

Item: Senate Minutes, February 2011

Call Number: Senate fonds, UA-5

Additional Notes:

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**DALHOUSIE UNIVERSITY
APPROVED MINUTES
OF
SENATE MEETING**

Senate met in regular session on Monday, February 14, 2011 at 4:00 p.m., in University Hall, Macdonald Building.

Present with Mr. Lloyd Fraser in the chair were the following: Adshade, Amirault, Barker, Barkhouse, Boran, Campbell, Canning, Castleden, Chen, Cochrane, Croll, Gantar, Gardner, Garduno, Gassmann, Gilbert, Gorsky, Hewitt, E. Hughes, J. Hughes, Karabanow, Lee, LeForte, Lovett, Macy, Maes, Mansour, Marche, Marrie, MacLaren, MacLennan, McLarney, Mechoulan, Meynell, Pegg, Pelot, Pinder, Rapaport, Ross, Saulnier, Schellinck, Shepherd, Shukla, Singleton, Smith, Summerby-Murray, Szumilas, Thomas, Tillotson, Wach, Watters, Wedge.

Regrets: Cox, Crago, Cunningham, Leon, McClure, McConnell, Milson, Nicholson, Noble, Thorburn, Traves, Webster.

Absent: Bennett, Brooks, Couban, El-Masry, Farina, Moore, Sadek, Westwood.

On behalf of Senate, Mr. Fraser extended congratulations to Ms. Watters on her appointment as Vice-President, Academic and Provost.

2011:28

Adoption of Agenda

The agenda was **ADOPTED** as circulated.

2011:29

Consent Agenda

Approval of Draft Minutes of January 24, 2010 Senate Meeting

THAT Senate approve the draft minutes of the January 24, 2010 Senate meeting as circulated.

Approved by Consent.

2011:30

Matters Arising from the Draft Senate Meeting Minutes of January 24, 2011

It was noted that classes were cancelled midday on February 2 due to a snowstorm, but the Day of Action went forward with over 2000 students from universities in the Halifax Regional Municipality in attendance.

2011:31

Senate Honorary Degrees Committee: Nominations

Mr. Fraser announced that the Senate session would go in camera, and asked that all non-senators please leave the Senate meeting. When Senate returned to open session, Mr. Fraser announced that the slate of Honorary Degree nominations had been approved.

2011:32

Chair of Senate Report

Mr. Fraser reported on decisions made by the Senate Academic Priorities and Budget Committee on behalf of Senate. With respect to the review of Academic Regulation 16.8 and sick notes, it was determined that the sick note policy will not be revised, at this time. There were several academic program name changes: Bachelor of Laws and Master of

Business Administration (LLB/MBA) to Juris Doctor and Master of Business Administration (JD/MBA); Bachelor of Laws and Master of Health Administration (LLB/MHA) to Juris Doctor and Master of Health Administration (JD/MHA); Bachelor of Laws and Master of Library and Information Sciences (LLB/MLIS) to Juris Doctor and Master of Library and Information Sciences (JD/MLIS); and Bachelor of Laws and Master of Public Administration (LLB/MPA) to Juris Doctor and Master of Public Administration (JD/MPA).

2011:33

President's Report

Mr. Traves was unavailable for the meeting and Ms. Watters, Vice-President, Academic & Provost, updated Senate on the university budget, the drafting of which was in accordance with two principles, that the operating budget must balance, and that, with competing priorities, consideration be given to the strategic focus.

Ms. Watters noted that there would be no Memorandum of Understanding (MOU) this year, and it was yet to be known when the Province would commence negotiations again. Ms. Watters provided a summary of the financial situation facing Dalhousie and she indicated that the University had been running through scenarios to deal with the potential \$15 million shortfall, such as looking at ways to increase the capacity of Faculties, with less funding from the University. Ms. Watters noted that the budget was being drafted, and the President was expected to present the final draft to the Board of Governors at its meeting in June.

2011:34

Senate Steering Committee: Draft Constitution

Mr. Fraser noted that objectives of the proposed changes to the Senate Constitution included to modernize it, to codify existing practice, and to establish clear operating procedures. The intent of the new Committee Terms of Reference was to introduce a new committee structure for more effective and efficient academic governance. Senate received its mandate from the University Statutes which, as amended in 1863, specify that "the internal regulation of the University is committed to the Senate, subject to the approval of the Board." Mr. Fraser outlined what remained unchanged in the proposed constitution, which included Senate and Board responsibilities, how Senate and Board interact, Senate structure and membership, most Senate operating procedures, and the essential function and membership of four "specialized" Senate committees. He also outlined new provisions of the proposed constitution: streamlined organization of documents, Senate jurisdiction to be endorsed by Board, adjusted approval and amending processes, strengthened operating procedures, and redesigned "core" committee structure. Mr. Fraser elaborated on these five points of change.

The organization of documents would take a 3-tiered approach, with Committee Terms of Reference and Committee Procedures separated from the Senate Constitution itself. A jurisdiction section, which would identify specific responsibilities of Senate and clarify which Senate decisions would require specific Board approval, was introduced. Mr. Fraser listed examples of Senate decisions that would require Board approval, such as University-wide policies and regulations, establishment and termination of Faculties and other academic units; establishment and termination of research centers and institutes; and creation, modification and termination of academic programs, and gave examples that would not require Board approval. The approval and amending processes would be adjusted in accordance with the 3-tiered approach to the organization of documents, and the operating procedures would be strengthened by rules concerning consecutive terms, vacancies and leaves of absence, urgent matters when Senate cannot meet, and Senate electronic voting. In terms of committee structure, the number of committees would be reduced from the current 13 to 7, with 4 continuing "specialized" committees, and 3 redesigned "core" committees.

During the discussion of the presentation the following points were noted:

- There was a concern, as had been expressed at the previous meeting, that information which was in the current constitution (such as comments concerning Senate's relationship with the Board) was missing from the proposed constitution.
- Mr. Fraser noted that there was no intent to change the existing balance of power, and Senate could not legally

dictate how others, e.g. the Board, would conduct their business.

- It was suggested that the word “fundamental” be removed from 1.1b.
- A question was raised with regard to 2.1c, and how the formula for the number of elected Senators applies to the Library. Mr. Fraser cited the last sentence of 2.1c “Each Academic Unit shall have a minimum of one elected Senator”.
- It was suggested that the second half of 1.1a “This general power of Senate is subject to the approval of the Board” be removed.
- It was suggested that material that was considered legally extraneous in the original constitution was nevertheless useful in stating what Senators perceived as their responsibilities, their relation to the Board—that the constitution was more than a legal document.
- It was noted that after the proposed constitution was adopted, the old one would be set aside, no longer being the legal governing document of the Senate, although the Senate could always reference it for historical purposes.
- It was suggested that the language of asserting the Senate’s responsibility for determining academic policies and priorities in the original constitution was helpful.
- There was a question concerning whether there could be a preamble describing the Senate’s understanding of its relationship with the Board.
- It was suggested that Senate could ask the Board to provide criteria used in deciding whether to approve recommendations from Senate, and incorporate them into the new constitution. Mr. Fraser noted that criteria might introduce a level of specificity which would exceed what was appropriate for a constitution.
- It was suggested that it would be worthwhile to include a statement clarifying the relationship between Senate and the Board.
- Mr. Fraser indicated that the Senate Steering Committee would consider the various comments and suggestions and subsequently bring forward its recommendation to Senate.

Draft Senate Standing Committees’ Terms of Reference

During the discussion of the proposed Terms of Reference for the Senate Planning & Governance Committee the following points were noted:

- A concern was raised that with the existing constitution, the number of elected faculty representatives on Senate was at least 3 times the number of ex-officio academic administrators, while on the proposed Planning and Governance Committee there would be only six elected academic unit Senators with 5 members ex officio. Mr. Fraser noted that three of the five ex officio members of the committee were drawn from the pool of 48 academic unit Senators, and also noted that the proposed committee membership attempted to balance the concern for representing a diversity of views and the concern for keeping committees to a manageable size.
- Mr. Fraser noted that the committees, while serving an advisory role to Senate, might be delegated authority from time to time by Senate, but could not further delegate their power to an ad hoc group without permission from Senate.
- Citing 4.4j, it was suggested that since the Senate Planning and Governance Committee could make decisions on behalf of the Senate in urgent circumstances, it would be fitting for the membership of the committee to mirror the composition of Senate.
- There was a difference of opinion concerning the way in which the Senate officers should be counted (with the elected faculty or with the other ex officio members) when attempting to construct the committee in a way that mirrored the composition of Senate.
- Mr. Fraser noted that the 6 Academic Unit Senators on the Planning and Governance Committee would be from different Faculties, and suggested that diversity of views and perspectives should be ensured through the nomination and election processes.
- Since this committee was expected to make urgent decisions, in limited circumstances, during a strike or lockout, the question was asked as to whether the committee could achieve a quorum in such circumstances. Mr. Fraser responded that since the Senate officers were excluded from the faculty bargaining unit (by provincial Labour Relations Board ruling), a maximum of 6 of 13 committee members would be members of

the faculty bargaining unit. Thus, in the case of the kind of urgent circumstances contemplated in 4.4j, he expected that the committee could achieve a quorum.

- It was noted that if, in addition to the Senate officers, all Faculties were to have one member on the Planning and Governance Committee, this would require the addition of 6 members, making the total membership 19.
- A question was asked whether it was necessary to elect the additional 3 Academic Unit Senators from the Faculties of the Senate Officers. Mr. Fraser noted that the only difficulty of not electing these 3 additional persons was that it would, in effect, disenfranchise other Senators in the officers' Faculties, since others from the officers' Faculties would then have no opportunity to serve on the committee.
- It was noted that the three "core" committees were parallel to one another, and the Academic Programs and Research Committee, and the Learning and Teaching Committee would not report through the Planning and Governance Committee. The coordination between the three committees would be through the Senate Officers, members of the senior administration, and student representatives who would sit on the committees.

During the discussion of the Senate Academic Program & Research Committee and the Senate Learning & Teaching Committee the following points were noted:

- The Committee Terms of Reference do not specify the full non-voting membership of committees, since this is anticipated to change over time as both committee needs and administrative positions evolve. It was suggested that the Director of the Center for Learning and Teaching be a non-voting member of the Learning and Teaching Committee. Mr. Fraser indicated that this was the intent of the Working Group that had prepared the proposed committee framework.
- The non-voting membership of all committees would be determined by the voting members of the Senate Planning and Governance Committee on the recommendation of each of the committees.

During the discussion of the four "specialized" committees the following points were noted:

- In the future, as part of the election process within Faculties, the expectation that Senators would serve on a committee as well as on Senate would be made known.
- It was suggested that it would be advantageous to have representation from each Faculty on the three "core" committees.
- A question was raised concerning where post-doctoral fellows would fall in the committee structure. It was indicated that the Faculty of Graduate Studies members of committees would represent such interests.
- A question was asked concerning plans for the transition from the current committee structure to the proposed one. Mr. Fraser indicated that this would be a task the Senate Steering Committee would undertake.

Mr. Fraser encouraged Senators to email him or the Secretariat with any additional comments.

2011:35

Other Business

There was no other business.

2011:36

Question Period

There were no questions.

2011:37

Adjournment

The meeting adjourned at 6:03 p.m.