alberta Professional Planners Institute (APPI)
- Alberta Society of Professional Biologists (ASPB)
- Alberta Teacher's Association
- Alberta Urban Municipal Association (AUMA)
- Alberta Veterinary Medical Association
- American Geophysical Union
- American Industrial Hygiene Association (AIHA)
- American Psychological Association
- Apprenticeship and Industry Training (AIT)
- Association for Applied Psychophysiology and Biofeedback
- Association for Applied Sport Psychology
- Association of Change Management Professionals (ACMP)
- Association of Professional Engineers and Geoscientists of Alberta (APEGA)
- Association of Science & Engineering Technology Professionals of Alberta (ASET)
- Association of the Chemical Profession of Alberta
- Board of Canadian Registered Safety Professionals (BCRSP)
- Canadian Association of Information Technology Professionals
- Canadian Association of Physicists
- Canadian Athletic Therapists Association
- Canadian Bar Association (CBA)
- Canadian Registration Board of Occupational Hygienists (CRBOH)
- Canadian Institute of Actuaries
- Canadian Institute of Management (CIM)
- Canadian Institute of Planners (CIP)
- Canadian Institute of Quantity Surveyors (CIQS)
- Canadian Medical Protective Agency (CMPA)
- Canadian Physiotherapy Association
- Canadian Professionals in Human Resources Alberta
- Canadian Psychological Association
- Canadian Society of Safety Engineering (CSSE)
- Chartered Financial Analysts Institute
- Chartered Professional Accountants (CPA) Alberta
- College and Association of Registered Nurses of Alberta (CARNA)
- College of Alberta Psychologists
- College of Alberta School Superintendents

- College of Dietitians of Alberta
- College of Physicians and Surgeons of Alberta (CPSA)
- EcoCanada
- Global Association of Risk Professionals (GARP)
- Human Resources Institute of Alberta (HRIA)
- International Institute of Business Analysis (IIBA)
- International Society for Neurofeedback and Research
- Law Society of any province or territory in Canada
- Local Government Administrators Association (LGAA)
- Professional Risk Managers' International Association
- Project Management Institute (PMI)
- Project Management Professional (PMP)
- Royal College of Physician and Surgeons of Canada (RCPSC)
- Society of Actuaries
- Society of Local Government Managers (SLGM)
- Statistical Society of Canada
- Supply Chain Management Association (SCMA)

The University endeavours to include the most recent list of approved professional associations in this Appendix. However, the President (or the President's delegate) may add or remove professional associations from this list from time to time. In the case of a discrepancy between this Appendix A and the current list of approved professional associations, the current list will govern.



**Code of Conduct:
Employees' Obligations Respecting
Conflicts of Interest**

5th Submission (Annotated)

January 16, 2019

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A. Preamble

The highest Standards of Ethical Conduct are essential to the success of any great institution. Academic freedom, open inquiry and the pursuit of truth, which form the foundation of an institution of higher learning, depend on a shared commitment to the highest Standards of Ethical Conduct.

Much of the substantive language in this Code has been copied from existing University policies, procedures and collective agreements.

Commented [A1]: Source: Ethical Conduct and Safe Disclosure Policy

B. Application of this Code

This *Code of Conduct: Employees' Obligations Respecting Conflicts of Interest* (the "Code") applies in respect of all Representatives of the University, including the President of the University when acting as an Employee or meeting their obligations as a senior official or designated senior official under the *Conflicts of Interest Act*, but does not include:

- Members of the Board of Governors or the President of the University when acting as a Board Member, who are governed by the separate *Code of Conduct: Board of Governors*;
- Non-employees, including professors emeriti, visiting academics, volunteers, contractors, or others acting on behalf of the University. The obligations and standards of conduct owed by these persons are contained in the individual policies and procedures provided by the University.

Together, the *Code of Conduct: Employees' Obligations Respecting Conflicts of Interest* and the *Code of Conduct: Board Members' Obligations Respecting Conflicts of Interest* work together to exemplify the University's ethical standards, provide individuals with principles to guide their behaviour, and emphasize the importance the University places on the avoidance of real or apparent conflicts of interest. Any questions about the interpretation or operation of this Code may be addressed to the Vice-Provost and Associate Vice-President (Human Resources).

This Code is intended to operate alongside existing collective agreements but does not purport to change any rights or obligations negotiated between the University and any union.

C. Global Definitions

The following definitions apply to all sections of this Code, excepting where a definition is specifically provided as otherwise in a section of this Code, within a collective agreement, or in the Handbook of Terms and Conditions of Employment For Management and Professional Staff (Excluded):

Allowed Conflict: Conflict that can be managed in a way that is compliant with legislation, considers, protects and serves the interests, integrity and reputation of the University, and will withstand the test of reasonable and independent scrutiny.

Board of Governors: The Governors of the University of Alberta as defined in the *Post Secondary Learning Act P-19.5 2003*.

Conflict(s): Conflict of interest, conflict of commitment, or institutional conflict.

Commented [A2]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedures

Conflict of Commitment: A situation whereby the external or personal activities, undertakings or relationships of a person are so demanding or organized in such a manner or are otherwise such that they may interfere with the person's obligations to the University or to others or institutions that are separate from the University but to whom the person owes an obligation because of their relationship to the University.

Conflict of Interest: A situation in which there is or may be perceived to be a divergence between the private financial benefit or financial interest or personal benefit of a person, **family member**, or an **outside party**, and that person's obligations to the University, such that an impartial observer might reasonably question whether related actions to be taken or decisions made by the person would be influenced by consideration of the person's own interests.

Conflict Review Officer: According to those relationships detailed in the disclosure report, the next appropriate senior reporting officer.

Disclosure Report: A report that discloses conflict-type specific considerations relevant to deciding whether a person wishing to proceed with an activity that would or may give rise to conflict should be allowed to undertake that activity.

Family Member: Includes a person's spouse or adult interdependent partner or another individual to whom the person is related by blood, marriage or adoption.

Financial Benefit: The receipt or expectation of anything of monetary value, including pay or salary or other payments for services (e.g. consulting fees or honoraria), equity (shares, options or the like) security or other ownership interests, and intellectual property rights (e.g. patents, copyrights, royalties or carried interests or options related to such rights)

Financial Interest:

(A) Ownership in the form of shares in a privately held company or

(B) Ownership in a publicly traded company in the form of shares with a market value of greater than \$50,000.00 or representing more than 10% of the company's outstanding shares or

(C) Where the person is a member of a board of either a privately held or publicly traded company.

Good Faith (or "Good Faith Disclosure"): A submission of information, that is based on reasonable belief and is not malicious, frivolous or vexatious, to the appropriate University authority.

Institutional Conflict: A situation in which the University, or an institution, has an existing relationship with a party with which the University or the institution proposes to enter into an activity such that an impartial observer might reasonably question whether the existing relationship might prejudice decisions of the University or an institution with respect to the activity.

Office of Administrative Responsibility: The area within University administration, that is ultimately responsible for administering a particular policy and/or procedure.

Outside Party: Includes any corporation, partnership, sole proprietorship or other legal entity organized for the furtherance of a non-University interest (for profit or otherwise) and clients or patients to whom the person or the University provides individual professional services

Personal Benefit: The receipt or expectation of any personal (workplace or otherwise) benefit of a non-monetary value.

President of the University (or "President"): The individual appointed by the Board of Governors to the position of President pursuant to Section 81 of the *Post-Secondary Learning Act*, SA 2003 c P-19.5.

Commented [A3]: Source: Conflict Policy

Commented [A4]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

Commented [A5]: Source: Conflict Policy

Commented [A6]: Source: Ethical Conduct and Safe Disclosure Procedure

Commented [A7]: Source: Conflict Policy

Commented [A8]: Source: Ethical Conduct and Safe Disclosure Procedure

Commented [A9]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

- For greater certainty, the President is the “chief executive officer” of the University for the purposes of the *Conflicts of Interest Act*, as that term is defined at Section 23.92(1)(b) of that Act.
- For greater certainty, the President is both a “senior official” and a “designated senior official” for the purposes of the *Conflicts of Interest Act*, as those terms are respectively defined at Sections 23.92(1)(k) and 23.92(1)(d) of that Act, by designation under Order in Council 085/2018 of the Lieutenant Governor in Council.

Reporting Individual: A person required to report in accordance with this Code.

Reporting Officer: For any person, the holder of the office to whom the person reports or who has supervisory responsibility over the reporting individual. Specifically, for example:

- for a Vice-President, the President.
- for a Deputy Provost or a Vice-Provost, the Provost and Vice-President (Academic).
- for an Assistant or Associate Vice-President, the appropriate Vice President
- for a Dean of a Faculty and the Chief Librarian, the Provost and Vice-President (Academic).
- for an Associate Dean or Vice-Dean, the Dean.
- for a Chair of a Department, the Dean.
- for the Director of an administrative unit or equivalent, the Vice-President responsible for that unit.
- for support staff, the holder of the office to whom the support staff reports or who has supervisory responsibility over the support staff; however, the reporting officer for a support staff will not be another support staff.
- for academic staff of a Faculty with departments, the Chair.
- for academic staff of a Faculty without departments, the Dean.
- for a post-doctoral fellow, the supervisor of the post-doctoral fellow.
- for a graduate student, the student’s supervisor or supervisory committee.
- for a staff member of a centre or institute, the person within the University responsible for that centre or institute.

Representative of the University of Alberta (or “Representative”): Executive officers, faculty, staff, post-doctoral fellows, ~~professors emeriti, visiting academics,~~ student employees and volunteers, ~~contractors when specified in the terms of the contract, members of the Board of Governors, Senate, Alumni council and others, when acting on behalf of the University.~~

Reprisal: Punitive actions taken against a person for making a good faith disclosure, including, but not limited to:

- Disciplinary action
- Termination
- Adversely affecting employment conditions
- A threat to do any of the above

Respondent: A party against whom an allegation has been made.

Safe Disclosure: Individuals are not subject to reprisal for reporting allegations made in good faith.

Commented [A10]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

Commented [A11]: Source: Ethical Conduct and Safe Disclosure Policy

Commented [A12]: Source: Ethical Conduct and Safe Disclosure Procedure

Commented [A13]: Source: Ethical Conduct and Safe Disclosure Policy

Standards of Ethical Conduct: Actions and behaviours which uphold the principles of integrity, respect and accountability, supported by an awareness of and compliance with the Code, relevant policies and procedures, collective agreements, applicable legislation and professional standards.

D. Ethical Conduct and Impartiality

Overview

The highest Standards of Ethical Conduct are essential to the success of any great institution. Academic freedom, open inquiry and the pursuit of truth, which form the foundation of an institution of higher learning, depend on a shared commitment to the highest Standards of Ethical Conduct.

Whether involved in research, teaching or the governance and administration of the organization, all Representatives of the University of Alberta have an obligation to conduct themselves in a manner that is consistent with the University's stated values regarding ethical conduct.

As part of this obligation, and to protect the University and individuals from harm, Representatives of the University are encouraged to report conduct that does not meet the University's ethical standards.

Purpose

- Describe the expectations concerning ethical conduct for Representatives of the University
- Confirm the rights of individuals in reporting conduct that does not meet the University's standards
- Confirm the University's obligation to protect person(s) making a **good faith disclosure** from **reprisal**
- Confirm the University's obligation to protect the rights of the person(s) against whom allegations are made
- To outline the procedures individuals should take when reporting conduct that does not meet the University's ethical standards

Policy

1. Standards of Ethical Conduct

All Representatives of the University of Alberta are prohibited from acting in self-interest or furthering their private interests by virtue of their position or through carrying out their duties and shall maintain the highest Standards of Ethical Conduct.

2. Impartiality

Representatives are required to conduct themselves impartially in fulfilling their University duties. This means Representatives must discharge their duties in a non-partisan manner so as to ensure that public confidence and trust remain in the Representative and the University as a whole. Impartiality requires compliance with Section D-1 and the other provisions of this Code but is not intended to limit the academic freedom of the Representative.

3. Reporting

Representatives of the University are encouraged to report conduct that does not meet the University's ethical standards. Such reports must meet the definition of good faith disclosure and be submitted to the appropriate authority.

Commented [A14]: Source: Ethical Conduct and Safe Disclosure Policy

Commented [A15]: Source: Ethical Conduct and Safe Disclosure Procedure

The University will maintain an environment of **safe disclosure** when such a report is made, in which:

- a. The persons and offices that receive and/or investigate such reports shall protect the identity of the person making the report to the extent possible under government legislation, University policies, and collective agreements in effect at the time of the alleged misconduct.
- b. The University will not tolerate any reprisal, directly or indirectly, against anyone who, in good faith, makes a report.
- c. All individuals against whom allegations are made will maintain the rights, privileges and protections afforded to them through the *Freedom of Information and Protection of Privacy (FOIPP) Act* and other applicable government legislation, University policies, and collective agreements in effect at the time of the alleged misconduct.

Commented [A16]: Source: Ethical Conduct and Safe Disclosure Policy

Procedure

4. Disclosure of Misconduct

University process indicates that allegations or concerns of conduct that does not meet the University's ethical standards are primarily addressed utilizing the procedures associated with relevant University policies and procedures, collective agreements, government legislation and relevant professional standards.

Complainants should generally contact their manager or supervisor to disclose matters of alleged misconduct. Alternately, complainants may also contact the **Office of Administrative Responsibility** associated with the relevant policy and/or procedure [\(e.g. Research Integrity complaints should follow the Research and Scholarship Integrity Enforcement Procedure\)](#).

In instances where it is unknown where to disclose the matter, or the complainant has reasonable apprehension about coming forward, reports can be made to the Office of Safe Disclosure and Human Rights (OSDHR).

Initial disclosures to the OSDHR may be made verbally or in writing. OSDHR may request that disclosures be made in writing dependent on the nature of the concern and the requirements of the underlying policies. Be advised that disclosures made to OSDHR do not necessarily constitute institutional knowledge as this office's main goal is to provide advisory and referral services to the appropriate mechanism [\(e.g. referral to Internal Audit Services regarding financial concerns or outlining process expectation for concerns regarding discrimination or harassment is outlined in agreements and in the Discrimination, Harassment and Duty to Accommodate Policy\)](#).

Typically, in order for matters to be formally addressed, they will need to be reported to a **Representative of the University of Alberta** outside the OSDHR.

[Specific requirements for disclosing are outlined in the policy or procedure that governs the matter in question.](#) In general, disclosures should comprise of:

- The date and time of the incident(s);
- Identification of individuals responsible for the misconduct;
- Details of the alleged misconduct; and
- Name and contact information of the individual making the disclosure. Anonymous reporting may be permitted if it is permitted in the underlying processes (e.g. anonymous reporting is considered for fraud and irregularity but not for harassment).

5. Good Faith Disclosures and Reprisal

Any person making a good faith disclosure shall not be subject to reprisal.
Any person who believes they are subject to reprisal should contact the OSDHR.

6. Duty of Respondents

Those persons against whom allegations are made (**respondents**) must be treated in a fair and reasonable manner. Specifically, should formal complaints be made, respondents are entitled to:

- Be informed as to who has made the allegation against them, except for matters where the relevant policy and procedure specifically allow for anonymous or confidential complaints or the safety of the complainant may be in question;
- Only respond to allegations that have been made in a timely manner (as outlined in relevant policy if applicable);
- Be privy to enough details pertaining to the allegation to respond accurately; and/or
- Have the matter resolved in an expedient manner.

Respondents who feel that this duty is not being met, should contact the OSDHR.

Commented [A17]: Source: Ethical Conduct and Safe Disclosure Procedure

E. Avoidance of Conflicts of Interest

Overview

The University is committed to academic freedom and excellence in teaching and research. In pursuit of this mission, the University and members of the University community frequently engage in activities or situations where actual or perceived **conflicts** will exist, or which raises the potential of actual or perceived conflicts. Rather than disallow all conflicts, the University assesses conflict considerations and, when appropriate, permits certain managed conflict.

However, conflict is permitted only if it can be managed in a way that:

- a. Is compliant with legislation;
- b. Considers, protects and serves the interests, integrity and reputation of the University; and,
- c. Withstands the test of reasonable and independent scrutiny.

To maintain public trust and confidence, the University manages conflict in a fair, open, consistent, and practical manner. All members of the University share in the responsibility to appropriately address conflict.

Assessing conflict requires the collection of personal information as defined in the *Freedom of Information and Protection of Privacy Act*. The University will conduct this and other conflict-related activities with the utmost discretion and in compliance with legislation.

Commented [A18]: Source: Conflict Policy

Definitions

For the purposes of this Section 'E' only, the following definitions apply:

Academic Staff: An employee of the Board of Governors who, as a member of a category of employees or individually, has been designated as an academic staff member by the Board of Governors.

Commented [A19]: Source: Conflict Policy

Conflict Review Committee: A committee established in accordance with this section.

Commented [A20]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

Employee: All University of Alberta employees, including but not limited to faculty, staff, post-doctoral fellows, and student employees.

Event: Social, cultural, or sporting activities, charity or special functions, presentations, awards ceremonies, fundraisers, conferences and meetings hosted by a third party. It includes lunches, dinner, drinks, or other meals taken together.

Friend of the University: A person considering becoming a donor of the University.

Gift: A gift, bonus, reward or favour of any kind given to an individual. It does not include awards received.

Institution: The University or any corporation, partnership, or other legal entity owned, controlled or subject to the direction of the University.

Other Staff: Those individuals employed by the University on a part or full-time basis, who are not academic staff or support staff, and whether or not they are part of a bargaining unit.

Person: Includes academic staff, support staff, other staff, [students](#), postdoctoral fellows, [members of the Board of Governors](#) and a person's corporation [and any other individual who has a contractual or fiduciary relationship with the University as an institution](#).

Person's Corporation: Any professional corporation or corporation beneficially owned or controlled by a person.

Students: Includes undergraduate and graduate students.

Support Staff: An employee of the University who is a member of, and pays dues to, the Non-Academic Staff Association (NASA).

Policy

The University will be vigilant and pro-active concerning conflict.

A person engaging in an activity or a situation that involves either existing (actual or perceived) or potential (actual or perceived) conflict shall report the conflict so that it may be assessed and, where appropriate, managed in accordance with the associated procedures. A person shall not engage in, or continue, the activity or situation until the University has assessed whether the conflict is permitted and, if so, how the conflict will be managed.

The University determines whether or not a situation or activity involves conflict. Therefore, all existing or potential conflict must be reported.

Purpose

- To reduce the incidence of conflict or potential conflict (**conflict of interest or conflict of commitment or institutional conflict**) and appropriately manage any permitted conduct.
- To clarify reporting requirements for existing or potential conflict, whether it is actual or perceived, and to outline the process for assessing conflict in order to make informed and sound decisions pertaining to matters of conflict of commitment or conflict of interest.

Commented [A21]: Source: Conflict Policy

Commented [A22]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

Procedure - Disclosure and Assessment of Conflicts of Interest

1. Reporting by a Person

- a. A person engaging in an activity or situation that involves either existing or potential conflict shall report the conflict so that it may be assessed and, where appropriate, managed.
- b. A person shall not engage in, or continue, the activity or situation until the University has assessed whether the conflict is permitted and, if so, how the conflict will be managed.
- c. In accordance with this procedure, a person will self-assess and report activities or situations that may involve actual or perceived conflict and will complete a **disclosure report** and submit it to a **reporting officer**.
- d. The following persons are required to complete a disclosure report on an annual basis, according to a 12-month in-the-future **reporting period**:
 - **academic staff** under the Faculty Agreement or Librarian Agreement or Faculty Service Officer Agreement or Administrative and Professional Officer Agreement;
 - **support staff** who make financial or hiring decisions or who may have a research-related conflict;
 - **other staff** who make financial or hiring decisions;
 - other staff employed in a department, office or unit which has as its primary function the creation of legal relationships with individuals or entities that are not part of the University;
 - other staff who have the authority to enter into contracts or commitments on behalf of the University;
 - other staff who, as part of normal duties, have regular formal contact with individuals or entities that are not subject to the conflict policy;
 - a person who may have a research-related conflict.
- e. Notwithstanding the requirements outlined in 1.d. of this procedure, the University has the discretion to require additional persons to complete a disclosure report on an annual basis, according to a 12-month in-the-future reporting period, or on a case-by-case basis.
- f. Any time there is a change in material facts that were disclosed in a disclosure report, a **reporting individual** must submit a revised disclosure report immediately.
- g. A reporting officer will:
 - solicit and monitor the submission of disclosure reports from those persons who they anticipate receiving a disclosure report;
 - send second notice date-specified requests for a disclosure report to persons from whom they would anticipate receiving a disclosure report; and
 - refer to a **conflict review officer** in instances where an expected disclosure report has not been submitted.
- h. The failure of a reporting officer to solicit a disclosure report does not release a person from their obligation to disclose existing or potential conflict.

2. Assessment by a Reporting Officer

- a. A reporting officer will receive disclosure reports from reporting individuals and will assess the information that has been provided in the disclosure report in accordance with this procedure.

- b. If the reporting officer has a financial benefit or **financial interest** or **personal benefit** in the considerations being assessed, the reporting officer will refer the disclosure report to the next appropriate senior reporting officer who will assume the role of reporting officer or assign an alternate.
- c. Where an existing or potential activity or situation is assessed for an actual or perceived conflict and where it is determined that there is:
 - no conflict, the reporting officer will contact the reporting individual to indicate that they are free to proceed with the activity or engage in the situation.
 - a conflict and the activity or situation does not sufficiently serve the interests of the University or is not appropriately manageable or not able to withstand the test of reasonable and independent scrutiny, the conflict will not be allowed and the reporting officer will contact the reporting individual to indicate that they are not free to proceed with, or continue to engage in, the activity or situation.
 - a conflict and the activity or situation can be managed as an **allowed conflict**, a suitable method of monitoring and managing the allowed conflict will be determined and implemented before the reporting individual is free to proceed with, or continue to engage in, the activity or situation.

3. Management of Allowed Conflict

When an activity or situation can be managed as an allowed conflict, the reporting officer will:

- a. Work with the reporting individual to settle on the terms and conditions under which an activity or situation associated with an allowed conflict will be conducted and managed;
- b. Ensure documentation of any outcome in a memorandum of agreement in the specified form;
- c. Ensure the term, conditions, and management of an activity associated with an allowed conflict is consistent with the *Freedom of Information and Protection of Privacy Act* and other legislation and University policy relevant to that activity;
- d. Administer or delegate the on-going monitoring and management of allowed conflict;
- e. Document all related matters and maintain records;
- f. Refer unresolved matters to a conflict review officer appropriately; and
- g. Keep senior officers of the University appropriately apprised.

In all instances of conflict involving research, the disclosure form should be submitted to the individual's reporting officer who will then consult with the Dean, Vice-President (Research) and Office of Faculty and Staff Relations as appropriate.

4. Referral Process

- a. In the case of conflict of commitment, it is expected that the reporting individual and the reporting officer will come to an agreement; however, in the event that this is not possible, the position of the reporting officer is final and will stand as the University's position on the matter.
- b. In the case of conflict of interest, the reporting individual and reporting officer need to first agree on whether the conflict considerations warrant an allowed conflict or not and, where applicable, on the method by which an allowed conflict is to be monitored and managed. If agreement cannot be reached, the matter is to be referred by the reporting officer to a conflict review officer or **conflict review committee**.
- c. The conflict review officer or conflict review committee will work with the reporting individual and reporting officer in an effort to reach an agreeable outcome and will ensure documentation of any

outcome in a memorandum of agreement in the specified form. If an agreeable outcome cannot be reached, the conflict review officer or conflict review committee will render a decision which shall be final and binding.

5. **Conflict Review Committee Membership**

- a. For conflict involving research activity:
- i. Chair, appointed by the Vice-President (Research);
 - ii. One representative of the Research Services Office;
 - iii. One academic staff member, appointed by the Vice-President (Research); and
 - iv. Two members-at-large, appointed by the Provost and Vice-President (Academic).

Within the overall membership, it is recommended that there be one member with legal expertise and one with previous conflict resolution experience.

- b. For conflict involving non-research activity:
- i. Chair, appointed by the Provost and Vice-President (Academic);
 - ii. One staff member appointed by the Vice-Provost and Associate Vice-President (Human Resources); and
 - iii. Two members-at-large, appointed by the Vice-Provost and Associate Vice-President (Human Resources).

Within the overall membership, it is recommended that there be one member with legal expertise and one with previous conflict resolution experience.

Commented [A23]: Source: Conflict of Interest and Conflict of Commitment Reporting and Assessment Procedure

Procedure - Receipt and Acceptance of Gifts and Event Invitations

For the purpose of this Procedure, Gifts and Events do not include:

- normal and nominal Gifts and Event invitations between friends, where unrelated to the Representative's duties or position with the University;
- Gifts accepted by a Representative on behalf of the University; or
- attendance at social Events if the social Event is sponsored by a charitable foundation, a not-for-profit organization, the Governor General of Canada, a provincial Lieutenant Governor, any Canada federal, provincial, municipal or regional government or any member of any such government, or a consul or ambassador of a foreign country.

The exception for social Events sponsored by a not-for-profit organization does not apply to not-for-profit organizations constituted to serve management, union, or professional interests, or those having a majority of members that are profit-seeking enterprises or are representatives of profit-seeking enterprises.

Any Representative who is uncertain if acceptance of a Gift or an Event Invitation is appropriate should contact their Dean, Vice-President, the Provost or the President. The President should contact the Chair of the Board of Governors.

If there is uncertainty as to the value of a Gift or an Event, the Vice-President (Finance & Administration) shall have the authority to determine its value.

1. Acceptance of Gifts

- a. Representatives must not accept any Gift directly or indirectly connected with the performance of their University duties or by virtue of their position if the acceptance of the Gift creates a conflict of

interest or the perception of a conflict of interest. Gifts which are not expected to create a conflict of interest are those received as:

- i. a token received as part of reasonable protocol;
 - ii. a social obligation;
 - iii. a cultural practice;
 - iv. a normal exchange of hospitality between two persons doing business together;
or
 - v. incident for participating in a public Event.
- b. Gifts cannot be in the form of cash or cash equivalents.
 - c. Representatives must exercise reasonable discretion in determining whether the acceptance of any Gift is appropriate. A Representative must never solicit a Gift in connection with their position or duties.
 - d. The maximum cash value of any one Gift that a Representative may accept is \$250.00, not exceeding \$500.00 per calendar year received from a single source.
 - e. If a Gift is also offered to a spouse, adult interdependent partner or minor child in their capacity as a spouse, adult interdependent partner or minor child of a University Representative, the same considerations apply as if the Gift was given to the Representative directly.
 - f. A Representative may seek an exemption, in writing, from any maximum valuation set out in this Procedure from their Dean, Vice-President, the Provost or the President. The President may seek an exemption in writing from the Chair of the Board of Governors. An exemption may be sought any time before or within a reasonable time after accepting a Gift. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the Gift would be contrary to the principles of this Code. Any exemption granted will be made in writing.
 - g. Should any Gift be accepted of which the cash value exceeds any maximum valuation, and there is no exemption approved in writing, the Gift should be returned to the party who offered it as soon as practical. If returning the Gift is not possible, or would be socially or culturally unacceptable, the Gift must be surrendered to the Vice-President (Finance and Administration) and become the property of the University of Alberta.

2. Acceptance of Invitations and Attending Events

- a. Representatives must not accept any invitation to an Event, or attend any Event, if the acceptance or attendance creates a conflict of interest or the perception of a conflict of interest. Events which are not expected to create a conflict of interest include those Events:
 - i. where a significant cross-section of Representatives have been invited;
 - ii. where the Representative pays for their own food, beverages, and all other expenses; or
 - iii. attended as an incident of the social obligations that normally accompany the Representative's position at the University.
- b. Representatives must exercise reasonable discretion in determining whether the acceptance of any invitation to or attendance at any Event is appropriate.
- c. The maximum cash value of attending an Event that a Representative has been invited to, inclusive of any food and beverage, is:

-
- i. for the President, Vice Presidents, Associate Vice-Presidents, Deans, Vice-Provosts, Deputy Provosts, or General Counsel:
 - a. \$1,000.00 per Event, not exceeding \$2,000.00 per calendar year received from a single source, if the Event invitation is from a donor or Friend of the University; or
 - b. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source, if the Event invitation is from any person other than a donor or Friend of the University.
 - ii. for any other Representative:
 - a. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source.
 - d. Notwithstanding the above, if a Representative accepts an invitation to speak or participate in an active role at a conference, seminar, workshop, panel, or other similar engagement, and the Representative is attending in their role as a University employee or participation relates to their related academic activities, then the total cash value of attending the engagement, inclusive of all transportation, hospitality, accommodation, registration, food and beverage, and related incidentals must be reasonable in the circumstances and shall not exceed a maximum cash value of \$8,000 per engagement or \$16,000 per calendar year for engagements from a single source. The cash value of these engagements will be calculated and considered separately from other Event invitations.
 - e. If the invitation to attend an Event is also extended to a spouse, adult interdependent partner or minor child, the total cash value of all tickets received are to be taken into account.
 - f. If a Representative is invited to an Event at which the total cash value of attendance, inclusive of any food and beverage, exceeds any maximum cash value, the Representative may seek an exemption in writing from their Dean, Vice-President, the Provost or the President. The President may seek an exemption in writing from the Chair of the Board of Governors. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the invitation or attendance at the Event would be contrary to the principles of this Code. Any exemption granted will be made in writing.
 - g. Should a Representative attend an Event at which the total cash value of attending exceeds any maximum valuation set out in this Code, and there is no exemption approved in writing, the cash value of attending the Event, inclusive of any food and beverage, which exceeds the maximum valuation under this Code will be reimbursed by the Representative to the person/entity who originally covered the cost.

F. Managing Conflicts of Interest: Concurrent Activities and Supplementary Professional Activities

Requirement to Report Concurrent Activity

A Representative involved in a concurrent appointment, business, undertaking, employment, or self-employment (collectively "concurrent activity") other than their position with the University may be in a potential conflict. Representatives are therefore required to report all concurrent activity, subject to the pre-approvals below, so that the activity may be assessed for a conflict and where appropriate, managed. Reports must be made in accordance with Section 'E'. Where a current Representative is considering

engaging in a new concurrent activity, the Representative must seek prior approval of the University before doing so.

Some Representatives' concurrent activity may be the kind of activity defined as "Supplementary Professional Activities" (or "SPA") in their collective agreement. In the case of an appointment, business, undertaking, employment or self-employment meeting the definition of SPA within a collective agreement, the Representative's obligations in respect of that activity will be wholly as set out in their collective agreement and will not need to be additionally reported under Section 'E'. Collective agreements with SPA obligations are discussed further below.

Where a Representative subject to a collective agreement engages in concurrent activity that does not meet the definition of "SPA" under their collective agreement, or where the concurrent activity is not otherwise contemplated within their collective agreement, the Representative must report the concurrent activity unless the activity is pre-approved as below.

The requirement to report includes where a Representative receives income through a research grant where the research work:

- i. is not administered by the University through the Research Services Office; and
- ii. the research work does not meet the definition of Supplementary Professional Activity in the Representative's collective agreement.

Pre-Approved Concurrent Activity

The University deems some concurrent activity to be pre-approved. In those situations, the Representative is not required to report the activity unless it otherwise creates an actual or perceived conflict of interest.

Pre-approval is deemed for:

- a. Representatives engaging in concurrent activity for which the Representative will not receive nor be entitled to receive remuneration.
- b. Students of the University who are also employees of the University, where the concurrent activity is in the retail, hospitality, or service industry.
- c. Academic staff who do not hold a full-time position at the University, where:
 - i. their position at the University is unpaid;
 - ii. the academic staff member teaches no more than two courses per semester at the University;
 - iii. the concurrent activity is with another post-secondary institution; or
 - iv. the concurrent activity requires the academic staff member to be a member of a specified professional association which has a code of conduct and can discipline members for a breach of their code. The "specified professional associations" must be approved by the President or President's delegate. The associations currently approved are listed at Appendix A.
- d. Academic staff, whether full-time or part-time at the University, where the University knows at the time of their hiring or appointment that:

- i. the academic staff member is being concurrently or jointly hired or appointed to the concurrent activity at another organization; or
 - ii. the academic staff member is already engaged in the concurrent activity at another organization.
- e. Non-student employees of the University who are members of the Non-Academic Staff Association or who are support staff excluded from the Non-Academic Staff Association, whose concurrent activity requires 20 hours or less per week, the required hours of which are not scheduled during the Representative's normal working hours at the University.

In limited circumstances, the manner in which concurrent activity may need to be reported and approved is addressed by external documentation. These situations are where:

- a. the Representative's concurrent activity meets the definition of Supplementary Professional Activity within their collective agreement, as the obligations relating to the reporting and approval of the activity will be wholly governed by their collective agreement; or
- b. the Representative is the President, as the President's obligations relating to the reporting and approval of concurrent activity are governed by the *Conflicts of Interest Act* and the requirement at Section I-2 of this Code.

Collective Agreements with SPA Obligations

The University's collective agreements provide direction for certain Representatives with respect to professional development through activity which is supplementary to their primary obligations to the University (known as 'SPA'). The types of Representatives with SPA obligations, and the nature of those obligations, are excerpted directly from the relevant collective agreements below.

The University endeavours to include the most recent excerpts from its collective agreements regarding SPA in this Code. However, because collective agreements frequently evolve through bargaining, the excerpts provided may at times be out of date. In the case of a discrepancy between an included excerpt and a collective agreement, the collective agreement will govern. Representatives governed by a collective agreement have a responsibility to know its contents and how it affects them in their role with the University.

Collective agreements are posted on the Human Resource Services website:
<https://www.ualberta.ca/faculty-and-staff/my-employment/collective-agreements-and-handbooks>

1. Faculty - Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/faculty-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

Scope and context of SPA

8.01 A staff member is a full-time employee and has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

Commented [A24]: Source: Collective Agreement

8.02 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.

8.03 Such SPA shall represent an integral part of the responsibility to relate theory to practice, thereby enabling teaching and research to remain professionally relevant. Routine, repetitive and trivial SPA are discouraged.

Authorization of SPA

8.04 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Required SPA

[...]

8.06 Where a Faculty Council has deemed SPA to be essential to the work of the Department, the Faculty Council shall recommend to the Board that such SPA be considered as part of the primary University responsibilities. The Board may approve such recommendations on such conditions as it deems appropriate, having regard to 8.11.

Definition of SPA

8.07 Without restricting the generality of the term SPA, this category shall include any of the following:

- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g. summer session at another university;
- b) consulting;
- c) personal services contracts;
- d) private practice of the staff member's profession, e.g. medicine, dentistry, law, etc.

8.08 SPA may be categorized as major or minor in scope. Each Faculty Council shall decide what constitutes major SPA but all proposals to teach at another institution shall be considered major SPA.

Approval of SPA

8.09 A staff member shall obtain written approval of the Department Chair prior to undertaking major SPA. Prior to approving SPA, the Department Chair shall ensure that primary University responsibilities will be performed satisfactorily.

8.10 If there is a dispute with respect to a staff member's SPA, the staff member shall have recourse to the Dean and the Provost, in that order. The decision of the Provost shall be final and binding.

Conditions

8.11 The authority and approval of SPA is subject to the following conditions:

- a) The staff member shall not compete unfairly with professionals outside the University.
- b) The SPA shall not infringe upon the University's conflict of interest guidelines.
- c) The SPA shall conform with regulations governing the use of University facilities and staff.
- d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the

user thereof; and notwithstanding that the University has participated in such SPA by the provision of students or postdoctoral fellows or the like; and withstanding that any formal contract with respect to those SPA has not been negotiated by or approved by the University.

- e) When engaged in SPA a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in SPA.

[...]

Faculty regulations

8.20 Each Faculty Council shall develop regulations with respect to SPA. The regulations and any amendments thereto shall be filed with the Provost and the Association. The regulations shall include:

- a) The definition of what constitutes major SPA.
- b) The format for the annual statement of SPA; the determination of the time period covered by the report; the date by which the report is to be submitted; and whether the annual statement about SPA shall be included in the annual report.
- c) Any modifications to the requirement that SPA be taken into account in the evaluation of a staff member's performance.
- d) Whether the time of year, week or day when SPA is performed is important to its approval and reporting.
- e) Whether the annual statement shall include information about remuneration received from SPA.
- f) Regulations governing the use of University facilities and staff for SPA including arrangements to reimburse the University for such use.
- g) What evidence shall be required to ensure the staff member has adequate personal liability insurance to indemnify the University against any claims.
- h) Such additional terms and conditions the Faculty Council may consider necessary; such terms and conditions shall be in addition to and not in contradiction to this Article.

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed under this agreement to a faculty position on the academic staff of the University in which the person has been or may be granted tenure; this term includes both full time and part time staff who hold such positions.

Faculty Council: The council created by that name in accordance with section 28 of the Post Secondary Learning Act; for the purposes of this Agreement voting on decisions required by this Agreement shall be restricted to the staff members in the Faculty.

Department: The academic unit of a Faculty, established as such by the Board.

Dean: The chief executive officer of a Faculty.

Department Chair: The chief executive officer of a Department. Responsibilities assigned herein to a Department Chair shall be the responsibility of the Dean in Faculties in which there are no departments.

Board: The Governors of the University of Alberta.

2. Faculty Service Officer Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Faculty Service Officer Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/faculty-service-officer-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

- 8.01 A staff member is a full-time employee and has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.
- 8.02 Under certain circumstances it is appropriate for staff members to assume responsibilities at the University in addition to their regular duties and for which they may receive additional remuneration. These shall be duties which are performed outside regular office hours or while on vacation, e.g. lecturing in evening session, lecturing in Extension non-credit courses, etc. Requests to assume additional responsibilities shall be submitted, in writing, to the **Dean**.
- 8.03 A staff member who proposes to engage in activities outside the University which are related to his or her duties at the University or which are of a consulting nature, whether during regular University office hours or not, shall so inform his or her immediate supervisor. If the proposed activities are during regular office hours, the permission of the immediate supervisor, in writing, must be obtained prior to the staff member undertaking the activities. If University facilities are proposed to be used in the conduct of the outside activities, the permission of the immediate supervisor, in writing, must be obtained prior to the staff member utilizing such facilities. If the staff member expects to make extensive use of such facilities, the staff member may be required to reimburse the University for such use.
- 8.04 Care must be taken by the staff member that the outside activities are not in conflict of interest with the University duties.
- [...]
- 9.17 During leave, the staff member shall not undertake alternative employment without the advance written approval of the Provost.

Relevant Definitions (Article 1)

Faculty Service Officer: Group of academic staff who assist and collaborate with faculty members in teaching and research process. Such staff members will normally have a post-graduate degree in the particular discipline to which they are attached. The tasks they are assigned may include an administrative component but this will not be a major component of the assignment. A position in this category shall be established under the same procedures as those used for faculty positions and staff members shall be counted with faculty in the staff count.

Staff Member: A person who has been appointed to a faculty service officer position on the academic staff of the University in which the person has been or may be granted a continuing appointment; this term includes both full time and part time staff who hold such positions.

Dean: The chief executive officer of a Faculty.

Commented [A25]: Source: Collective Agreement

3. Library - Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Librarian Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/librarian-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities

Scope, context and authorization of supplementary professional activity

- 8.01 A staff member has a primary obligation to fulfil University responsibilities. A staff member who proposes to engage in activities outside the University which are related to his or her duties at the University or which are of a consulting nature, shall so inform the Chief Librarian. If the proposed activities are during regular office hours, the permission of the Supervisor and Chief Librarian, in writing, must be obtained prior to the staff member undertaking the activities. If University facilities are proposed to be used in the conduct of the outside activities, the permission of the Chief Librarian, in writing, must be obtained prior to the staff member utilizing such facilities. If the staff member expects to make extensive use of such facilities, the staff member may be required to reimburse the University for such use.
- 8.02 Under certain circumstances it is appropriate for staff members to assume responsibilities at the University in addition to their regular duties and for which they may receive additional remuneration. Requests to assume such additional responsibilities must be approved by the Supervisor and the Chief Librarian, in writing.
- 8.03 Such professional activity shall represent an integral part of the responsibility to relate theory to professional practice, thereby enabling professional practice to remain relevant.
- 8.04 Care must be taken by the staff member that the supplementary activities are not a conflict of interest with the University duties and do not prevent, hinder or unduly interfere with the staff member's primary responsibilities.
- 8.05 If there is a dispute with respect to a staff member's supplementary professional activity, the staff member shall have recourse to the Chief Librarian and the Provost, in that order. The decision of the Provost shall be final and binding.

Definition of supplementary professional activity

- 8.06 Without restricting the generality of the term supplementary professional activities, this category shall include any of the following:
- a) employment in any capacity by another employer; including the carrying out of teaching duties;
 - b) consulting;
 - c) personal services contracts.

Conditions

- 8.07 The authority and approval of supplementary professional activity is subject to the following conditions:
- a) The staff member shall not compete unfairly with professionals outside the University.
 - b) The supplementary professional activity shall not infringe upon the University's conflict of interest guidelines. (GFC Policy Manual Section 120.3)

- c) The supplementary professional activity shall conform with regulations governing the use of University facilities and staff. (Research Policies and Services Manual)
- d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such supplementary professional activity by the provision of students or postdoctoral fellows or the like; and notwithstanding that any formal contract with respect to those supplementary professional activity has not been negotiated by or approved by the University.
- e) When engaged in supplementary professional activity, a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in supplementary professional activity.

Relevant Definitions (Article 1)

Staff Member: A person who has a degree from an accredited graduate program in library and/or information studies, or an equivalent program, who has been appointed to a librarian position on the academic staff of the University of Alberta, in which the person has been or may be granted tenure; this term includes both full time and part time staff who hold such positions.

Chief Librarian: The chief executive officer of the University Libraries.

Supervisor: The Administrative Librarian to whom the staff member reports and is accountable, or the Chief Librarian, or another staff member who is delegated that responsibility on behalf of the Administrative Librarian. At least annually, the Chief Librarian shall provide to the Association a complete list of staff members and the Supervisor to whom each reports. When a staff member reports to more than one person, the Supervisor shall consult with the other person in making evaluations.

Provost: The Provost and Vice President (Academic) of the University.

Commented [A26]: Source: Collective Agreement

4. Academic Teaching Staff – Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Academic Teaching Staff Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/academic-teaching-staff-agreement.pdf>

Relevant Excerpts

Article 8: Supplementary Professional Activities (SPA)

- 8.1 This Article shall apply to full-time staff members with Career Status and Term 12 Status appointments.

Scope and Context of SPA

- 8.2 A staff member who is a full-time employee has a primary obligation to fulfill University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

- 8.3 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.
- 8.4 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Definition of SPA

- 8.5 Without restricting the generality of the term SPA, this category shall include any of the following:
- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g., summer session at another university;
 - b) consulting;
 - c) personal services contract; or
 - d) private practice of the staff member's profession, e.g., dentistry, law, medicine, nursing, etc.

Approval of SPA

- 8.6 A staff member shall obtain written approval of the Department Chair prior to undertaking major SPA. Prior to approving SPA, the Department Chair shall ensure that primary University responsibilities will be performed satisfactorily.
- 8.7 If there is a dispute with respect to a staff member's SPA, the staff member shall have recourse to the Dean and the Provost, in that order. The decision of the Provost shall be final and binding.
- 8.8 The conditions governing SPA are set out in Appendix D.

[...]

APPENDIX D: Conditions for Supplementary Professional Activities (SPA)

1. The authority and approval of SPA is subject to the following conditions:
 - a) The staff member shall not compete unfairly with professionals outside the University.
 - b) The SPA shall not infringe upon the University's conflict policy and related procedures and protocols, as amended from time to time.
 - c) The SPA shall conform with the University's related policies, procedures and protocols related to the use of University facilities and staff, as amended from time to time.
 - d) The staff member shall indemnify and hold harmless the University from and against any loss, injury or damage which the University may or could suffer arising in any way out of or in relation to such activities. The staff member gives this covenant and makes this agreement notwithstanding that the University has participated in such activities by the provision of facilities, space, equipment, or administrative assistance, unless the said loss, injury or damage arises directly from a malfunction of the said facilities or equipment which is not caused by the user thereof; and notwithstanding that the University has participated in such SPA by the provision of students or postdoctoral fellows or the like; and notwithstanding that any formal contract with respect to those SPA has not been negotiated by or approved by the University.
 - e) When engaged in SPA a staff member shall not use the name of the University in any way, except as the mailing address, nor shall the staff member hold himself or herself to be an agent of the University when engaged in SPA.

[...]

4. SPA shall represent an integral part of the responsibility to relate theory to practice, thereby enabling teaching and/or teaching-related responsibilities to remain professionally relevant. Routine, repetitive and trivial SPA is discouraged.

Required SPA

[...]

6. Where a Faculty Council has deemed SPA to be essential to the work of the Department, the Faculty Council shall recommend to the Board that such SPA be considered as part of the primary University responsibilities. The Board may approve such recommendations on such conditions as it deems appropriate, having regard to 1.a.

Major SPA

7. SPA may be categorized as major or minor in scope. Each Faculty Council shall decide what constitutes major SPA but all proposals to teach at another institution shall be considered major SPA.

[...]

Faculty Regulations

13. Each Faculty Council shall develop regulations with respect to SPA. The regulations and any amendments thereto shall be filed with the Provost and the Association. The regulations shall include:
- a) The definition of what constitutes major SPA.
 - b) The format for the annual statement of SPA; the determination of the time period covered by the report; the date by which the report is to be submitted and whether the annual statement about SPA shall be included in the annual report.
 - c) Any modifications to the requirement that SPA be taken into account in the evaluation of a staff member's performance.
 - d) Whether the time of year, week or day when SPA is performed is important to its approval and reporting.
 - e) Whether the annual statement shall include information about remuneration received from SPA.
 - f) Regulations governing the use of University facilities and staff for SPA including arrangements to reimburse the University for such use.
 - g) What evidence shall be required to ensure the staff member has adequate personal liability insurance to indemnify the University against any claims.
 - h) Such additional terms and conditions the Faculty Council may consider necessary; such terms and conditions shall be in addition to and not in contradiction to this Appendix

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed under this Agreement to a position with teaching and/or teaching-related responsibilities (in accordance with Article 7) on the academic staff of the University (where teaching shall involve University credit courses) and where the funding source permits payment of such responsibilities

Department Chair: The administrative head of a Department reporting to the Dean. Responsibilities assigned in this Agreement to a Department Chair shall be the responsibility of the Dean in Faculties in which there are no Departments.

Dean: A University employee who "has general supervision over and direction of the academic work and instructional staff of the Faculty and of the officers and employees employed in connection with that work, and has the other powers, duties and functions that are assigned to the dean by the president" pursuant to Section 21(2) of the Post-Secondary Learning Act (Alberta).

Provost: The Provost and Vice President (Academic) of the University. The Provost is the Chief Operating Officer and Senior Vice President.

Faculty Council: The council created by that name pursuant to Section 28(2) of the Post-Secondary Learning Act (Alberta); for the purposes of this Agreement voting on decisions required by this Agreement shall be restricted to the academic staff members in the Faculty.

Commented [A27]: Source: Collective Agreement

5. Temporary Administrative and Professional Staff (TAPS) – Supplementary Professional Activities (SPA)

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Temporary Administrative and Professional Staff Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/temporary-administrative-and-professional-staff-agreement.pdf>

Relevant Excerpts

Article 9: Supplementary Professional Activities (SPA)

All Staff Members

9.01 This Article shall apply to all full-time staff members.

Scope and Context of SPA

9.02 A staff member who is a full-time employee has a primary obligation to fulfil University responsibilities. The staff member shall remain current with recent developments in the discipline through personal professional development.

9.03 One means of accomplishing professional development may be through professional activity which is supplementary to the primary obligations to the University.

9.04 Subject to the provisions of this Article, a staff member may engage in SPA. SPA shall not prevent, hinder or unduly interfere with the staff member's primary responsibilities.

Definition of SPA

9.05 Without restricting the generality of the term SPA, this category shall include any of the following:

- a) employment in any capacity by another employer including the carrying out of teaching duties, e.g., summer session at another university;
- b) consulting;
- c) personal services contract;
- d) private practice of the staff member's profession, e.g., medicine, nursing, law, etc.

Approval of SPA

9.06 A staff member shall obtain written approval of the Supervisor prior to undertaking major SPA. Prior to approving SPA, the Supervisor shall ensure that primary University responsibilities will be performed satisfactorily.

9.07 If there is a dispute with respect to a staff member's SPA, the staff member shall have recourse to the Dean and the Vice-President, in that order. The decision of the Vice-President shall be final and binding.

9.08 The conditions governing SPA are set out in Appendix D.

[...]

Appendix D: Conditions for Supplementary Professional Activities (SPA)

1. SPA at the University

- 1.1 Under certain circumstances, a staff member may accept responsibilities at the University in addition to regular responsibilities for which the staff member may receive remuneration additional to regular salary.
- 1.2 The Supervisor and the Vice-President shall approve requests for approval of such SPA prior to the assumption of the responsibilities.
- 1.3 SPA shall be performed outside regular office hours unless otherwise approved by the Vice-President.

2. SPA Outside the University

- 2.1 A staff member who proposed to engage SPA for another employer or as a consultant or self-employed professional shall inform the Supervisor in writing of such intention.
- 2.2 The written permission of the Supervisor is required if
 - a) the activities will take place during regular University office hours; or
 - b) the activities involve University staff, students or the use of University facilities.

Relevant Definitions (Article 1)

Staff Member: A person who has been appointed to a position on the academic staff of the University for a fixed term. This term includes all the categories enumerated in Article 6.03.

Supervisor: The person to whom a staff member reports

Commented [A28]: Source: Collective Agreement

6. Administrative and Professional Officers – Supplementary Professional Activity

Collective agreement: Board of Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta – Administrative and Professional Officer Agreement – July 2017

Full collective agreement URL: <https://cloudfront.ualberta.ca/-/media/hrs/my-employment/agreements/administrative-and-professional-officer-agreement.pdf>

Relevant Excerpts

Supplementary Professional Activity Outside the University

- 8.09 A staff member who proposes to engage in supplementary professional activity for another employer or as a consultant or self-employed professional shall inform the Supervisor in writing of such intention.
- 8.10 The written permission of the Supervisor is required if:
 - a) the activities will take place during regular University office hours; or
 - b) the activities involve University staff, students or the use of University facilities.
- 8.11 If the staff member expects to involve students, staff or the use of University facilities, the staff member may be required by the Vice-President to enter into a contract with the University.
- 8.12 A staff member shall not engage in supplementary professional activities which involve a conflict of interest or conflict of commitment with responsibilities to the University.

Relevant Definitions (Article 1)

Staff Member and APO: “Staff member” and “APO” means an Administrative Professional Officer (APO) who has been designated as continuing academic staff by the University of Alberta. An APO is a manager or other professional who provides leadership, strategic advice and direction in the organization; and is accountable for planning, negotiating, problem solving, risk assessment and prevention, and/or operational oversight of resources. An APO shall normally require an academic degree; professional designation or equivalent related experience.

Vice-President: A senior administrator with a number of reporting units within the University. Where the term “Vice-President” is used in the Agreement, unless otherwise stated, it means the specific Vice-President to whom the other administrative officials named are accountable unless otherwise specified.

Commented [A29]: Source: Collective Agreement

G. Interaction Between the Code and Collective Agreements

The University's various collective agreements may contain provisions relating to matters this Code purports to apply to. Nothing in this Code is intended to affect the operation of any collective agreement. In the case of a discrepancy or inconsistency between this Code and a collective agreement, the terms of the collective agreement will govern.

Representatives of the University governed by a collective agreement have a responsibility to know its content and how it affects them in their role with the University.

H. Breaches of the Code

Any breach of any section of this Code by a Representative, including a breach of the conflict of interest provisions or the concurrent employment provisions, is a violation of the University's ethical standards. Individuals reporting an actual or alleged breach of any part of this Code should therefore disclose these complaints in the manner specified by Section 'D'.

Upon receiving an allegation that a Representative has breached the Code, if the complaint is credible, the authority receiving the complaint will notify the Respondent, and will either investigate the matter or will refer the matter to another appropriate authority to investigate. The investigating authority will make factual findings and as part of the investigation will give the Respondent a reasonable opportunity to respond. The investigating authority will then prepare a written report including a determination as to whether or not the Code has been breached. If the Code is determined to have been breached, the Respondent may seek to have the findings reviewed within a reasonable time. Any review process will occur in writing. A breach of the Code is a disciplinable event that may result in corrective action being taken against the Representative.

Complaints, Responses, Investigations and Discipline for Representatives Subject to a Collective Agreement

Notwithstanding the above, where an allegation is to be made against a Representative who is subject to a collective agreement, the disclosure of that complaint, and any response, investigation, and discipline relating to the complaint, will be as provided for in the Representative's collective agreement to the extent it differs or is inconsistent with this Code. If the Representative's collective agreement is silent, the procedures in this Code shall govern.

Because collective agreements frequently evolve through bargaining, and because collective agreement provisions relating to complaints, responses, investigations and discipline may be thorough and numerous, this Code does not attempt to provide excerpts of all responsive collective agreement language. Instead, Representatives are directed to their respective collective agreement:

Type of Representative	Name and link to relevant collective agreement (or policy)	Relevant Articles
Faculty	Faculty Agreement – July 2017	7, 9, 12-17, 27-29
Faculty Service Officers	Faculty Service Officer Agreement – July 2017	7, 9, 12-17, 27-29
Librarians	Librarian Agreement - July 2017	7, 9, 12-17, 27-29
Academic Teaching Staff	Academic Teaching Staff Agreement - July 2017	7, 9-15, 27
Temporary Administrative and Professional Staff	Temporary Administrative and Professional Staff (TAPS) Agreement – July 2017	8, 12-15, 24-26
Administrative and Professional Officers	Administrative and Professional Officer (APO) Agreement – July 2017	8, 12-16, 27-29
Trust/Research Academic Staff	Trust Research Academic Staff (TRAS) Agreement - July 2017	7, 12-16, 27-29
Non-Academic Staff (NASA)	Non-Academic Students Association (NASA) Agreement - June 2016 to March 2019	15, 18, 21
Graduate Students	GSA and Board of Governors Collective Agreement - Sept 2016 to Aug 2018	12, 23
Post-Doctoral Fellows	Postdoctoral Fellows Discipline Procedure (note: Collective agreement currently being negotiated. Until then, discipline procedure is per policy).	As per Procedure
Management and Professional Staff (MAPS)	Code of Conduct: Employees' Obligations Respecting Conflict of Interest	As per Code
Any other Representative not covered by a collective agreement	Code of Conduct: Employees' Obligations Respecting Conflict of Interest	As per Code

Note: The list of relevant articles is provided as a courtesy and may not be exhaustive.

I. Obligations Specific to the President

1. In addition to the obligations owed elsewhere in this Code, the President:
 - a. Must not take part in a decision in the course of carrying out their office or powers knowing that the decision might further their own private interest, the private interest of their own minor or adult child, or the private interest of any person directly associated with them, pursuant to Section 23.925(1) of the Conflicts of Interest Act;
 - b. Must not use their office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown or a public agency to further their own private interest, the private interest of their minor child, or the private interest of any person directly associated with them, or to improperly further any other person's private interest, pursuant to Section 23.925(2) of the Conflicts of Interest Act;
 - c. Must not use or communicate information not available to the general public that was gained by them in the course of carrying out their office or powers to further or seek to further a private

interest of their own, or any other person's private interest, pursuant to Section 23.925(3) of the *Conflicts of Interest Act*; and

- d. Must not fail to appropriately and adequately disclose a real or apparent conflict of interest in the manner specified in this Code, pursuant to Section 23.925(4) of the *Conflicts of Interest Act*.
2. The President may not be involved in a concurrent appointment, business, undertaking, employment, or self-employment, other than their role as President of the University, without the written approval of the Ethics Commissioner pursuant to Section 23.926 of the *Conflicts of Interest Act*. The President must first report the concurrent activity in accordance with Section 'E' and obtain a determination from the University that the activity is not a conflict, or is an allowed conflict, before applying to the Ethics Commissioner for approval. The President may not engage in the concurrent activity until written approval from the Ethics Commissioner is obtained.

TRANSITIONAL: If the President is continuing under the same contract, agreement, or appointment with the University that was in effect as of December 15, 2017, the obligations specific to the President regarding concurrent activities as described in paragraph 2 above do not apply to the President until the earlier of:

- i. December 15, 2019, or
- ii. The date on which the President renews or extends their agreement, enters into a new agreement, or is re-appointed to continue as the President.

If the President renews, extends, enters a new agreement or is re-appointed as the President on any date after December 15, 2017, the obligations regarding concurrent activities as described in paragraph 2 above apply as of that date, subject to any other time periods required by the *Conflicts of Interest Act*.

The President may consult Section 23.971 of the *Conflicts of Interest Act* for greater detail on the transitional provisions.

3. The President is a designated senior official pursuant to Order in Council 085/2018 and the *Conflicts of Interest Act*. The President has a responsibility to know their obligations under that Act. The President's obligations as a designated senior official include, but are not limited to, the following:

Restrictions on Holdings (s. 23.93)

The President, within 60 days of the obligations as a designated senior official taking effect, must not own or have a beneficial interest in any publicly-traded securities, subject to the following exceptions:

- The securities are held in a blind trust which meets the criteria of the *Conflicts of Interest Act* and has been approved by the Ethics Commissioner;
- The securities are held in an investment arrangement which meets the criteria of the *Conflicts of Interest Act* and has been approved by the Ethics Commissioner;
- Prior to the expiry of the 60-day period, the President applied to the Ethics Commissioner for approval to retain the ownership or beneficial interest in the securities and the Ethics Commissioner granted approval or the Ethics Commissioner granted conditional approval and the President has taken all steps directed by the Ethics Commissioner with respect to the disposition of the securities; or

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- After the expiry of the 60-day period, the President acquires the ownership or beneficial interest in the securities with the prior approval of the Ethics Commissioner.

If the President acquires the ownership or beneficial interest in publicly-traded securities by gift or inheritance after the obligations as a designated senior official take effect, the President has 60 days upon receiving the securities to dispose of them or meet one of the above exceptions.

Disclosure and Filing Requirements (ss. 23.931-23.932)

The President, within 60 days of the obligations as a designated senior official taking effect, must:

- File a disclosure statement with the Ethics Commissioner in the form and manner specified; and
- File a return (relating to persons directly associated with the President) with the Ethics Commissioner in the form and manner specified.

The President must also observe the following ongoing obligations:

- In each subsequent year from the filing of the first disclosure statement, file a disclosure statement with the Ethics Commissioner at the time specified by the Ethics Commissioner;
- Within 30 days after any material change to the information contained in a current disclosure statement, file with the Ethics Commissioner an amending disclosure statement, setting out the changes;
- Within 30 days after any material change to the information contained in a current return, file another return with the Ethics Commissioner; and
- Within 30 days of ceasing to be a designated senior official, file a return with the Ethics Commissioner.

Failing to file or knowingly filing false or misleading information is subject to reporting and administrative penalties under section 23.934 of the *Conflicts of Interest Act*.

Post-Employment Restrictions (s. 23.927-23.939)

The President, upon ceasing to be a designated senior official, must observe a number of post-employment restrictions. These restrictions include:

- For a period of 12 months from the last day they held the position of President, the President shall not:
 - lobby any public office holder, as those terms are defined in the *Lobbyists Act*, and

- act on a commercial basis or make representations on their own behalf or on behalf of any other person in connection with any ongoing matter in which the President, while acting as President, directly acted for or advised a department or public agency involved in the matter.
- For a period of 12 months from the last day the President had a direct and significant official dealing with a department or public agency, the President shall not:
 - make representations with respect to a contract with or benefit from that department or public agency; or
 - solicit or accept on their own behalf a contract or benefit from that department or public agency.
- For a period of 12 months from the last day the President had a direct and significant official dealing with an individual, organization, board of directors or equivalent body of an organization, the President shall not:
 - accept employment with that individual or organization or an appointment to the board of directors or equivalent body.

Notwithstanding the above:

- Nothing restricts the (former) President from being appointed to the board of directors or a governing body of another public agency; and
- Nothing restricts the (former) President from accepting employment with a department of the public service or a public agency in accordance with Part 1 of the *Public Service Act*.

The (former) President may apply to the Ethics Commissioner for a reduction or waiver of any time period for the post-employment restrictions, pursuant to section 23.938 of the *Conflicts of Interest Act*.

Contravention of the post-employment restrictions is an offence under section 23.939 of the *Conflicts of Interest Act* and may be subject to a fine up to \$50,000.

TRANSITIONAL: If the President is continuing under the same contract, agreement, or appointment with the University that was in effect as of April 4, 2018, the obligations specific to the President as a designated senior official as described in paragraph 3 above do not apply to the President until the earlier of:

- i. April 4, 2020, or
- ii. The date on which the President renews or extends their agreement, enters into a new agreement, or is re-appointed to continue as the President.

If the President renews, extends, enters a new agreement or is re-appointed as the President on any date after April 4, 2018, the obligations as a designated senior official described in paragraph 3 above apply as of that date, subject to any other time periods required by the *Conflicts of Interest Act*.

The President may consult Section 23.971 of the *Conflicts of Interest Act* for greater detail on the transitional provisions.

J. Notice Period & Amendments

1. This Code will be submitted to the Ethics Commissioner for review pursuant to Section 23.922 of the *Conflicts of Interest Act*.
2. Providing approval has been received from the Ethics Commissioner in accordance with the *Conflicts of Interest Act*, this Code will be made public on the University of Alberta website on or before April 30, 2019.
3. The period from the date the Code is made public, until June 30, 2019 will be the public notice period.
4. This Code will be implemented on July 1, 2019.
5. The University reserves the right to amend this Code at any time, including but not limited to:
 - a. on the advice or demand of the Office of the Ethics Commissioner of Alberta; or
 - b. where required to ensure compliance with any changes to the *Conflicts of Interest Act*, the *Post-Secondary Learning Act*, or any other applicable legislation or order-in council; or
 - c. where changes are made to University of Alberta policies and procedures through the appropriate internal approval processes and/or to collective agreements through normal negotiation processes.
6. Any amendment or replacement of this Code will be submitted to the Ethics Commissioner for approval in a manner pursuant to Section 23.923(2) of the *Conflicts of Interest Act* and any other applicable legislation.

Appendix A: Specified Professional Associations Approved by the President

The University deems some concurrent activity to be pre-approved. In those situations, the Representative is not required to report the activity unless it otherwise creates an actual or perceived conflict of interest.

Where the Representative is an academic staff member who does not hold a full-time position at the University, and the concurrent activity requires the Representative to be a member of a specified professional association which has a code of conduct and can discipline members for a breach of that code, the concurrent activity is deemed pre-approved if the membership required is with one of the following professional associations which have been approved by the President (or the President's delegate):

- Alberta Association of Architects
- Alberta Association of Landscape Architects
- Alberta College of Pharmacy
- Alberta College of Social Workers (ACSW)
- Alberta Institute of Agrologists
- Alberta Medical Association
- Alberta Professional Planners Institute (APPI)
- Alberta Society of Professional Biologists (ASPB)
- Alberta Teacher's Association
- Alberta Urban Municipal Association (AUMA)
- Alberta Veterinary Medical Association
- American Geophysical Union
- American Industrial Hygiene Association (AIHA)
- American Psychological Association
- Apprenticeship and Industry Training (AIT)
- Association for Applied Psychophysiology and Biofeedback
- Association for Applied Sport Psychology
- Association of Change Management Professionals (ACMP)
- Association of Professional Engineers and Geoscientists of Alberta (APEGA)
- Association of Science & Engineering Technology Professional of Alberta (ASET)
- Association of the Chemical Profession of Alberta
- Board of Canadian Registered Safety Professional (BCRSP)
- Canadian Association of Information Technology Professionals
- Canadian Association of Physicists
- Canadian Athletic Therapists Association
- Canadian Bar Association (CBA)
- Canadian Registration Board of Occupational Hygienists (CRBOH)

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- Canadian Institute of Actuaries
 - Canadian Institute of Management (CIM)
 - Canadian Institute of Planners (CIP)
 - Canadian Institute of Quantity Surveyors (CIQS)
 - Canadian Medical Protective Agency (CMPA)
 - Canadian Physiotherapy Association
 - Canadian Professionals in Human Resources Alberta
 - Canadian Psychological Association
 - Canadian Society of Safety Engineering (CSSE)
 - Chartered Financial Analysts Institute
 - Chartered Professional Accountants (CPA) Alberta
 - College and Association of Registered Nurses of Alberta (CARNA)
 - College of Alberta Psychologists
 - College of Alberta School Superintendents
 - College of Dietitians of Alberta
 - College of Physicians and Surgeons of Alberta (CPSA)
 - EcoCanada
 - Global Association of Risk Professionals (GARP)
 - Human Resources Institute of Alberta (HRIA)
 - International Institute of Business Analysis (IIBA)
 - International Society for Neurofeedback and Research
 - Law Society of any province or territory in Canada
 - Local Government Administrators Association (LGAA)
 - Professional Risk Managers' International Association
 - Project Management Institute (PMI)
 - Project Management Professional (PMP)
 - Royal College of Physician and Surgeons of Canada (RCPSC)
 - Society of Actuaries
 - Society of Local Government Managers (SLGM)
 - Statistical Society of Canada
 - Supply Chain Management Association (SCMA)

The University endeavours to include the most recent list of approved professional associations in this Appendix. However, the President (or the President's delegate) may add or remove professional associations from this list from time to time. In the case of a discrepancy between this Appendix A and the current list of approved professional associations, the current list will govern.



**Code of Conduct:
Board Members' Obligations Respecting
Conflict of Interest**

5th Submission

January 9, 2019

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A. Preamble

The highest Standards of Ethical Conduct are essential to the success of any great institution. Academic freedom, open inquiry and the pursuit of truth, which form the foundation of an institution of higher learning, depend on a shared commitment to the highest Standards of Ethical Conduct.

B. Application of this Code

This *Code of Conduct: Board Members' Obligations Respecting Conflicts of Interest* (the "Code") applies to all **Board Members**.

University Representatives, including the **President**, who are serving on the **Board of Governors** may have obligations under both the *Code of Conduct: Board Members' Obligations Respecting Conflicts of Interest* and the *Code of Conduct: Employees' Obligations Respecting Conflicts of Interests*. When acting as a Board Member, they are governed by the *Code of Conduct: Board Members' Obligations Respecting Conflicts of Interest*. When acting as a Representative, they are governed by the *Code of Conduct: Employees: Obligations Respecting Conflicts of Interests*. An individual who is unsure which Code applies to a given situation should contact the **Chair**. Any questions about the interpretation or operation of this Code may be addressed to the University Secretary.

Breaches of this Code by a Board Member can have serious consequences. Depending on the severity of the breach, this may necessitate disciplinary action, the involvement of a third party, and notification of the Minister.

In the case of a discrepancy or inconsistency between this Code and another University policy or procedure, the terms of this Code will govern to the extent necessary to resolve the inconsistency.

C. Definitions

Allowed Conflict: Conflict that can be managed in a way that is compliant with legislation, considers, protects and serves the interests, integrity and reputation of the University, and will withstand the test of reasonable and independent scrutiny.

Board Member: Any individual who is a voting member of the Board of Governors, whether by appointment or otherwise. Any individual appointed as a voting member of any committee of the Board, whether or not that individual would otherwise a Board Member, is deemed to be a Board Member for the purposes of this Code when acting in their role.

- For greater certainty, the President and the Chair are Board Members pursuant to sections 16(3)(c) and 16(3)(a) respectively of the *Post-Secondary Learning Act*.

Chair of the University (or "**Chair**"): The individual appointed by the Lieutenant Governor in Council as the Chair of the Board of Governors, pursuant to section 16(3)(a) the *Post-Secondary Learning Act*, SA 2003 c P-19.5.

- For greater certainty, the Chair is the "chair" of the University for the purposes of the *Conflicts of Interest Act*, as that term is defined at section 23.92(1)(a) of that Act.
- For greater certainty, the Chair of the University is a "senior official" for the purposes of the *Conflicts of Interest Act*, as that term is defined at section 23.92(1)(k) of that Act.

Conflict(s): Conflict of interest or conflict of commitment.

Conflict of Commitment: A situation whereby the external or personal activities, undertakings or relationships of a Board Member are so demanding or organized in such a manner or are otherwise such that they may interfere with the person's obligations to the University.

Conflict of Interest: A situation in which there is or may be perceived to be a divergence between the private **financial benefit** or **financial interest** or **personal benefit** of a Board Member, **family member**, or an **outside party**, and that Board Member's obligations to the University, such that an impartial observer might reasonably question whether related actions to be taken or decisions made by the Board Member would be influenced by consideration of the Board Member's own interests.

Event: Social, cultural, or sporting activities, charity or special functions, presentations, awards ceremonies, fundraisers, conferences and meetings hosted by a third party. It includes lunches, dinner, drinks, or other meals taken together.

Family Member: Includes a person's spouse or adult interdependent partner or another individual to whom the person is related by blood, marriage or adoption.

Financial Benefit: The receipt or expectation of anything of monetary value, including pay or salary or other payments for services (e.g. consulting fees or honoraria), equity (shares, options or the like) security or other ownership interests, and intellectual property rights (e.g. patents, copyrights, royalties or carried interests or options related to such rights)

Financial Interest:

(A) Ownership in the form of shares in a privately held company;

(B) Ownership in a publicly traded company in the form of shares with a market value of greater than \$50,000.00 or representing more than 10% of the company's outstanding shares; or

(C) Where the person is a member of a board of either a privately held or publicly traded company.

Friend of the University: A person considering becoming a donor of the University.

Gift: A gift, bonus, reward, or favour of any kind, given to an individual. It does not include awards received.

Good Faith Disclosure: A submission of information, that is based on reasonable belief and is not malicious, frivolous or vexatious, to the appropriate University authority.

Outside Party: Includes any corporation, partnership, sole proprietorship or other legal entity organized for the furtherance of a non-University interest (for profit or otherwise) and clients or patients to whom the person or the University provides individual professional services.

Personal Benefit: The receipt or expectation of any personal (workplace or otherwise) benefit of a non-monetary value.

President of the University (or "President"): The individual appointed by the Board of Governors to the position of President pursuant to section 81 of the *Post-Secondary Learning Act*, SA 2003 c P-19.5.

Reprisal: Punitive actions taken against a person for making a good faith disclosure, including, but not limited to:

- Disciplinary action;

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- Termination;
 - Adversely affecting employment conditions; and/or
 - A threat to do any of the above.

Standards of Ethical Conduct: Actions and behaviours which uphold the principles of integrity, respect and accountability, supported by an awareness of and compliance with the Code, relevant policies and procedures, collective agreements, applicable legislation and professional standards.

D. Ethical Conduct

Overview

As Board Members owe a fiduciary duty to the University to act in its best interests, they must act impartially and meet the University's high Standards of Ethical Conduct.

Standards of Ethical Conduct

1. Board Members must maintain the highest Standards of Ethical Conduct, in which their actions and behaviours uphold the principles of integrity, respect and accountability, supported by awareness of and compliance with this Code, relevant University policies, procedures and government legislation.
2. Board Members are prohibited from acting in self-interest or furthering their private interests by virtue of their position or through the carrying out of their Board duties.
3. Board Members must devote sufficient time and attention to their position to ensure they are informed, performing their duties and meeting their obligations as Board Members.
4. Board Members must respect the confidentiality of information received in the performance of their Board duties, including the confidentiality of any *In Camera*, Closed session, discussions and votes of the Board or any committee of the Board.
5. Ethical obligations of Board Members continue to apply, where appropriate, after the Board Member leaves the Board.

Reporting Procedure

1. Complainants, including Board Members, are encouraged to report conduct by a Board Member that is contrary to this Code to the Chair. If the complaint involves the Chair, the Chair is subject to a related conflict, or if there is a reasonable basis to believe that the Chair cannot make an impartial determination, the report should be made to the chair of the Audit Committee who will then investigate and make a determination in the same manner as normally assigned to the Chair.
2. In circumstances where it is unknown where or whether to report the conduct, or where the complainant has reasonable apprehension about coming forward, inquiries can be made to the Chair or to the University Secretary.
3. The Chair will conduct an investigation within a reasonable time of receiving the report. If the complaint is found to be reasonably made, the Chair will notify the Board Member whom is the subject of the complaint in writing and provide the particulars of the allegation.

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4. Any complainant making a good faith inquiry or complaint will not be subject to reprisal. A complainant who believes they are subject to reprisal should contact the Chair, or if the alleged reprisal involves the Chair, the chair of the Audit Committee.
 5. Board Members against whom allegations are made will be treated in a fair and reasonable manner. If a Board Member subject to an allegation feels this treatment is not being observed they should contact the Chair, or if the alleged unfair or unreasonable treatment involves the Chair, the chair of the Audit Committee.
 6. If an investigation determines that a Board Member has failed to comply with this Code, the Board Member may be subject to corrective measures as outlined in Section B, “Application of this Code”.

Additional Obligations of the Chair

In addition to the obligations owed as a Board Member, the Chair:

- a. Must not take part in a decision in the course of carrying out their office or powers knowing that the decision might further their own private interest, the private interest of their own minor or adult child, or the private interest of any person directly associated with them, pursuant to Section 23.925(1) of the *Conflicts of Interest Act*;
- b. Must not use their office or powers to influence or to seek to influence a decision to be made by or on behalf of the Crown or a public agency to further their own private interest, the private interest of any person directly associated with them, the private interest of their minor child, or to improperly further any other person’s private interest, pursuant to Section 23.925(2) of the *Conflicts of Interest Act*;
- c. Must not use or communicate information not available to the general public that was gained by them in the course of carrying out their office or powers to further or seek to further a private interest of their own, or any other person’s private interest, pursuant to Section 23.925(3) of the *Conflicts of Interest Act*; and
- d. Must not fail to appropriately and adequately disclose a real or apparent conflict of interest in the manner specified in this Code, pursuant to Section 23.925(4) of the *Conflicts of Interest Act*.

E. Avoidance of Conflicts of Interests

Overview

Board Members engage in activities and situations where actual or perceived conflicts may exist. Rather than disallow all conflicts, the University assesses whether conflicts can be managed and, where appropriate, permits them as **allowed conflicts**. Board Members are required to make active and ongoing disclosures to ensure conflicts are being appropriately managed.

Conflicts will only be allowed where they can be managed in a manner that protects and serves the best interests of the University, withstands reasonable and independent scrutiny, and is compliant with legislation.

Requirement to Report Concurrent Activities

A Board Member involved in a concurrent appointment, business, undertaking, employment, or self-employment (collectively “concurrent activity”) other than their Board position with the University may be in a potential conflict. Board Members are therefore required to report to the Chair all concurrent activity so that the Chair may assess

the activity to determine if there is an actual or perceived conflict of interest. The Chair is required to report their own concurrent activity to the Ethics Commissioner of Alberta. Board Members or the Chair may pursue concurrent activities without need for pre-approval, provided the activity does not create an actual or perceived conflict of interest, but must notify the Chair or the Ethics Commissioner promptly upon engaging in the activity.

While on the Board, if a Board Member is considering engaging in a concurrent activity, the Board Member is encouraged to consult with the Chair for a preliminary and non-binding opinion as to whether the concurrent activity might conflict with the performance of their duties with the Board and, if so, whether it may be manageable or not. If the Board Member proceeds with the activity, the prior consultation or opinion of the Chair does not waive the requirement to self-assess, and if necessary report, as above.

Disclosures of Conflicts of Interest

1. Any Board Member engaging in an activity or situation that involves either an actual or perceived conflict must immediately self-report the conflict so that it may be assessed and, if appropriate, managed. The report must be made in writing and submitted to the Chair. If the conflict involves the Chair, the Chair is subject to a related conflict, or if there is a reasonable basis to believe that the Chair cannot make an impartial determination, the report should be made to the chair of the Audit Committee who will then assess and make a determination in the same manner as normally assigned to the Chair.
2. It is the ongoing responsibility of all Board Members to submit regular disclosure reports as required, and to immediately submit a revised report when there is a change in the material facts of a previously disclosed report.
3. Notwithstanding the ongoing and active obligation to declare actual or perceived conflicts of interest immediately, Board Members must complete annual declarations that they are free from conflicts of interest (other than any conflict being managed as an allowed conflict).
4. A Board Member must not engage in, or continue, any activity or situation identified as an actual or perceived conflict until the University has assessed whether the conflict is permitted, and if so, how the conflict will be managed.
5. After receiving a report, the Chair will assess the reported conflict and will make a determination as to whether the activity or situation can be managed as an allowed conflict. Where there is:
 - a. no conflict, the Chair will issue a written response to the individual indicating that they are free to proceed with the activity or engage in the situation.
 - b. a conflict, and the conflicting activity or situation does not sufficiently serve the interests or reputation of the University or is not appropriately manageable or not able to withstand the test of reasonable and independent scrutiny, the conflict will not be allowed and the Chair will issue a written response to the individual indicating that they are not free to proceed with, or continue to engage in, the activity or situation.
 - c. a conflict, and the activity or situation can be managed as an **allowed conflict**, a suitable method of monitoring and managing the allowed conflict will be determined and implemented before the Board Member is free to proceed with, or continue to engage in, the activity or situation. The Chair will issue a written response to the individual and may unilaterally determine the suitable method of monitoring and managing the allowed conflict, or may consult with the Board Member and any other individuals as appropriate to determine what is suitable.

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6. Where an activity or situation is determined to be an allowed conflict, it is the obligation of the Board Member to ensure the conflict remains manageable and to notify the Chair of any material change in circumstances.
 7. A Board Member with an actual or perceived conflict, whether or not such conflict has been determined to be an allowed conflict, must declare the conflict at any Board or committee meeting where the conflict is relevant or may be relevant to the topics of discussion. The declaration will be included in the minutes of the meeting. A Board Member must not take part in any discussion or vote on any matter relating to a conflict and must leave the meeting for the period during which discussion or voting relating to the conflict will occur. The Board Member may be counted for the purposes of reaching a quorum for that meeting.

Gifts and Event Invitations

For the purposes of this section, Gifts and Events do not include:

- normal and nominal Gifts and Event invitations between friends, where unrelated to the Board Member's duties or position with the University,
- Gifts accepted by a Board Member on behalf of the University, or
- attendance at social Events if the social Event is sponsored by a charitable foundation, a not-for-profit organization, the Governor General of Canada, a provincial Lieutenant Governor, any Canada federal, provincial, municipal or regional government or any member of any such government, or a consul or ambassador of a foreign country.

The exception for social Events sponsored by a not-for-profit organization does not apply to not-for-profit organizations constituted to serve management, union, or professional interests, or those having a majority of members that are profit-seeking enterprises or are representatives of profit-seeking enterprises.

Any Board Member who is uncertain if acceptance of a Gift or an Event Invitation is appropriate should contact the Chair, or if the Gift is being offered to the Chair, the chair of the Audit Committee.

If there is uncertainty as to the value of a Gift or an Event, the Vice-President (Finance & Administration) shall have the authority to determine its value.

1. Acceptance of Gifts

- a. Board Members must not accept any Gift directly or indirectly connected with the performance of their Board duties or by virtue of their position as a Board Member if the acceptance of the Gift creates a conflict of interest or the perception of a conflict of interest. Gifts which are not expected to create a conflict of interest are those received as:
 - i. a token received as part of reasonable protocol;
 - ii. a social obligation;
 - iii. a cultural practice;
 - iv. a normal exchange of hospitality between two persons doing business together; or
 - v. as incident for participating in a public Event.
- b. Gifts cannot be in the form of cash or cash equivalents.
- c. Board Members must exercise reasonable discretion in determining whether the acceptance of any Gift is appropriate. A Board Member must never solicit a Gift in connection with their position or duties.
- d. The maximum cash value of any one Gift that a Board Member may accept is \$250.00, not exceeding \$500.00 per calendar year received from a single source.

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- e. If a Gift is also offered to a spouse, adult interdependent partner or minor child in their capacity as a spouse, adult interdependent partner or minor child of a Board Member, the same considerations apply as if the Gift was given to the Board Member directly.
 - f. A Board Member may seek an exemption, in writing, from any maximum valuation set out in this Procedure from the Chair. The Chair may seek an exemption in writing from the chair of the Audit Committee. An exemption may be sought any time before or within a reasonable time after accepting a Gift. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the Gift would be contrary to the principles of this Code. Any exemption granted will be made in writing.
 - g. Should any Gift be accepted of which the cash value exceeds any maximum valuation, and there is no exemption approved, the Gift should be returned to the party who offered it as soon as practical. If returning the Gift is not possible, or would be socially or culturally unacceptable, the Gift shall be surrendered to the Vice-President (Finance and Administration) and become the property of the University of Alberta.

2. Acceptance of Invitations and Attending Events

- a. Board Members must not accept any invitation to an Event, or attend any Event, if the acceptance or attendance creates a conflict of interest or the perception of a conflict of interest. Events which are not expected to create a conflict of interest include those Events:
 - i. where a significant cross-section of Board Members have been invited;
 - ii. where the Board Member pays for their own food, beverages, and all other expenses;
or
 - iii. attended as an incident of the social obligations that normally accompany the Board Member's position at the University.
- b. Board Members must exercise reasonable discretion in determining whether the acceptance of any invitation to or attendance at any Event is appropriate.
- c. The maximum cash value of attending an Event that a Board Member has been invited to, inclusive of any food and beverage, is:
 - i. for the Chair:
 - a. \$1,000.00 per Event, not exceeding \$2,000.00 per calendar year received from a single source, if the Event invitation is from a donor or Friend of the University; or
 - b. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source, if the Event invitation is from any other person.
 - ii. for any other Board Member:
 - a. \$500.00 per Event, not exceeding \$500.00 per calendar year received from a single source.
- d. If the invitation to attend an Event is extended to a spouse, adult interdependent partner or minor child, the total cash value of all tickets received are to be taken into account.
- e. If a Board Member is invited to an Event at which the total cash value of attendance, inclusive of any food and beverage, exceeds any maximum cash value, the Board Member may seek an exemption in writing

from the Chair. If the Board Member invited is the Chair, the Chair may seek an exemption in writing from the chair of the Audit Committee. The party determining whether or not to grant an exemption will act reasonably in the circumstances and will consider the best interests of the University in making a determination. An exemption will not be allowed where there is an actual or perceived conflict of interest or where acceptance of the invitation or attendance at the Event would be contrary to the principles of this Code. Any exemption granted will be made in writing.

- f. Should a Board Member attend an Event at which the total cash value of attending exceeds any maximum valuation set out in this Code, and there is no exemption approved in writing, the cash value of attending the Event, inclusive of any food and beverage, which exceeds the maximum valuation under this Code will be reimbursed by the Board Member to the person/entity who originally covered the cost.

Examples of Conflicts of Interest

The following scenarios may be examples of an actual or perceived conflict of interest which must be disclosed:

- a. A Board Member, who is also an employee of the University, participates in discussions at a Board meeting regarding wages and terms and conditions of staff employment, which they directly draw a benefit from.
- b. A Board Member owns and operates a consulting company that is not directly related to the University but which provides consulting services to the University from time to time.
- c. A Board Member is a director or substantial shareholder of a company which seeks to enter into a for-profit relationship with the University.
- d. A Board Member is offered a volunteer position as the Chair of the board of directors of a local non-profit organization. The non-profit organization and the University are occasionally involved in joint initiatives. If the Board Member accepts the position, this may create a perception of a conflict of interest and as a concurrent appointment to their University Board position, the conflict may need to be disclosed under the Code. The Board Member is encouraged to discuss with the Chair before accepting the other board position.

This is not a closed nor exhaustive list. When in doubt, Board Members should err on the side of disclosure.

F. Political Activity

1. Board Members are not prohibited from engaging in political activity.
2. Board Members engaging in any form of political or related activity must, at all times, ensure that a perception is not created that the political activity is as a representative or otherwise on behalf of the University. Should the Board Member become aware of such perception, the Board Member must immediately rectify it or resign from the Board.
3. Board Members intending to run as a candidate in an election at any level of government must notify the Chair prior to doing so. The Chair will work with the Board Member to determine whether the Board Member must resign from the Board, or take a leave of absence pending the outcome of the election.
4. A Board Member who is elected to a position at any level of government must immediately resign from their position on the Board upon confirmation of their election.

G. Notice Period & Amendments

1. This Code will be submitted to the Ethics Commissioner for review pursuant to section 23.922 of the *Conflicts of Interest Act*.
2. Providing approval has been received from the Ethics Commissioner in accordance with the *Conflicts of Interest Act*, this Code will be made public on the University's website on or before April 30, 2019.
3. The period from the date the Code is made public, until June 30, 2019 will be the public notice period.
4. This Code will be implemented on July 1, 2019.
5. The University reserves the right to amend this Code at any time, including but not limited to:
 - a. On the advice or demand of the Office of the Ethics Commissioner; or
 - b. Where required to ensure compliance with any changes to the *Conflicts of Interest Act*, the *Post-Secondary Learning Act*, or any other applicable legislation or order in council.
6. Any amendment or replacement of this Code will be submitted to the Ethics Commissioner for approval in a manner pursuant to section 23.923(2) of the *Conflicts of Interest Act* and any other applicable provisions or legislation.

H. Administrative

1. Any questions about the interpretation or operation of this Code, where not addressed above, may be addressed to the University Secretary.
2. All matters regarding this Code will be documented and all documents will be maintained as records in a manner consistent with the *Freedom of Information and Protection of Privacy Act* and any other legislation and relevant University policy.