

Item: Senate Minutes, August 1984
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DALHOUSIE UNIVERSITY

MINUTES OF

SENATE MEETING

Senate met in regular session in the Board and Senate Room on Monday, 13 August 1984 at 4:00 P.M.

Present with Mr. W. E. Jones in the chair were the following individuals:

Angelopoulos, Betts, Cameron D.M., Caty, S., Cohen A.D., Cross, Cunningham, Ettliger, Friedenbergl, Geldart, Gigeroff, Holloway, Huber, James, Jones D.W., Kennedy, Kreuzer, Lewis, MacIntosh, MacKay W.A., Martin, McAllister, McNulty, O'Brien D.W.P., Ozier, Paquet, Rodger, Scheibelhut, Shaw L.R., Shires, Sinclair, Stairs, Stern, Stovel, Stewart, Stuttard, Sutherland, Thiessen, Young.

Regrets: Bishop, Chaytor, Friedrich, Fulton, Gaede, Gold, Horrocks, Jones J.V., Tindall.

84:68. Minutes of the Previous Meeting

The minutes of 9 July 1984 were adopted upon motion (Rodger/Angelopoulos). Mr. Rodger noted that Alan Y.K. Wong (not Yung) was a new member of Senate (84:62) and Mr. Gigeroff noted that his name was not listed among those present.

84:69. Question Period

Mr. Rodger shared his understanding that the university regulation regarding an admission deadline of August 1st was to be enforced this year for the first time. He wondered whether discretion was being exercised and asked how many had applied late and had not been admitted. Mr. Betts confirmed the verity of the initial statement and reported that affected students in the Faculty of Arts and Science could appeal to the Admissions Committee. He stated that the August 1 application deadline had been well advertised in the Atlantic provinces. Vice-President Sinclair was asked to obtain the statistics requested with a breakdown according to faculty. Mr. Lewis believed that it would be difficult to provide this information as applications had been refused.

Mr. Gigeroff repeated his query from previous meetings about forthcoming equalization payments, to which Mr. Shaw responded that a provincial government announcement was expected this week.

84:70 Proposed Dalhousie/SMU International Development Studies Major and Honours Degree (APC 84:84, 84:105)

It was moved and seconded (Cross/Thiessen)

that Senate approve the proposed Dal/SMU International Development Studies Major and Honours degree.

The motion carried.

84:71. Reports and Recommendations -- Committees of Senate

A. Steering Committee

1. Policy Regarding Academic Appointments

Ms. Ozier, who had requested that this item appear on the agenda, reviewed chronologically the events leading up to this request, dating from the **Senate Observer's report on 12 March 1984** to the President's letter of 15 June. In particular, she maintained that the sentence "I do not believe that the normal university processes which have been followed in dealing with this matter hold any serious implications for academic policy" in President MacKay's 2 April correspondence and paragraph 3 of the 15 June letter required further consideration. She asked that Senate discuss whether the "unanimity rule" was "known, accepted, good for us", and whether it "impinged on the concept of academic freedom". Ms. Ozier brought to the attention of members the following excerpt in the report entitled "CAUT Fact-Finding Committee on Discrimination or Unfair Hiring Practices in Making University Appointments".

It will also be assumed, however, that since academic freedom is a sine qua non non of all universities, and since academic freedom is endangered by appointment criteria that have no academic justification, and procedures that permit or facilitate the use of such criteria are unacceptable. *

She elaborated by adding that the unanimity rule did not, in her opinion, address itself to academic criteria on performance and was disturbed that the Board had taken no action on an appointment brought to it by the President.

Mr. Ettlinger reported that the Council of the Faculty of Management Studies had discussed this matter and arrived at a consensus that the President should make a policy recommendation and should not be bound by previous policies and positions of the University." This

had been communicated in writing by Mr. Secord, Secretary of the Faculty.

Dr. MacKay indicated that as President, he reported to the Board, not when every appointment was considered, but only when it was recommended. He believed that his most recent letter had clarified the fact that he did not feel absolutely bound by precedent.

Mr. Cross said he found it difficult to separate the specific case from the general issue but maintained that the President should give guidance to the Board and that a unanimity rule, if it existed, should be discussed by Senate. Vice-President Sinclair declared that the reason this case had been reported to the Board was the result of a grievance procedure.

Ms. Ozier, in response to comments from the Chairman and Secretary, purported that the general issue was being raised and that all a grievance did was to bring the "rule" out into the open. Mr. Rodger supported Mr. Cross in his belief that a unanimity principle raised academic questions, including whether the Chairmen of departments had veto power or whether the Dean, who was not necessarily versed in the subject matter at hand, also had veto power. Mr. Kennedy then asked if, in fact, such a "rule" actually existed. Mr. Betts was convinced that the question was not one of rule, but of principle, and suggested that the clause in the collective agreement awarded veto power to a department, if an appointment was not made. He maintained that the Dean and the President, as senior administrators, were responsible for determining if an appointment was appropriate according to established criteria and standards, even if the field was not their own. Dean Betts contended that this was already acknowledged in tenure and promotion and felt that the present appointment procedures, well established by precedent, were satisfactory.

The President knew of no such "rule", in response to Mr. Kennedy's question, and added that some appointments had been made in the past where there was no unanimity. Ms. Allen wondered where one should draw the line in a case where a senior administrator was convinced that a candidate was unqualified, or otherwise inappropriate, between legitimate veto and a personal feud. Mr. Kennedy thought the interpretation by the Dean of departmental decisions as veto power to be inappropriate. He proposed that a Dean and President, if opposed to a departmental recommendation should be called upon to demonstrate the superiority of other-candidates based on academic judgement.

Vice-President Sinclair agreed with Mr. Betts that the present situation was flexible enough to facilitate discussion and consultation about appointments. Mr. Huber suggested that the question of detailed appointment procedures, such as those which currently exist for tenure and promotion, should be referred to a committee, who would, in turn, bring recommendation(s) to Senate.

Accordingly, it was moved and seconded (Huber/Cross)

that the APC be directed to consider the issues raised in this discussion, and

make appropriate recommendations to Senate at the earliest possible date.

Mr. Young, commented that if a Dean was responsible for enforcing criteria, this raised the question of whether appropriate criteria had been set and that unusual circumstances tended to demonstrate weaknesses in procedures. He interpreted the Deans' and departmental heads' role not as veto power, but as ensuring that the departments adhered to rules and criteria.

Mr. Betts reiterated his belief, based on clause 14:10 of the collective agreement, which he quoted, that a veto power was awarded to departments, and maintained that the appointment procedures worked well in the overwhelming majority of cases. Ms. Ozier then proposed a potential resolution to the matter.

She asked that the President confirm, for the minutes of Senate, the quote * from the CAUT report. The President confirmed, that to the best of his knowledge, there was no unanimity rule, and that the President has to make positive recommendations to the Board of Governors. However, he required an opportunity to examine the CAUT general principle before endorsing it for Dalhousie. Mr. Rodger suggested that Ms. Ozier meet with the President to discuss the terminology used, before the next meeting of Senate.

Upon motion (Rodger) the original motion was tabled.

84:72. Matters of Information -- Board Responses

The following matters of information had been relayed by Mr. Tingley, Secretary to the Board of Governors, to the Secretary of Senate:

- Board approval to Integrated Programmes in Education

- Board approval to Reorganization of the Faculty of Administrative Studies as follows:

that a Faculty of Management Studies, comprising the Schools of Business Administration, Library Service, and Public Administration, be established;

that the Institute of Public Affairs and the Office of Part-Time Studies and Extension be merged into a new unit;

that the Maritime School of Social Work become part of the Faculty of Health Professions.

- Board approval to the Implementation of the programme in Oral and Maxillofacial Surgery.

84:73. Report of the President

The President reported, in detail, about several matters of interest to Senate:

- He met that day with the Minister of Education, who had advised that this week MPHEC would have final recommendations regarding funding;
- During July there had been two meetings of the presidents of Nova Scotia universities with the Royal Commission on Post Secondary Education. The Commission had prepared a draft document which raised a number of significant questions for presidents to respond to. He proposed to make his response available to Senate;
- AUCC and other national organizations representatives, including the MacDonald Commission, had under discussion, issues of cultural development, access, and federal-provincial relations with respect to the French-English question.
- The President noted the awarding of major equipment grants of 1.4 to 1.5 million dollars to members of staff at Dalhousie, and had relayed this information to the government, as an indication of the need for support of this level of human resources devoted to research;
- President MacKay conveyed the message that the university campaign, as of 27 July, would seek a goal of 25 million from the private sector for over a 5-year period, to be announced publicly by mid-October. He noted that government support would probably be limited to building projects.
- The Advisory Committees on administrative appointments were progressing, and a successor to the Dean of Law would be announced shortly. An appointment of an Acting Dean, Continuing Education would be made soon, following which the question of the directorship of IDA and PTS would be addressed.
- Dr. Judith Fingard would address the September 8 Special Convocation and had agreed to collate historical information regarding the development of Dalhousie.

84:74. Other Business

The Chairman referred members to Mr. D. P. Cunningham's letter of 8 August 1984, which was distributed at the meeting. As members required adequate notice to consider these nominations, it was agreed that only the urgent matter of an appointment to the Senate Discipline Committee, would be considered at this meeting. Following calls for further nominations, it was **agreed**, upon motion (Cunningham/Gigeroff)

that Mr. Misick be elected to the Senate Discipline Committee.

The Chairman reported that two members were required to replace Messrs. Scheibelhut and George on the University Hearing Committee, whose terms of office had expired. However, there was a case pending which involved the necessity to act immediately. He indicated that

Mr. Scheibelhut and Mr. George could be willing to continue to serve until the Committee on Committees identified nominees for these positions or for one more year.

A motion to this effect was put forward (Cunningham/James) and following three calls for further nominations, the Chairman declared these two individuals elected for the specified time period.

84:75. Honorary Degrees -- Voting (IN CAMERA)

The voting on the three candidates (one additional individual had previously been approved by Senate) took place. The Chairman appointed two scrutineers, Ms. Angelopoulos and Mr. Thiessen.

84:76. Adjournment

The meeting adjourned at 5:25 P.M.