

Item: Senate Minutes, April 1991  
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D A L H O U S I E      U N I V E R S I T Y

M I N U T E S

O F

S E N A T E      M E E T I N G

Senate met in regular session on Monday, 8 April 1991 at 2:00 p.m. in the Senate and Board Room.

**Present** with Ms. P. Lane in the chair were:

Andrews, Angelopoulos, Arklie, Ashley, Barkow, Bérard, Borwein, Boychuk, Bradfield, Breckenridge, Brett, Carlson, R.F. Chandler, Clark, Clovis, Corvin, Curri, Dunn, Easterbrook, Fullerton, Furrow, J. Gray, M.W. Gray, Haffey, Horrocks, Lazier, Maloney, Maguire, McKee, R. McLachlan, Mezei, Munro, O'Shea, Parker, Retallack, Richards, Ruggles, Schroeder, Shires, A.M. Simpson, Singh, Stairs, Stuttard, Sullivan, Surette, J.E. Sutherland, Szerb, Tindall, Walker, Wien, D. Williams, Willison.

**Invitees:** J. Bankier, B.D. Christie, B. Crocker, M. McConnell, D. Ring, C. Robinson.

**Regrets:** Belzer, Eberhardt, Fernandez, Fingard, Gilroy, Gratwick, Haley, Kamra, Klassen, Konok, Pronych, Purdy, Ritchie, Roald, Sketris, M.J. Stewart, M.H. Tan.

The meeting was called to order at 2:06 p.m.

**91:041.**

Minutes of Previous Meeting

The minutes of the meeting of 11 March 1991 were approved upon motion (J. Walker/E. Angelopoulos).

**91:042.**

Nomination from the Senate Committee on Committees

On behalf of the Senate Committee on Committees, Ms.

Angelopoulos nominated the following individual to the bodies named.

INVESTMENT COMMITTEE AND RETIREES' PENSION FUND (BOARD OF GOVERNORS)

I. Fooladi (Management)

Following the requisite calls for further nominations, Ms. Lane declared that Mr. Fooladi's name would be sent forward for approval by the Board of Governors.

**91:043.**

For Information - Draft Revision of the University Governance Document

The Secretary reported that the Steering Committee of Senate had received and had been discussing a revised draft of the University Governance Document (previously circulated). He explained that, in response to a number of requests from members of Senate, the Steering Committee reviewed the existing University Governance Document. The view of the Steering Committee was that this document was sound in its principles but might benefit from editorial revision, clarification of several points, and extension of its principles to several offices which were not covered by or in existence at the time of its drafting. This revised draft is to be discussed further with representatives of the Board of Governors at a forthcoming meeting of the Joint Statutory Committee, originally planned for March, but now scheduled for May 1991. After those discussions have taken place, a final draft of the revised document will be presented to Senate for approval. The Secretary asked that members of Senate examine the draft and communicate any comments, criticisms, questions or suggestions to the Senate Office.

**91:044.**

For Information - Faculty Access to the Committee on the Presidential Appointment

The Secretary reported that a number of members of Senate had expressed concern that they had not been able to meet in

person with the Committee on the Presidential Appointment. Correspondence (previously circulated) on this matter between the Chair of Senate and Mr. A. Shaw, Chair of the Committee, resulted in the Committee agreeing to meet on Monday, 8 April, with persons who had requested an opportunity to appear before the Committee.

Ms. Bankier said that she was concerned that the Committee had indicated its willingness to meet with members of Senate, rather than with members of the faculty or university community as a whole. The Secretary responded that the Chair of Senate had initiated the correspondence with Mr. Shaw in response to requests from members of Senate.

**91:045.**

#### Report of the President

Mr. Clark commented briefly on his report (appended). He noted that, as part of the continuing Role and Capacity exercise, the Council of Nova Scotia University Presidents (CONSUP) had met on 2 April and named a subcommittee to draft a statement of objectives "which would move the Nova Scotia universities towards a more effectively coordinated university system". CONSUP will meet again on 10 April, at which time a meeting with the Minister of Education will take place. Mr. Clark reminded members of Senate of the second set of workshops associated with the Campus Planning process that were scheduled for the week of 8 April. He announced the beginning of renovations to Fenwick Towers and the MacDonald Library Building. Mr. Clark concluded his report by recognizing a number of students and faculty members who had received major awards or research grants.

**91:046.**

#### Question Period

Mr. Singh asked when the report of the Senate Committee on Affirmative Action in Education was likely to come before Senate. The Secretary replied that the Committee was still meeting with various units on campus and that the Senate Office was still receiving responses to the draft document from Faculties. He said that the document could come before

Senate in May or June.

Mr. Brett asked why revisions to the University Governance Document were undertaken by the Steering Committee. The original document, he pointed out, had been prepared by an ad hoc committee. The Secretary replied that the Steering Committee did not believe that the changes suggested or required entailed a major reconceptualisation of the governance process. Mr. Brett said that he thought creating a review process for incumbents prior to a search being undertaken was a major change from the original document.

Mr. Haffey asked if Senate would hear a report from the Committee on the Presidential Appointment. Ms. Lane replied that she had written to Mr. Shaw and had invited him to report to the next Senate meeting.

Ms. Angelopoulos asked why work on the eighth floor of the Biology wing of the Life Sciences Centre had been undertaken at the end of classes and the beginning of the examination period. The noise associated with the work, she said, was all but intolerable. Mr. Clark replied that his experience has been that there is no good time for renovation and building work to be done. The Physical Plant also had a limited time between the time that funding for the work had been confirmed and deadlines for its completion.

Mr. Surette asked why there were no student representatives on the Joint Statutory Committee. Mr. Clark replied that the composition of the Joint Statutory Committee had been established by statute. Either the Board of Governors or the Senate could, if either so chose, appoint one or more of its student members to the Committee.

Mr. Bradfield asked for a report on the proposed parking/athletic facility for the Studley Field area. He asked if the proviso that the project would proceed only after the "identification" of funding meant that funds for the project had to be "committed" to it. Mr. Clark replied that the question was somewhat premature. The project was only under study at this time. A financial plan would have to be in place before the project could proceed, and no financial plan was in place.

Mr. Bradfield asked if there was a conflict of interest in

contracting for legal work with firms, one or more of whose members were also current or recent members of the Board of Governors. Mr. Clark said that the Board had conflict of interest guidelines which prevented members of the Board from serving as legal counsel for the University. He suggested that the University would seriously limit the advice it had available to it if it could not consult lawyers who happened to be members of firms which included persons who sit or have sat recently on the Board. Mr. Tindall asked if the President was aware of the conflict of interest guidelines developed by the Canadian Association of University Teachers. Mr. Clark replied that he was aware of those guidelines.

91:047.

[In camera] Report to Senate of SAAC Hearing Panel Decision

Senate having moved into in camera session, Ms. Lane welcomed Ms. M. McConnell, Chair of the SAAC Hearing Panel whose report (previously circulated) was to be presented to Senate, Mr. R. Sandhu, a member of the Hearing Panel, Ms. D. Ring, counsel for the appellant, Dr. "X", and Mr. C. Robinson, counsel for the Faculty of Medicine. Ms. McConnell provided some background to the Hearing Panel's report. It was moved (M. McConnell/R. Sandhu)

**that the report of the Hearing Panel be adopted  
by Senate.**

Mr. C. Robinson asked that Senate not accept the report of the Hearing Panel. He explained that the appeal arose from three failures by Dr. "X" in clinical rotations undertaken as part of her program in the Faculty of Medicine. Because that appeal had been delayed, agreement had been reached with the Faculty of Medicine to allow Dr. "X" to undertake a fourth rotation, but it was agreed by all parties that the fact of that rotation and its outcome were not to be considered by the Hearing Panel. When the matter was heard by the Hearing Panel, Mr. Robinson said, the Panel, over the protests of the Faculty of Medicine, agreed to a request by the counsel for the appellant to consider the fourth rotation. To ratify the decision of the Panel, he said, would be to undermine and discredit the appeals procedure. He added that the Faculty of Medicine believes that it was not able to put forward its evidence in the case. Finally, an additional ground of appeal

was brought forward in August 1990 related to the status of graduates of non-Canadian medical schools; Mr. Robinson argued that this ground of appeal had not been considered at the Faculty level and, therefore, should not have been considered by an SAAC Hearing Panel.

Ms. Ring expressed her view that Mr. Robinson's remarks did not reflect the facts of the case. She said that the appeal had been adjourned four times. When the Panel did meet, however, it considered its own procedures and addressed all relevant evidence. She said that the major issue before the Hearing Panel and now before Senate was whether the appellant had met the standards required by the Faculty of Medicine.

Ms. McConnell said that the Hearing Panel was guided by Regulations 9 and 13 which called for it to seek orderly and expeditious dispositions of cases before SAAC. The Panel took the view that the dispute between lawyers about the propriety of raising issues which both had agreed earlier not to raise was a matter for the provincial Barristers' Society, not the Hearing Panel. The discussions about the fourth rotation had taken place before a different Hearing Panel; the members of the Panel which heard the case eventually had not known of the arrangements made. Mr. P. Thomas, Chair of the Senate Academic Appeals Committee, said that part of the intent of creating a second Hearing Panel was to ensure that the new Panel would not have knowledge of the agreement. Mr. Robinson said that changing the personnel on the Hearing Panel should not invalidate the agreements that had been made. Ms. Ring said that the first Hearing Panel had been disbanded because of objections from the Faculty of Medicine.

Ms. Angelopoulos asked if the panel had been in a position to make a decision if, as Mr. Robinson had charged, the Faculty of Medicine had not been able to have all its evidence heard.

Ms. Ring said that, on reflection, she concluded that the agreement not to mention the fourth rotation had been ill-advised and that it was unethical to conceal relevant evidence.

Mr. Sullivan asked what options were open to Senate. Ms. Lane replied that Senate could endorse the report of the Hearing Panel, return it to the Hearing Panel with instructions, or return it to the Senate Academic Appeals Committee with a request to strike a new Hearing Panel. Mr. Bradfield asked

what the report was asking the Faculty of Medicine to do. Ms. McConnell replied that the report was asking the Faculty of Medicine to take account of the fourth rotation; the Panel chose not to rule on earlier issues.

The question having been called, the motion to adopt the report of the Hearing Panel was defeated by a vote of 24 to 14, with two abstentions, including Dr. J. Gray.

It was moved (E. Angelopoulos/K. Sullivan)

**that the matter be referred back to the Senate  
Academic Appeals Committee with a request to strike  
a new Hearing Panel.**

Mr. Thomas said that the motion presented certain problems as six of the twelve members of the Committee had already been part of the two Hearing Panels and that all three members of the Committee with legal training had knowledge of or involvement with the case.

Mr. Borwein asked what advice was being given a new Hearing Panel. Ms. Lane said that there was no provision to give advice to a new Panel. Mr. Haffey said that the new Panel should not be restricted.

The question having been called, the motion to refer carried.

Mr. Clark said that he thought that no one could be satisfied fully with whatever decision Senate had reached. He said that he was not sure that he had made the right decision in his votes on the matter, and he expressed the view that Senate was not able to deal adequately in a plenary session with a matter of the complexity of the one it had just heard.

Mr. Andrews asked if the President was troubled that a channel existed for an appeal to the full Senate. Mr. Clark said that Senate could not re-hear the case and was not in a position to discuss the complex procedural questions raised in the documentation provided. He suggested that Senate consider delegating its authority to the full Senate Academic Appeals Committee, as was done in some other universities. If that Committee should err, he said, that matter would end up eventually before the courts. Mr. Stuttard said that Senate has often dealt with controversial appeal cases.



Mr. Sandhu asked if the names of persons voting at this meeting should be recorded and that those voting should be forbidden to serve on any new Hearing Panel created for this case. Mr. Crocker said that he did not believe that Senate had determined the issue to be reviewed by a Hearing Panel and that such a prohibition might not be necessary. He agreed, however, to take the matter under advisement.

**91:048.**

Adjournment

The meeting adjourned at 5:30 p.m. upon motion (A. Singh/J. Barkow).

D A L H O U S I E     U N I V E R S I T Y  
M I N U T E S  
O F  
S E N A T E     M E E T I N G

Senate met in regular session on Monday, 22 April 1991 at 4:00 p.m. in the Senate and Board Room.

Present with Ms. P. Lane in the chair were:

Angelopoulos, Arklie, Ashley, Bankier, Barkow, Belzer, Bérard, M. Binkley, E. Boychuk, Bradfield, Brett, Burns, Carlson, R.F. Chandler, Clark, Clarke, Cross, Curri, Densmore, Dykstra, Easterbrook, Field, Fournier, Gilroy, Gratwick, Gupta, Haffey, Johnson, Keast, N. Kemp, Kirk, Kwak, Longard, Lutley, Mackinnon, Maloney, Manicom, M.J.C. Martin, Mazany, McKee, McNiven, J.D. Myers, Parker, Retallack, Richards, Ruggles, Ryall, A.M. Simpson, Singh, Stairs, M.J. Stewart, P.N. Stewart, Stuttard, Sullivan, J.E. Sutherland, Tamlyn, Tindall, Walker, D. Williams, Willison, Zakariasen.

Invitees: B.D. Christie, B. Crocker, J.G. Forgeron, A. Shaw, M. Shepherd, J. Spurr, A. Unruh.

Regrets: Borwein, Carruthers, A.D. Cohen, Corvin, J. Gray, Haley, Konok, Munro, Purdy, Ritchie, Roald, Sketris, M.H. Tan, Wassersug, C.N. Williams.

The meeting was called to order at 2:06 p.m.

**91:049.**

Proposed MLIS/LLB Program

Mr. Barkow reported that the Senate Academic Planning Committee had considered the proposal to offer an integrated program leading to the degrees of Master of Library and Information Sciences and Bachelor of Law (previously circulated) and had recommended its approval to Senate. Mr.

Carlson added that the Senate Financial Planning Committee had also considered the proposal and found that it would not require additional resources. It was moved (J. Barkow/R. Carlson)

**that Senate approve the proposed integrated MLIS/LLB program.**

Ms. Ashley expressed the support of the Faculty of Law for the proposed program, noting that similar programs were already in place with the School of Public Administration and the School of Business Administration.

The question having been called, the motion carried.

**91:050.**

#### Role and Capacity Exercise

President Clark gave a short review of the Role and Capacity exercise, which has involved all of the universities in Nova Scotia. He explained that the responses of each university to a call for statements of roles and planned capacities had been analysed by the Nova Scotia Council on Higher Education, which had, in turn, developed a series of recommendations for study by the universities. These recommendations have been under study by the various institutions and by several inter-institutional task forces. At the same time, the former president of St. Francis Xavier University, Rev. Gregory MacKinnon, has been working as a facilitator for the discussions.

Mr. Clark said that the Council of Nova Scotia University Presidents (CONSUP) had met recently with the Minister of Education, Mr. Giffen (PC Truro-Bible Hill). Mr. Giffen has confirmed his commitment to the process and reported that Premier Cameron has indicated his support for further rationalization in higher education in Nova Scotia. Rev. MacKinnon has advised CONSUP that he will produce a general set of recommendations for such rationalization by the end of April, and it is expected that the institutions of tertiary education should be able to agree to this plan, or to an alternative plan, by the end of September. Nearly all of the areas that will be addressed, with the exception of home

economics, involve Dalhousie in some way.

Ms. Lane then called representatives from the various task forces and working groups for a report on their activities.

Mr. Willison, Associate Dean of Graduate Studies, explained a report (appended for those not present) on graduate studies. The report recommended province-wide reviews of master's programs in chemistry, computer science, and clinical psychology, the phasing out of independent master's programs in economics at Acadia, philosophy at St. Mary's, and physics at St. Francis Xavier, and wider cooperation in graduate studies. A key element in securing such cooperation will be the establishment of criteria for membership in the Faculty of Graduate Studies at Dalhousie.

Ms. Curri, the Registrar, gave a brief report (appended for those not present) on agreement reached among the province's registrars on transfer of credit between institutions. Mr. Stuttard asked if the registrars at each institution would determine the number of credits that could be brought into a program. Ms. Curri replied that such a decision would be an institutional one. Mr. Singh asked if grades earned in courses which were transferred would be recorded. Ms. Curri replied that grades earned in courses taken on a letter of permission would be recorded on the transcript, but grades earned in previous academic work would not be so recorded. Mr. Myers asked if there was consensus on the principle that students could have 50% of their credit requirements in transfer credits. Ms. Curri replied that there was some disagreement on this point, as some institutions were prepared to allow up to 75% of credit requirements to be made up of transfer credits.

Mr. J.C. MacKinnon, Chair of the Department of Engineering, presented two reports (appended for those not present) outlining agreements reached by a committee of directors of engineering programs. Ms. Angelopoulos noted that, at a time when Dalhousie, TUNS, and others were discussing rationalization in engineering programs, Mount St. Vincent University was attempting to institute a new engineering program.

Mr. J.D. Myers, Dean of Henson College, explained that a task force on continuing education and extension studies had been

given a reporting date of 30 June 1991. He said that continuing education would be particularly important to the exercise. Human resource development will be served better by the creation of specific educational programs for adults than by the proliferation of undergraduate courses. The task force was currently discussing the idea of a secretariat to address system-wide approaches to continuing education, including distance education. Mr. Myers pointed out that, without inter-institutional cooperation, the continuing education enterprise would suffer.

Mr. McNiven, Dean of the Faculty of Management, reported on several meetings which had been held to discuss the area of business education. He pointed out that although several universities in Nova Scotia have business programs (and while there are business-related programs at Mount St. Vincent University in Halifax) only business programs at Dalhousie and St. Mary's have been under discussion. He noted that both programs are growing and financially viable, adding that, at Dalhousie, the School of Business taught 10% of the University's students with 3%-4% of the University's faculty. He expressed the view that proposals to combine the business schools constitute the first step in plans to create a single Halifax university. Mr. McNiven said that Dalhousie had been prepared to discuss various arrangements with St. Mary's, but all proposals were being resisted by St. Mary's.

Mr. Clark said that he understood that there was feeling in government circles that there should be one business school in Halifax and that it should be located at St. Mary's. Mr. Gratwick asked how the programs compared in size. Mr. McNiven replied that St. Mary's had about 2000 students, while Dalhousie had about 1000, but that Dalhousie's M.B.A. program was the larger. Mr. McNiven said that one of Dalhousie's proposals was for differentiated B.Comm. programs -- with Dalhousie offering the B.Comm. (Cooperative Education) program -- and for greater cooperation between universities in graduate studies. This had not been warmly received at St. Mary's. Mr. Stuttard asked who were the persons in government to whom the President had referred. Mr. Clark said that the body included both politicians and some civil servants.

Mr. Sullivan, Director of the School of Education, presented a brief report (appended) which summarized a longer report -- which had just been submitted to CONSUP -- from the Heads and

Deans of Education in Nova Scotia on the subject of teacher education programs. He noted that there was general agreement in favour of greater cooperation among all institutions. Further agreement had been reached with respect to means for improving standards in teacher education programs and requiring a research component in graduate degree programs. Finally, there was agreement by all but one institution that teacher education should be conducted in an academically diverse setting and operate at "arm's length" from government; the Nova Scotia Teachers College, operated by the provincial government, dissented from this recommendation.

Mr. N. Kemp, representing the School of Recreation, Health, and Physical Education, presented a report on "Physical Education and Higher Education in Nova Scotia" (appended) which had been submitted to CONSUP in January. He summarized the major recommendations, including a recommendation that enrolment limits in teacher preparation programs in physical education should not be increased and that no new programs be introduced.

Mr. P. Ryall, Chair of the Department of Geology, presented a report (appended) on "Rationalization of Geology Departments". He noted that there was general agreement -- with the exception of St. Mary's University -- that Dalhousie should offer geology at all levels, one other university should offer a full undergraduate major in geology, and that service courses in geology be offered at two other universities. Mr. McNiven asked if the geology program at Mount Allison University had been discussed as well. Mr. Ryall said that only programs in Nova Scotia had been discussed.

Mr. P. Keast, representing the Department of Mathematics, Statistics, and Computing Science, reported that the area of computing science had been discussed amongst various departments, but that no consensus had been reached. In fact, there had been strong resistance on the part of other institutions to proposals for collaboration. He indicated that he thought the matter had been under discussion by the Vice-Presidents. Mr. Clark said that the Nova Scotia Council on Higher Education has suggested that Dalhousie and Technical University of Nova Scotia initiate discussions on cooperation in computing science. Mr. M. Shepherd noted that a recent meeting of Senate at TUNS was told that all third and fourth

year courses in computing science will be transferred to TUNS, and he outlined several objections to such a division of activities.

Ms. Tamlyn, Director of the School of Nursing, reported that there had been no activity relating to nursing education undertaken by CONSUP, but she noted that a Task Force on Nursing in Nova Scotia, on which Dalhousie had representation, had been established in February. She added that the provincial nursing association had developed a position paper offering a number of suggestions for cooperation in nursing education.

**91:051.**

Report of the Committee on the Presidential Appointment

Ms. Lane welcomed Mr. Allan Shaw, a member of the Board of Governors and Chair of the Committee on the Presidential Appointment. Mr. Shaw described the review process it undertook, provided a summary of its findings relating to the accomplishments of President Clark's first term of office and the major problems that remain to be addressed. He noted that the Committee had proposed an agenda for the President and the administration, one which concentrated on maintaining quality through academic planning, improving human relations and communications, as well as labour relations in the University, addressing financial needs through improved external relations, and promoting collegiality through the University's structure.

The Committee, reported Mr. Shaw, had recommended, by a majority of 5-2, that President Clark be offered re-appointment for a further term of two years, from the end of his current term until 30 June 1994. The recommendation would be presented to a meeting of the Board of Governors, which was to follow at 4:00 p.m. Mr. Shaw noted that the Committee had provided a more detailed report to President Clark, according to its terms of reference, and would be pleased to provide continuing advice to him on the implementation of the agenda outlined above.

Mr. Bradfield asked if the Committee had addressed the relationship of the Administration to the Senate. Mr. Shaw

said that that question had been covered in discussions with the President. Mr. McNiven asked if the recommendations took into account the financial position of the University. Mr. Shaw said that the Committee was well aware of the financial situation. Mr. Haffey repeated an earlier objection to linking reviews and reappointments, arguing that a full search should be undertaken at the end of each term of office. Mr. Barkow thanked the Committee for its efforts on behalf of the University.

**91:052.**

Adjournment

The meeting adjourned at 4:45 p.m. upon motion (E. Angelopoulos/J. Barkow).