

Item: Senate Minutes, December 2001
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DALHOUSIE UNIVERSITY
APPROVED MINUTES
OF
SENATE MEETING

SENATE met in regular session on Monday, December 10, 2001, at 4:00 p.m., in University Hall, MacDonald Building.

Present with Mr. Mo El-Hawary in the chair were the following:

Binkley, Bleasdale, Bowie, Bradfield, Breckenridge, Brett, Caldwell, Caley, Cochrane, Coffin, Cunningham, Downe-Wamboldt, Downie, Elder, Fraser, Galarneau, Guppy, Hart, Huebert, Jalilvand, Kwak, B. MacDonald, N. MacDonald, MacInnis, Maes, McGrath, McIntyre, Moore, Neumann, O'Mara, Rajora, Rowe, Savoy, Schroeder, Scott, Scully, Slonim, Sommerfeld, Starnes, Tindall, Ugursal, Watters.

Regrets: Ben-Abdallah, Corke, Coughlan, Egan, Emodi, Saunders, Schwarz, Tracey, Traves, Whyte.

Invitees: B. Crocker, K. Crombie, D. Dennison

The Chair wished everyone a happy holiday season.

2001:146.

Adoption of Agenda

The agenda was adopted as circulated.

2001:147.

Minutes of the Previous Meeting

Mr. McGrath moved:

That approval of the minutes of 26 November, 2001, be deferred until the first meeting of the year 2002.

The motion was **CARRIED**.

2001:148.**Space in Classrooms**

Mr. Scully spoke to the issues raised by Ms. Bowie at the previous meeting concerning the adequacy of classroom space in more than one Faculty. Mr. Scully reviewed the current procedures for assigning classroom space, emphasizing the dependence of the Registrar's Office on the initial submission of information concerning offerings and anticipated enrolments and subsequent monitoring of actual enrolments by Departments, Schools, and Faculties. Of the nine classes identified on the list provided by Ms. Bowie, the official enrolment in five was less than the room capacity, and only in one of the remaining four was there a marked gap between enrolment and room capacity. Additional chairs had been placed at the front to accommodate students in that class. Apparent problems in other classes might be the result of a variety of factors: students in multi-section classes might be attending sections in which they were not enrolled; students arriving late might be reluctant to disrupt class by taking the available seats; professors and students sometimes preferred a location or classroom and overrode the assigned room; and professors and students sometimes moved chairs about to increase capacity. Matching actual enrolment with room capacity was important, and the matter would be explored further. The current year had seen additional pressure on capacity.

In her experience, Ms. Galarneau had observed that the lack of room capacity might only become apparent when all students attended to write a test or hand in an assignment. Some professors also signed in students above the enrolment capacity and overrode the assigned room.

Mr. Slonim thought it should be clear that when the number of students exceeded capacity the University was in violation of safety codes. He thought Banner should be a smart system, capable of stopping registration once student numbers exceeded capacity. Mr. El-Hawary received assurance that these issues would be addressed by the student experience and retention subcommittee of Enrolment Management.

Mr. Bradfield reminded members that the Senate Physical Planning Committee (SPPC) had recently attempted to address this issue when several Departments had been asked during the summer to move some classes from their traditional time slots because adequate classroom space was no longer available. The University had bought a classroom utilization package that had turned out to be incompatible with Banner, and this had generated last minute problems. SPPC planned to meet again with the Registrar to compare the current situation with what had transpired in the past. Mr. Scully agreed to report more fully at a subsequent Senate meeting.

Ms. Bowie remained concerned that as enrolment continued to climb problems in this area would become more serious, and she proposed that the student Senators create a presentation for the appropriate committee, SPPC, Enrolment Experience and Retention, or Enrolment and Planning.

Mr. Scully thought all three Committees would benefit from additional information. Mr. El-Hawary indicated that SAPBC would welcome a student presentation.

2001.149.

Report of the Chair

Mr. El-Hawary reported that he had been informed by the President and the University Legal Counsel, Mr. Crocker, that their response to the the *Draft* Regulations Concerning Terms and Conditions of Non-Unionized Academic Staff Appointments would not be forthcoming for several months because of other pressing issues such as negotiations with bargaining units and the *Draft* Conflict of Interest Policy.

2001:150.

Question Period

Mr. Scully congratulated Ms. Florence Yoon, a King's student pursuing a Classics degree, who had been awarded a Rhodes Scholarship. Ms. Yoon's father was a teacher in the Psychology Department at Dalhousie.

Mr. Scully noted that the Website concerning the Canada Research Chairs would be available at some point in the next two weeks.

Mr. Brett received confirmation that the total number of Canada Research Chairs currently physically present on the Dalhousie campus was eight.

Mr. Bradfield returned to his question of several months previous. The University had adopted a credit card which enabled units to make purchases on behalf of the University, and had also made arrangements with American Express which allowed members to carry a credit card for travel purposes. Had consideration been given to the use of only one card, and to the use of Affinity cards which would enable the University to secure money from their use? Mr. Scully agreed to consult the Vice-President Finance and Administration on this matter.

2001.151.

Draft Conflict of Interest Policy

Mr. El-Hawary welcomed the University Legal Counsel and Secretary, Mr. Brian Crocker, and the Associate Legal Counsel, Ms. Karen Crombie, who would continue to answer questions concerning the *Draft* Conflict of Interest Policy. Mr. El-Hawary had been informed that the *Draft* Policy would be published in the *Dalhousie News* early in the new year, as part of the process of wide consultation with the University community. Mr. El-Hawary indicated the documents in his possession concerning the treatment of various Policies of this nature in the past. Wide consultation was consistent with past practice. No binding decisions concerning the *Draft* Policy would be made during the current meeting.

Mr. Scott noted that on important matters such as tenure and promotion and studies appeals a committee was tasked to review each case and report to the Dean, but under the proposed Policy the Dean appeared to be the sole decision-maker. Would the procedures allow for a Dean to set up a committee to consider and recommendation the appropriate action to the Dean?

Mr. Crocker responded that the Administrative Head making the decision could consult with

others before imposing terms and conditions which would allow the conflict of interest to proceed. One of those terms and conditions might be that the decision in question be made by a committee. In many circumstances, however, it would not be appropriate to try to assemble a committee to deal with a straightforward issue which had arisen previously. In general terms, nothing precluded the use of a committee in appropriate circumstances. Guidelines might be developed which called for the establishment of a committee, for example, to evaluate the work of a child being taught by a parent. But at present the only specific provision for a committee related to the Vice-President Research's consideration of a potential conflict of interest involving research.

Mr. Bradfield spoke to the brevity of the Board of Governor's one paragraph Conflict of Interest Policy in contrast with the much lengthier Policy proposed for faculty, staff and students. The Board's Policy did not define a conflict of interest; the proposed Policy for faculty, staff and students defined conflicts in terms of blood, intimate, or fiduciary relationships with a business. Other possible conflicts of interest might involve, for example, friendships. Members of the Board might have strong personal ties to people in a company involved with Dalhousie. Consequently, Mr. Bradfield wished to see both a broader Policy and application of that Policy to the Board also.

Mr. Crocker reminded members that in light of the discussion at the previous meeting, the Board Policy would be revised to clarify that it applied to members "when attending meetings of the Board or Committees thereof." The proposed Policy drew a line in the sand at intimate personal friendships, though it did not address the issue of friendships. Nothing in the Policy, however, prevented disclosure to an Administrative Head of a close personal friendship which might be perceived as a conflict of interest, and nothing prevented the Administrative Head from then suggesting that an individual withdraw from a decision-making process because of such a relationship.

Mr. Elder thought that paragraph 4 of the document might not inspire confidence among members of the external community in Dalhousie's handling of conflicts of interest. He understood that a conflict of interest did not imply any wrong-doing, and in some cases could arise from a situation which was a benefit to Dalhousie, for example, in instances in which individuals were serving on boards of granting agencies. But the suggestion that such situations would be managed was ambiguous, and could be interpreted as implying that a conflict of interest would be allowed to continue. The paragraph needed to be changed to avoid any ambiguity.

Mr. Crocker responded that the intent was to clarify for third parties inside or outside the University that an individual in a real, or what might be perceived as, a conflict of interest did not make decisions concerning that conflict. Where appropriate, the matter would be referred to the Administrative Head who would ensure a decision was made in the best interests of the University. He welcomed suggestions for clearing up any problematic wording in paragraph 4.

Ms. Bleasdale remained concerned that the permissive tone of the policy carried over into the section concerning intimate sexual relationships between instructors and their students. The wording needed to be tightened up to clarify that these types of relationships were power

relationships open to abuse, and consequently prohibited, except under unusual circumstances, such as the inability of a student to pursue a particular class or course of study other than with their partner. There should be no apparent confusion between this Policy and the Sexual Harassment Policy. Ms. Bleasdale noted that a major University in the United States had recently passed an outright prohibition against intimate sexual relationships between instructors and students; this represented an approach increasingly being adopted by institutions of higher education in order to protect against charges of sexual harassment.

Mr. Crocker thought the present Sexual Harassment Policy, which was a reflection of the law, clearly prohibited improper intimate personal relationships; however, there were circumstances in which such relationships could not be avoided. The proposed Policy discouraged personal relationships and referred members to the Sexual Harassment Policy with the caution that a personal relationship might be interpreted as sexual harassment. Perhaps additional wording would make that clearer. Universities had been considering the prohibition versus non-prohibition approach to this problem, but Mr. Crocker did not think all universities would ultimately adopt outright prohibitions. A serious look at this issue would require much wider debate beyond the context of a Conflict of Interest Policy.

Speaking on behalf of the Dalhousie Faculty Association and as that Association's Past-President, Mr. Faulkner noted that over a year ago the DFA and the Board of Governors had signed a legally binding memorandum which included a provision that a draft Conflict of Interest document would come before Senate after widespread discussion on campus. In light of that wide discussion, Senate would advise the Board about the draft. Mr. Faulkner regretted that this agreement had not been clearly communicated to Senate at the time. It had been agreed that the document would be published in the *Dalhousie News*. He hoped Senators would make a point of consulting the people in their units about the draft document, and he hoped all units would discuss the document and forward their thoughts to Senate, as had been done with similar documents in the past. He hoped discussions would consider what he saw as the document's major problem, the fact that it ran counter to the way in which significant decisions were made at the University – in a collegial manner and through peer review. That was the model used for decisions such as those concerning promotion and tenure, dispersal of research funds, and the design of curriculum.

Mr. El-Hawary noted that at the end of this discussion he intended to ask Senators to engage in wider consultation within the University community. He thanked Mr. Faulkner for his contribution to that process.

Returning to his previous point, Mr. Elder noted that members of the University had been and would continue to be involved in discussions and clarification of some of the ambiguous wording in the document. But those outside the University would not be privy to that clarification. That made it particularly important that the final wording not imply that the University was managing conflicts of interest in its own interests.

Mr. Brett also found the wording most unfortunate in its implication that the University would manage, not remove, conflicts of interest if they were in the best interests of the University. In the examples given, the intent appeared to be to remove, not manage, the conflict of interest.

For example, were he teaching his daughter, the arrangements for others to grade her work could be said to remove the conflict of interest. Mr Crocker responded that Mr. Brett would still be designing the evaluations for his daughter, so the conflict of interest would continue.

Ms. McIntyre thought the Policy framed important issues and allowed members to think them through. As a Dean, each week she advised on the types of problems addressed by the document. She thought the reference to “intimate” relationships was intended primarily to address the situation of instructors teaching their children or spouses. In the professional programs and in the Faculties of Health Professions and Medicine in particular, this was frequently necessary, given the nature of those programs and the number of instructors available.

Care was always taken to separate the evaluation from the teaching process. In light of the tuition support extended to Dalhousie family members, it was not surprising that other Faculties also found it necessary to allow an instructor to teach an intimate. In general, a clear Policy for managing potential conflicts arising from such situations was the most appropriate way to proceed. An outright prohibition would deprive Dalhousie of very fine students.

Mr. Neumann noted a number of matters which the Policy needed to address more effectively, such as privacy, peer review, time sensitivity, and potential conflicts between the interests of a unit and those of the University. Decisions taken by unit heads might conflict with the interests of the University. In general, he favoured development of clearer guidelines by a University committee whose members might include the University lawyers or members of the Faculty of Law. He thought if section 4 could be cleaned up the rest might follow. “Except as otherwise permitted by this Policy” appeared to conflict with “approved in advance.” What would not need to be approved in advance, under this Policy, and was “except as otherwise permitted by this Policy” necessary? Clarification of these points could alleviate concerns. Mr. Crocker thought the suggestions helpful.

Mr. Huebert remained concerned that the sexual and financial were being treated in analogous ways. He thought members would be wise to keep in mind the late Prime Minister Trudeau’s statement that the State “had no business in the bedrooms of the Nation.” The University had no business in the bedrooms of its members. That did not mean that individual members of the University should not have scrupulous guidelines about how they conducted their own moral and sexual lives. But the University ran the risk of making a fool of itself if it attempted to police intimate relations. Dalhousie already had a document which addressed sexual harassment. Mr. Huebert thought Mr. Faulkner had raised interesting points concerning peer review and collegial decision making. But the prospect of committees exploring members intimate relationships was frightening.

Mr. El-Hawary considered it extremely important for Senators to encourage wide consultation across the University, among faculty members, students, and staff. Mr. Scully had agreed that the *Draft* Policy would be published in the January issue of the *Dalhousie News*. Mr. Scully thought it appropriate that the published draft include revisions suggested by the discussions at Senate. Mr. Crocker agreed to provide *Dalhousie News* with the necessary copy a few days prior to the January 8, 2002, deadline for submissions. Mr. El-Hawary did not believe it would be realistic to return to this matter before February.

2001:152.

Enrolment Planning & Management

Mr. El-Hawary invited Mr. Scully, Vice-President Academic & Provost, to give his report on Enrolment Planning and Management. Mr. Scully reminded Senators that they had received a copy of the full Report of the Enrolment Management Committee at the previous meeting. He then spoke to a power point presentation, copies of which were circulated to members present. Mr. Scully noted that over the previous year the Committee had focussed on two issues: enrolment in the direct entry from high school programs and the quality of student experience at Dalhousie. Like all University processes, the Committee had been spreading out as its work progressed. A number of issues suggested that Dalhousie had no room for complacency, if it wished to maintain even current student enrolments.

By October 2001, it had become clear that Dalhousie's experience with enrolments had not been typical of that across the Atlantic Universities, as the first chart demonstrated, most markedly in the area of first-year direct admissions from high school, where the range in the Atlantic region was 40%. Dalhousie had increased by 19%, with the addition of approximately 400 students, while UCCB had decreased approximately 21%. The pattern of inconsistencies in the region across the grid included the data for Dalhousie.

The Committee had spent considerable time attempting to understand the demographic of Dalhousie's student population, and in particular the geographic origin of that population. Mr. Scully spoke to chart two which indicated that the University was at the centre of a set of concentric circles. The growth in the percentage of students from each category was represented by the increasing width of each circle around Dalhousie. International student growth had been greater than the growth in the percentage of students from Canada, and so on, down through the percentage coming from the Atlantic region, from Nova Scotia, and from Metro. This year's focus on the Metro area and on Ontario for direct-entry programs would be continued. One third of Dalhouie's students who came directly from high school came from Metro high schools. This was important given the proportion of the University's funding which came from the provincial government. Dalhousie needed to attend to the students closest to it.

The term enrolment management was inadequate to describe the types of issues covered by the initiative. The process was systematic and systemic. It addressed the size and attributes of the student body, but went much further to consider the quality of all institutional activities related to the student experience, academic and non-academic. It looked at students from the point at which they might first be considering attending Dalhousie through to the time in their lives when they might become some of Dalhousie's most generous supporters, elderly alumni.

The Report identified the two factors crucial to students' decision to come to Dalhousie: its location and the reputation of the institution and its programs. The Report also provided historical data to demonstrate the shifts within the institution. The chart of enrolment by Faculty indicated that Arts and Social Sciences and Science remained the two largest undergraduate Faculties at Dalhousie. Significant changes over the past decade included the merger of Dalhousie and the former TUNS; the growth in Health Professions, much of it new program driven; and the development of the newest Faculty, Computer Science. Enrolments in

Dentistry, Law, and Medicine remained steady, by choice, though the Faculty of Medicine had indicated its willingness to expand were the province willing to fund that expansion. The other Faculties were all subject to growth, including the Faculty of Graduate Studies which would be the next focus of the enrolment management initiative.

Strategic questions for both the Senate and the Board of Governors would concern the benefits of this growth as well as the risks and problems associated with continued growth. Risks included issues related to program, class, and classroom capacity, as well as the implications for registrarial services. If the current year's actual growth were included with that identified by the Faculties for the next five years, Dalhousie would grow by 25%. The existing weakness in academic advising needed to be addressed immediately and was the focus of one of the subcommittees of the Enrolment Management Committee. Financial support for students was another matter requiring attention. Study space, library resources, information technology, and the whole range of student services from food services to housing and parking would also have to keep pace with anticipated growth. Much of the growth in the current year had been in distance education programs such as that in Social Work and the MBA (Financial Services). But the University would need to analyze its capacity to absorb a major increase in the number of students actually attending classes here.

Mr. Scully also spoke to important information which Mr. McKee had provided in the presentation to the Board of Governors. First-year undergraduates had identified a number of very strong positives in their initial experience at Dalhousie. These included program and class availability; computer services; athletics services; the quality of teaching; the learning support services; the library services; instructional facilities; student services; the Bookstore; Residences and the availability of affordable housing; and the social experience.

Negatives identified by some students were class size, the lack of individual attention from professors, and the lack of opportunities for class participation. Mr. Scully reminded members that the cohort of students who had provided this information included those who had taken Psychology and Biology in the Cohen Auditorium. Academic advising was another negative. Others were the lack of concern shown for students as individuals, the orientation experience, and the lack of career information. Strong negatives were food services and parking. Mr. Scully noted that the University had entered into an agreement with a new contractor for food services.

In summary, Mr. Scully pointed out that overall, 40% of students strongly agreed with the statement "I am satisfied with my decision to attend this university"; 50% agreed; 6% disagreed; and 2% strongly disagreed. This spoke to a highly satisfactory experience at Dalhousie for this set of students. The Committee would be involved in considerable work over the next two or three months, working with Deans and Administrative Offices on campus on the issues of capacity. That would assist in the identification of some of the risks and challenges associated with the growth envisaged in table four of the Report. Mr. Scully invited questions and comments.

Mr. Tindall had been struck by the absence of information concerning the faculty and those involved in teaching in other capacities. Capacity issues identified involved a variety of items

such as food services, meeting and social space, and parking. But Mr. Scully had said nothing about restoring the complement to an appropriate level. Mr. Scully referred members to page 6 of the Committee Report. Under program and class capacity, the first heading was faculty positions. He thought a clear indication of required faculty positions, and also of the academic personnel structure necessary to allow faculty members and students to do their work, would be provided by the process under way, together with an initiative the Deans would be asked to undertake in the area of Faculty staff planning for the next five years. The issues would vary from Faculty to Faculty, and within programs in one Faculty. But the resources identified would include faculty positions, teaching assistantships, and technical positions.

Ms. Bleasdale thought that if the survey offered a neutral category between positive and negative it might be more effective in capturing the ambivalence of some students. Mr. Ugursal pointed out that the questionnaire options were symmetrical and therefore acceptable.

Mr. Hubert was delighted with the thorough and interesting work of the Committee, and by the fact that students had highlighted the quality of education as part of what made Dalhousie attractive. In the past, he had been disappointed to see the quality of the educational experience virtually deleted from the University's advertising initiatives. He considered the institution's reputation and the quality on which it rested to be Dalhousie's most important public asset. Mr. Scully responded that in conjunction with the Faculties, the Registrar was attempting to increase significantly the number of applications to programs. That would maintain and even enhance the quality of the student body. He agreed we needed to advertise the quality of Dalhousie's programs.

Mr. Brett wondered how soon enrolment management would be able to turn its attention to Graduate Studies and to attracting high quality graduate students. The quality of our graduate students was important not just to the quality of our graduate programs but to the quality teaching which graduate students could provide. Mr. Scully hoped these concerns would be addressed very early in the new year. He had already begun discussions with the Dean of Graduate Studies.

Mr. Cochrane wondered whether the Committee had considered the potential impact of Continuing Studies or non-traditional, non-resident studies. One method of allowing greater access to the education experience at Dalhousie was through distance education. Mr. Scully responded that attention had not yet turned to that issue. However, Mr. Cochrane had been among those in attendance at a recent meeting of representatives from all areas of the University involved in Continuing Education. Reports had indicated that as many as 15,000 students annually engaged in non-degree education through Continuing Education programs. This group of students would require increasing attention if statements concerning life long learning and career change were taken seriously.

Ms. Savoy had never had trouble selling Dalhousie, but her job had been made easier over the past decade by the Registrar's Office, Student Services, and counselling, and in the past two years by the Faculty of Arts and Social Sciences. She thanked them for their excellent work. Mr. Scully's presentation was welcome news, and Ms. Savoy trusted we would find ways to share its contents with the media. The results of this survey could influence many prospective

students. Mr. Scully responded that over the coming year Dalhousie would be involved in a more assertive marketing campaign. But the University would need to be careful. Emphasis would need to be on quality. One concern about growth was that within this region Dalhousie was already perceived as large. That was a major concern for parents and prospective students, particularly those in rural communities.

Mr. Scully noted that recruitment from Ontario was particularly important for the Faculty of Arts and Social Sciences which drew students disproportionately from that province. If the University maintained and enhanced its quality, it could confront the problem of increasingly refusing admittance to students from within Nova Scotia. Some already perceived Dalhousie as denying places to Nova Scotian students, in favour of those who came from away. The Minister of Education had already indicated the need for caution in this area. Recruiting aggressively within Halifax and Nova Scotia would help the University to avoid problems with perception.

Mr. Starnes spoke to the challenges involved in expanding but at the same time maintaining the image of Canada's smallest major University. He welcomed the opportunity to work with Dalhousie in efforts to recruit and retain students.

Ms. Binkley spoke to the problems the Faculty of Arts and Social Sciences encountered when attempting to market itself. The reticence of the University in advertising the quality of its programs posed a problem for those Faculties which faced competition from other institutions within the city and the region. She hoped that in future Dalhousie's recruitment efforts would be less reluctant to speak to the excellence of our programs.

Mr. Scully welcomed comments from Senators. He would be happy to report to Senate again in February. Mr. El-Hawary thanked Mr. Scully, and registered his pleasure with the maturity which the student body demonstrated in concentrating on the meaningful aspects of the University experience.

2001:153.

Adjournment

The meeting adjourned at 5:35 p.m.