

Item: Senate Minutes, November 1997

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DALHOUSIE UNIVERSITY

***APPROVED* MINUTES**

OF

SENATE MEETING

Senate met in regular session on Monday, 24 November, 1997 at 4:00 p.m. in the University Hall, Macdonald Building.

Present with Mr. C. Stuttard in the chair were the following:

Adams, Apostle, Archibald, Bell, Bleasdale, Boychuk, Bradfield, Cameron, Camfield, Coffin, Connolly, Crocker, Cunningham, Egan, Farmer, Fooladi, Furrow, Gantar, Guppy, Hooper, Hyndman, Kay-Raining Bird, Kay-Raining Bird, Kipouros, Lacey, Lee, MacDonald, MacInnis, Maloney, McIntyre, Moore, Myers, Patriquin, H. Powell, Rathwell, Ricketts, Robertson, Russell, Ryall, Scassa, Siddiq, Slonim, Taylor, Thompson, Tindall, Traves, Ugursal, Wallace, White, Wrixon.

Regrets: Binkley, C. Powell, Ross, Rosson, Ruedy.

97:168.

Adoption of Agenda

The agenda was adopted as circulated.

97:169.

Minutes of Previous Meeting

At item 97:165, page 9, paragraph 2, last sentence, "belief" was changed to "believe". At item 97:165, page 9, the second sentence of paragraph 5 was changed to read, "Mr. Maloney suggested that the mover of the motion might consider including some advice on how the current issues could be dealt with if the Committee were disbanded." Mr. Maloney had not intended to move the second motion set out on the agenda. Mr. Stuttard apologized for the Chair and Secretary's too broad interpretation of his remarks. The minutes of the meeting of November 10, 1997, were adopted as amended.

97:170.

Results of the voting for the Vice-President (Academic & Research) Search Committee and the University Librarian Search Committee

Ms. Bleasdale formally announced that the following individuals had been elected by Senate to serve on the Search Committee for the Vice-President (Academic & Research):

Anne Higgins (FASS/English)

Judith Ritchie (Health Professions/Nursing)

Colin Stuttard (FS/Medicine/Microbiology & Immunology)
Chris Watts (Engineering/Joint Agricultural and Mechanical)

Ms. Bleasdale formally announced that the following individuals had been elected by Senate to serve on the Search Committee for the University Librarian:

Elaine Boychuk (Acting University Librarian)
Wai-Choong Foong (Dentistry/Senate Library Committee/Senate Committee on Information Technology)
Graham Morgan (Chair, Senate Library Committee)
Helen Powell (Librarian Senator)

Mr. Adams moved (seconded by Mr. Bradfield):

That the ballots from the vote for the membership of the Search Committees for the Vice-President (Academic & Research) and the University Librarian be destroyed.

The motion was CARRIED.

At the request of Ms. Bleasdale, Mr. Bradfield moved (seconded by Mr. Crocker):

That ballots from the vote for members of SAPBC, September 8, 1997, be destroyed.

The motion was CARRIED.

97:171.

SAPBC Subcommittee on Banner and "R" classes.

Ms. Bleasdale reported that at its meeting on 17 November, 1997, the Senate Academic Priorities and Budget Committee had struck a Subcommittee which would look specifically at the pedagogical implications of the proposed elimination of "R" classes; she hoped it would bring back to SAPBC and Senate a recommendation with which we could all live relatively comfortably. The Committee brought together individuals from various segments of the University. Representatives of those directly affected by the proposed change included Mr. Chris Adams (DSU President/Senator); an additional student representative (chosen by the students); Ms. Marian Binkley (Sociology and Social Anthropology/Senator); Ms. Melissa Furrow (English Department/Senator); and Mr. David Tindall (Physics/Senator). Representatives from the Registrar's Office included Ms. Gudrun Curri (Registrar) and Ms. Mary MacGillivray (Associate Registrar). Two individuals with hands-on experience in working with implementing Banner, and who could provide technical computer expertise and knowledge of the capabilities of the Banner suite were Ms. Virginia Lee (Project Manager for Banner) and Mr. George MacLennan (Database Manager for Banner). The Secretary of Senate would chair the Committee. Key Resource Persons, with whom communications had already begun, included Mr. Warwick Kimmins (Vice-President, Academic & Research) and Mr. Brian Mason (Vice-President, Finance & Administration).

Ms. Bleasdale was grateful to those who had agreed to serve on this Subcommittee, particularly to the students for whom this was an unusually stressful time of year. In addition, she thanked all

who had forwarded questions and suggestions on the “R” term problem. The larger issues raised by some members would not be forgotten. Ultimately, Senators would receive a full response to their questions. She trusted that for the next two weeks, however, Senators would understand that the Committee needed to focus on finding an immediate resolution to the issue of “R” term classes and Banner. Two meetings were already scheduled during the next ten days. She believed that if we approached this problem with flexibility and civility we would find a solution.

Mr. Wainwright (English) reported on phone conversations with individuals at Sir Wilfrid Laurier University, where Banner had been in place for eight years. After speaking with the Academic Vice-President, and the individual in the Registrar’s Office who had helped implement Banner, it was Mr. Wainwright’s understanding that Banner readily accepted the definition of an eight-month term, along with two four-month sub-terms. The Registrar’s Office had been prepared to proceed with this arrangement; but the Business Office had decided it no longer wished to deal with students’ tax and registration problems over a full year period. The Registrar’s Office had been forced to back down. However, R classes had been designated A/B, and students were advised that they were enrolling in a full-year class; and the system had accepted the grade “IP” at the end of the first term. Mr. Wainwright suggested that more extensive consultation with an institution such as Sir Wilfrid Laurier might have obviated the need to bring to Senate a volatile motion to abolish “R” classes. Ms. Curri responded that the Committee had consulted with Sir Wilfrid Laurier, and had been given information similar to that received by Mr. Wainwright. However, by modifying their system, the University had been forced to reconsider and rewrite most of its rules, to accommodate up-dates of Banner.

Ms. McIntyre noted that it would have been appropriate for a member of the Faculty of Health Professions to serve on this subcommittee. Almost every professional course of study in the Faculty of Health Professions was based on the “R” term; and while her Faculty had thought they could and would be able to restructure their curriculum, this was a huge issue for them. Faculty had been excluded and wondered if their creativity could help this group as well. Mr. Stuttard assured Ms. McIntyre that the subcommittee would look forward to creative input from Health Professions. Mr. Ugursal asked whether Banner had already been purchased, and if so, when. Also, had the University known about the “R” course problem prior to finalizing the deal? Mr. Traves did not know the precise dates of the financial transactions; but the University had bought the Banner suite. It had been purchased on the assumption that it could accommodate two types of classes, full-year and half-year.

97:172.

Motion to Abolish the University Committee on the Environment

Mr. Stuttard referred to his email, dated 13 November, 1997, in which he had informed Senators that the Chair had erred in not reminding members that the Steering Committee’s motion for Senate to adopt new terms of reference for the University Committee on the Environment was a motion to amend the Constitution of Senate, and as such required a two-thirds majority in favour in order to be adopted. The failure to achieve a two-thirds majority meant the motion had been lost, and the terms of reference of the UCE remained unchanged. The motion to abolish the UCE would likewise be a motion to amend the Senate Constitution, and would require a two-thirds majority to be adopted.

Mr. Cameron indicated that he wished his motion to be amended to incorporate the second motion, erroneously attributed to Mr. Maloney. Mr. Cameron moved (seconded by Mr. Lee):

That the University Committee on the Environment be abolished; and that the functions previously assigned to the University Committee on the Environment be included in the terms of reference of the Senate Physical Planning Committee.

Mr. Cameron explained that this motion had grown from the attempt at the previous meeting to resuscitate the UCE, a Committee dormant for at least two years. The type of issues members had suggested should be dealt with by UCE could be accommodated readily by SPPC. Mr. Bradfield spoke as Chair of SPPC, a Senate Committee which had itself survived a recent attempt to eliminate it. SPPC now had a heavy agenda, and additional responsibilities would diminish the Committee's ability to fulfil its present mandate. He also believed an independent committee on the environment should be in place to address the broad range of issues outside the scope of SPPC's mandate. Mr. Crocker could envision environmental issues which would be beyond the mandate of SPPC, such as a class working with an animal material which had a virus which spread throughout several classes. Mr. Stuttard clarified that the University Health and Safety Committee could deal with some of those types of issues.

Mr. Ricketts accepted that SPPC made decisions which had an environmental impact; however, it could not take on a broad, integrated approach to the University as an ecological system. The environment was crucial to every aspect of Dalhousie's life, from our internal functions of teaching and research to our responsibilities as a public institution. The annual audit, which had at one point been part of the Committee's responsibilities was particularly valuable. Rather than pull UCE off life support, the appropriate University bodies should take steps to ensure it functions effectively. Mr. Myers saw no likelihood that issues concerning the environment would go away. They continued to redefine the way we looked at the world, and our own University. Abolition of UCE would be a regressive step, at a time when Dalhousie was promoting its image as a progressive institution. Mr. Myers referred Senators to the General Principles of the Senate Constitution, including the Statutes of Nova Scotia which gave Senate its responsibility for the internal regulation of the University. If the motion were defeated, we would be left with a Committee of potentially 28 historically truant members; and he hoped a future meeting would entertain a re-submission of the revised terms of reference proposed at the last Senate meeting.

Mr. Ryall reminded members that in supporting this motion they would not be voting against the environment, but against a defunct Committee. Health and Safety issues were dealt with by another Committee; environmental issues related to new and old buildings were best handled by SPPC. On a broader level, environmental issues needed to be integrated into the decision-making process of all our Senate Committees. Mr. Taylor expressed concern that even were UCE revived Senators would be left with the larger issue of how the Committee would function in relation to other Committees, and whether it could or should be the vehicle for coordinating environmental issues between and among the various University Committees and areas of the Administration. Mr. Lee had heard nothing which would change his position that the functions of UCE could be transferred to SPPC. Senators were approaching the role and function of UCE from a variety of overlapping perspectives. Personally, he believed it would be inappropriate for a Senate committee to address the environment as an issue external to the University. He was pleased with the student's commitment to this Committee, but concerned that commitment might not be sustained. The Senate Committee on Instructional Development, for example, lacked student input.

Ms. Guppy was not in favour of abolishing the UCE; however, were it abolished, she wondered whether the Physical Planning Committee should then be renamed the Environment and Physical Planning Committee. Mr. Cameron reminded Senators that the earlier proposal for new terms of reference had received the support of only fifty percent of Senators, and only after the Chair had voted to break a tie. That suggested Senators were less than enthusiastic about maintaining UCE. If this motion failed, Senate would be left with a Committee which did not meet, and which had unacceptable terms of reference. It would be better to secure the responsibility for the environment within a Committee whose mandate encompassed major aspects of the environment. Perhaps the Chair of SPPC could strike a subcommittee to deal with environmental issues. Mr. Ricketts recalled that at the last meeting discussion had focused on whether the UCE should be abolished, and not on the proposed changes which might have made the Committee viable. He believed that were this motion defeated Senators would be more favourably disposed toward creating a Committee on the environment which could work.

On a vote of thirty-one in favour and sixteen opposed, the motion was LOST.

In response to Mr. Ricketts' suggestion that the proposed revised terms of reference presented at the last meeting be presented again to Senate, Mr. Stuttard explained that Senate had defined session as one year so that we did not normally reintroduce failed motions such as this until the membership of Senate had changed. However, the Steering Committee could look again at the proposed terms of reference of the Committee, and bring forward a modified version of the motion considered at the last meeting.

97:173.

Recommendations from the Report of the Dal/Tech Amalgamation Subcommittee on Undergraduate Regulations and Processes

Mr. Stuttard explained to Senators that, owing to a clerical error, only the last two of the eight items contained in the draft minutes of the Special SCAA meeting of 29 October, 1997, had been sent with the agenda for the meeting. The blue sheets circulated today contained the complete draft minutes. Given the amount of information to be absorbed, the Chair suggested that the Report and recommendations in the draft minutes be considered as if in Committee of the Whole for up to thirty minutes, and that motions be deferred until the December 8th meeting of Senate. Members agreed, and after approximately five minutes the formal agenda was resumed.

97:174.

Proposal for an InterUniversity Linguistics Program

On behalf of SAPBC, Ms. Bleasdale moved:

That the proposed InterUniversity Undergraduate Program in Linguistics be approved, with the following condition: that the sum of \$1000 be transferred per year per University to the Library/ies to cover the cost of necessary library acquisitions, with Dalhousie's contribution coming from the Faculty of Arts and Social Sciences.

Ms. Bleasdale noted that the Faculty of Arts and Social Sciences had forwarded to Senate Office

confirmation of its agreement to the terms attached to the proposed program.

The motion was CARRIED.

97:175.

University Governance Document, Sections 2 and 7

On behalf of the Senate Steering Committee, Mr Stuttard moved:

That Senate adopt the revised (October 16, 1997) Draft Sections 2 (President) and 7 (Associate Principal) of the "University Governance" document (September 11, 1997).

Mr. Patriquin raised his earlier objection that the process set out should be more transparent. He appreciated that the Committee had attempted to strike a compromise on the issue of confidentiality; however, he found troubling the provision that even when all short-listed candidates agreed to meet with members of the University community "this step [was] not required if the search committee deem[ed] it to be deleterious to the process of finding or selecting the best candidate for the position." The provision suggested and would compound feelings of mistrust which were directly related to the problem of representation on the Review/Search Committees. At the beginning of a search process, candidates might not wish their identities to be revealed. But once a short list had been drawn up, he would have hoped no candidate would find it embarrassing to be under consideration for the position of Dalhousie's President.

Ms. McIntyre noted that the second paragraph of 2.4 appeared to violate one of the principles on which the Board had insisted. Senate's earlier discussion of the composition of the Review Committee for the President had revealed the Board's desire to ensure that its representation was at least equal to the representation from all other constituencies. Consequently, the student member on the Review Committee was a non-voting member. The provision for a Search Committee comprised of six members chosen by Senate, six chosen by the Board, and two by the students, would not guarantee the balance of representation desired by the Board. Ms. McIntyre suggested that the students on the Search Committee be non-voting members, to avoid provoking the Board. Mr. Stuttard believed the composition of the Search Committee posed no problem for the Board. It was the same composition used for the Search Committee which had selected the current President. That being the case, Ms. McIntyre thought students should get a vote on the Review Committee also, since she believed the principles for creation of the Review Committee and the Search Committee should be the same. Ms. McIntyre also questioned the import of the final statement in 2.4 which called for an *in camera* presentation of the candidate to Senate, prior to the forwarding of the recommendation for appointment to the Board. Was this intended as a means of giving Senators advance information on the recommendation, or an opportunity for Senators to express their position on the recommendation or their lack of confidence in the Search Committee's decision? If Senate had no power to influence the decision at that point, might not this part of the procedure delay the Board's deliberations, at a point when time-lines would be tight?

Mr. Traves believed the Board was comfortable with the proposed composition of the Search Committee, though in a review of a sitting President the Board wanted to maintain equity or equality of representation. What might appear inconsistent could be explained by the fact that the Board desired equity in representation in those circumstances in which it was bound to accept a committee's decision. When only being given a recommendation, the Board was prepared to accept an imbalance. On the question of candidates' participation in open sessions, and the broad issue of confidentiality, past experience and the advice of search consultants suggested that the best

candidates might not apply for a position if the search process threatened to embarrass them, or jeopardize their position at their home institution. We needed to see the process from the candidate's point of view. On the issue of the candidate's appearance before Senate, Mr. Traves thought the Committee was attempting to address a perception that Senators wished to be informed of the recommendation going forward. But the appointment was the right of the Board, on the advice of the Search Committee. Senate would receive information, not vote on the recommendation.

Mr. Ugursal saw no benefit in two separate procedures, one for a review, and the other for a search. A sitting President who wished to continue in his/her position, could compete with the rest of the candidates. That would ensure the University appointed the best candidate. Mr. Ugursal also wished that the short list be made public, in order to forestall the problems created by founded and unfounded rumors, which could be more damaging to the process than secrecy.

Ms. Bleasdale had indicated previously that she was troubled by the concept that the Board was willing to have non-equity in membership on a committee, only when it was receiving a recommendation on which it did not have to act. The proposed procedures for review effectively put the President beyond the reach of any body but the Board, with the result that a President who had not served the faculty and students could be reappointed because he/she had satisfied the Board. The President served the Board, the faculty, and the students. Ms. McIntyre's suggestion that the students be given a vote on the Review Committee would be a step towards recognition of the President's responsibility to the entire University community.

The question was called. Mr. Traves registered his abstention.

The motion was CARRIED.

Mr. Ugursal moved (seconded by Mr. Tindall):

That the results of the vote be recorded.

The motion was CARRIED.

The result of the vote was 27 in favour, 12 against.

97:176.

Change in Title of "University Governance" Document

Ms. McIntyre moved:

That the title of the "University Governance" document be changed to "Dalhousie University Administrative Appointments: Policy and Procedures Concerning Appointment, Review and Reappointment of Senior Administrators.

In response to a question from Mr. Ricketts, Mr. Stuttard clarified that the document included all Senior Administrators, including the Vice-President (Finance & Administration).

The motion was CARRIED.

97:177.

Report of the President

The President noted recent achievements of individual members of the University community and positive developments for the University as a whole. As the result of a recent successful application to the Whitaker Foundation, an American Foundation supporting bio-medical engineering in North America, the University had received a three-year grant of \$1.2 million (Canadian). The grant would facilitate introduction of a new Masters degree in bio-medical engineering, an interdisciplinary program across many Faculties. It would also allow for the creation of a Research Centre, and provide funding for three academic appointments to support the initiative. The President congratulated Professor Michael Lee, and the significant number of colleagues from Medicine, Engineering, Dentistry, Science, and the Business School, who had been instrumental in the success of this venture. This was a demonstration of the broadening of our post-amalgamation capacity to pursue such academic endeavors. Secondly, Mr. Traves congratulated Professor Mary Anne White, recently named to the Board of Directors of the Canadian Foundation for Innovation, a body which would be important to future research at Dalhousie.

The President also informed Senators of the results of a recent assessment by the Canadian Council on Animal Care. After a site visit in June, 1997, the Council had issued a Report setting out a number of recommendations which Dalhousie would pursue. The Report commended the administration of Dalhousie for its support of the animal care and use program, particularly through the upgrading and construction of facilities. It applauded the technical, professional and scientific staff for their efforts in maintaining the high quality of the animal care and use program. Specifically, it commended Dr. C. Harvey-Clark, Dr. S. Craig and Dr. J. Downie for their work in establishing an excellent animal care and use program, and the members of the University Committee on Laboratory Animals for their commitment and their excellent work

Finally, the President informed the meeting that Dalhousie had signed a recent agreement to participate in a joint program, the Canadian University Study Abroad Program, which was headed by Queens University. Other participating Universities were Toronto, Western and UBC. The program would enable a small number of students to study in England for a term or a full year.

97:178.

Question Period

Mr. Ugursal reminded the President that during discussions leading to Amalgamation, TUNS had received verbal assurance that Amalgamation would not compromise the Institution's access to funding agencies. Specifically, members of TUNS had been assured that DalTech would continue to have individual membership in the AUCC. Continuing membership was vital because it would allow DalTech to submit individual proposals to CIDA. TUNS had had a successful history in securing millions of dollars from CIDA, and Mr. Ugursal saw no reason to believe this would not continue with DalTech. However, he had been informed this past Tuesday that the President had blocked DalTech's individual membership at AUCC, despite the fact that AUCC had no objection to maintaining that individual membership. Holding individual membership would not disadvantage Dalhousie. But not doing so would disadvantage both DalTech and Dalhousie. Why had the President obstructed such membership, despite assurance that this would not be the case? Mr. Traves pointed out that he had not obstructed individual membership but had forwarded the

required proposal and documentation to AUCC. When AUCC had learned that DalTech did not have a separate Board of Governors, did not receive a direct grant from the Provincial Government, and did not have an operating Senate, AUCC had decided that DalTech was not an autonomous institution, and therefore not entitled to membership. Faculty members would still have access to AUCC programs. For AUCC, the issue appeared to have been one of preferred, or duplicate, access to funds. Mr. Ugursal responded that this contradicted what he had learned from Principal Ted Rhodes. Both Mr. Ugursal and Mr. Traves wished that Mr. Rhodes had been present and able to clarify the conflicting interpretations of this matter. Apparently, it was the Principal's understanding that AUCC had not been opposed to individual membership.

Mr. Lacey asked about the Nova Scotia Council's funding simulation, which he understood had been completed. His experience had been that Dalhousie had been under fire from the other ten institutions within the province. Did Mr. Traves anticipate good or bad news in the final report? Mr. Traves agreed that Dalhousie had been under attack, and he was concerned about what the final Report would recommend.

Mr. Faulkner noted that a few weeks earlier, after considerable deliberation, the Faculty of Arts and Social Sciences had approved a motion to the effect that the principles of accountability and collegiality required that the section of the renamed University Governance document relating to the appointment of Deans be revised. Had the motion been reported to Senate? Mr. Ugursal noted that at a previous meeting he had moved a motion reported by the Dean of that Faculty, calling for Senate to rescind those sections of the document already passed. It had been defeated. Ms. Bleasdale indicated that Senate Office had received a communication concerning a different motion to which Mr. Faulkner referred. However, the motion had been interpreted as an internal Faculty matter. It had not been phrased as a motion which could come to the floor of Senate, but rather as an instruction to the Senators for the Faculty of Arts and Social Science to vote and lobby in a particular way.

97:179.

In Camera. Report of the SAAC Hearing Panel

Mr. Stuttard asked all non-Senators to leave, and the meeting went *in camera* to consider the Report of the SAAC Hearing Panel.

Mr. MacInnis moved:

That the decision of the hearing panel be ratified.

The motion was CARRIED.

97:180.

Adjournment

The meeting adjourned at 5:45 p.m..

"Truth lies within a narrow, uncertain compass; but error is immense."