

Item: Senate Minutes, June 2001
Call Number: Senate fonds, UA-5

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DALHOUSIE UNIVERSITY

APPROVED MINUTES

OF

SENATE MEETING

Senate met in regular session on Monday, June 11, 2001, at 4:00 p.m., in University Hall, Macdonald Building.

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

Ben-Abdallah, Bleasdale, Blunden, Bowie, Breckenridge, Brett, Caldwell, Cochrane, Cunningham, Downe-Wamboldt, El-Hawary, Emodi, Fraser, Giacomantonio, Hart, Jalilvand, Kemp, MacInnis, Maes, McGrath, McIntyre, Mobbs, Murphy, C. Neville (for J. Rutherford), Pacey, Phillips, Poel, Rowe, Russell, Savoy, Scully, Slonim, Tindall, Traves, Ugursal.

Regrets: Bradfield, Coffin, Devlin, Galarneau, Guppy, Ipson, Johnston, Kay-Raining Bird, Kimmins, Lohmann, MacLean, Starnes, Tracey.

2001:67.

Adoption of Agenda

Item 4, the Report of the Nominating Committee, became item 2, and the subsequent items were renumbered accordingly.

2001:68.

Nominations and Voting for the Chair of Senate

On behalf of the Senate Nominating Committee, Mr. Stuttard reminded Senate that the two nominations for Chair of Senate were Mr. Cunningham and Mr. El-Hawary. After the requisite three calls for further nominations, Mr. Stuttard asked members to cast their votes for one of the two nominees. Two members of the Steering Committee, Mr. Blunden and Mr. Fraser, agreed to act as scrutineers.

2001:69.

Nominations for Senate Committees

On behalf of the Senate Nominating Committee, Mr. Stuttard moved:

That those listed on the June 1, 2001, memorandum to the Secretary of Senate, distributed with the agenda, be elected to serve on the designated Committees.

After the requisite three calls for further nominations, Mr. Stuttard declared the nominees **ELECTED**.

2001:70.

Approval of the Minutes of the Meeting of May 17, 2001

The minutes of the meeting of May 17, 2001, were adopted as circulated.

2001:71.

Matters Arising

Mr. Stuttard read a memo from Provost Kimmins reporting the addition of the names of five individuals to the College of Arts and Science graduation list, the deletion of one name, and the reasons for those changes.

Mr. Stuttard reported that the Senate Academic Priorities & Budget Committee (SAPBC) had met with a representative of the provincial Department of Education, Mr. Robert LeBlanc, on Monday, June 4, 2001. The minutes of that meeting were in preparation. When approved by that Committee, they would be available to the University community.

2001:72.

Question Period

Mr. Pacey reminded Senators that at a previous meeting he had argued that the University's Canada Research Chairs plan should be used to ensure that those with excellent research records were encouraged to remain at Dalhousie. He thanked the Administration for recently allocating a Research Chair to a member of the Faculty of Science who was being recruited by another institution. A few years ago the Dean of the Faculty of Science had produced statistics which demonstrated that the Faculty of Science had the most funding from research grants received per salary dollar of any Canadian university. Those statistics could be interpreted as suggesting that we were the leanest and meanest Faculty of Science in the country. That could be achieved in two ways: by excellence in research and by not paying faculty members very much, and salary scales were certainly a contributing factor to the high performance measured by that particular indicator. This put a sign over the Faculty, "talent for sale," since this was the University from which other institutions could recruit people with very high research performance who were not being highly paid. What further action would the University take to improve salary scales and to protect our research stars in the current competition? Was the current CHC Plan flexible enough to protect our researchers, and would the Administration take steps in advance to ensure that members of the Faculty of Science felt appreciated?

Mr. Traves responded that the Administration had attempted, whenever possible, to ensure that a feasible competitive offer was made when a faculty member had a firm offer from another institution. At present there were two mechanisms for dealing with this situation: the Canada Research Chairs and the adjustments allowed under article 8.01 of the faculty Collective Agreement. That article limited the number of individuals who might receive adjustments to ten per year and three per Faculty, each with a maximum dollar value of \$10,000. To date, that arrangement appeared to have been sufficient to deal with most competitive offers. Canada Research Chairs were slightly different in that the University had developed and announced a plan which designated a number of areas for the allocation of Chairs. To the extent that individuals with competitive offers fitted into the framework of the plan, they could be considered for one of the allocated Chairs. But if an individual was outside the framework, the CHC was of limited value as a vehicle to meet an offer from outside.

Mr. Traves thought this would be a major issue for Dalhousie and other universities. Increased faculty

mobility was good in one sense; Dalhousie benefitted from recruiting from other institutions. But it was unfortunate that sometimes the University would lose individuals it wanted to keep. This might become a major problem in a couple of years.

On a different matter, Mr. Pacey had heard of a proposal to merge the Atlantic School of Theology and Saint Mary's University. He wondered whether Dalhousie had had discussions with the Atlantic School of Theology (AST). This might be a valuable means of recruiting students, given the high visibility within the community of graduates of the School. Also, students frequently chose to pursue their first degree at the institution at which they intended to undertake their professional training. Mr. Traves responded that the issue had been discussed over the past year. Under financial duress, the AST had looked to Dalhousie and Saint Mary's as possible partners. Dalhousie had engaged in a number of conversations with officials at the School, and had sketched out the general terms of an agreement that could have allowed them to locate on the Dalhousie campus, but preserve their institutional autonomy. However, they were also interested in retaining their physical location, and that did not appear practical for Dalhousie. It was the President's understanding that the School had reached an agreement with Saint Mary's which would enable them to remain in their present location, while becoming a School of Saint Mary's. Mr. Traves had not yet seen a formal document to that effect.

Mr. McGrath, a student senator, raised a question which he had previously asked of Mr. Cunningham and Mr. El-Hawary, candidates for the Chair of Senate. Dalhousie was known for its strength and diversity in academic programs. But the institution had also faced the problem of becoming too large and impersonal to effectively deal with the problems being confronted by the students attracted to it. Mr. McGrath cited his own recent experience. He had applied to the Bachelor of Management program and had recently received a letter from the Registrar's Office advising him to become involved in the non-academic aspects of the University, the intra-mural activities and student government. He considered this the extreme of a form letter, and wondered how Dalhousie could come to grips with the fact that it was becoming too large and diverse to manage its programs and deal with students as individuals.

Mr. Scully responded that the Enrolment Management Committee had been considering this question and had designated it the central question to be addressed by one of its sub-committees, the Student Experience Committee. He noted that size was relative. One of the major ways of addressing students' perceptions was to break down the concept of Dalhousie as an institution of 13,000 students, and to encourage students to identify their Faculty as their primary connection and secondly their program. This was a problem for students in their first year, in particular. The sub-committee would be looking at the student experience from the first moment of contact.

2001:73.

Draft Regulations Concerning Terms and Conditions of Appointment for Non-Unionized Academic Staff

As the letter from Mr. Stuttard circulated with the document indicated, the Draft Regulations had been in preparation for a considerable length of time. Just before the present meeting, Mr. Stuttard had received the following email from Brian Crocker, University Legal Counsel:

From: "BRIAN CROCKER" <bcrocker@Kilcom1.UCIS.Dal.Ca>
To: Colin.Stuttard@Dal.Ca

Date sent: Mon, 11 Jun 2001 13:44:05 AST
Subject: Senate Regulations
Copies to: tom.traves@Dal.Ca, sam.scully@Dal.Ca, ebutt@Kilcom1.UCIS.Dal.Ca

Colin - I understand that the issue of your proposed draft of the Senate regulations is on the agenda for the Senate meeting this afternoon. While Elizabeth Butt and I have finished our review of your proposed draft, we have not concluded our proposed revision (which suggests revisions to your draft) nor have we finished our written comments on your draft. Because of other pressing matters which have arisen, it will probably be a few weeks before this will be available. In the meantime, it is my view that it would be precipitous and ill-advised to have Senate consider the proposed draft Senate regulations at this time.

Although Elizabeth and I did consult with you regarding the draft, we are not in agreement with all of your proposals and thought that we had made it clear to you that there were some fundamental disagreements.

I regret if you have misunderstood this. Some of the issues involved are substantial in nature and will require much more consultation and discussion on campus before they are put forward.

The issue of the revision of the regulations should be postponed until the Senate believes that an acceptable draft is ready to be considered.

In my view, your proposed draft is not acceptable and raises issues which would require us to advise the Board that the matter should be sent back to Senate for further consideration.

I appreciate your efforts to attempt to finalise this matter before you leave the Chair of Senate, but believe it would be in everyone's interest to delay this matter until the Fall. We would be quite pleased to continue working with you and undertake the necessary consultation to produce a finalized proposal if that is the wish of Senate.

Thank you for your understanding.

Mr. Stuttard noted that since he had sent this current draft to Brian Crocker and Elizabeth Butt in October 2000, they had not raised any issues with him and to date had not indicated what problems they had with the document. The document was now in the hands of Senate. Since the Regulations would apply primarily to members of the Faculty of Dentistry, Mr. Stuttard invited Mr. MacInnis, Dean of Dentistry to comment.

Mr. MacInnis noted that, while he was unable to do anything about the length of time it had taken Mr. Crocker and Ms. Butt to respond with their concerns, he was concerned that a document containing as many editorial changes as were being proposed required more than eight days for Senators' consideration. A group in the Faculty of Dentistry had attempted to work with Mr. MacInnis to review the document, but had been unable to complete their work. He trusted Senators appreciated that he had attempted to cooperate on this issue. Mr. MacInnis moved:

That consideration of the Draft Regulations Concerning Terms and Conditions of Appointment for Non-Unionized Academic Staff be deferred until the Fall of 2001.

Mr. Tindall asked whether the Dalhousie Faculty Association had been consulted. Mr. Stuttard indicated that the DFA had been involved, with Mr. Crocker, in the early consultations. As a junior member of Senate, Mr. Hart had learned that when this type of issue came up there was usually some subtext. He asked for the subtext underlying the delay in getting this document to Senate. From her vantage point as Secretary of Senate, Ms. Bleasdale had concluded that there was considerable reluctance to move on this issue, though the reason for that reluctance was not clear. She understood that other matters had occupied the attention of the University's Legal Counsel over the past eight months; however, on previous occasions the Steering Committee had agreed to hold this document back from Senate while they waited for Mr. Crocker and Ms. Butt to produce what she had understood to be only minor revisions. Mr. Stuttard was not aware of any subtext.

Mr. Stuttard added that the potentially problematic issue to which Mr. Crocker had not referred was that the existing, now obsolete, 1988 Senate Regulations contained elements dealing with some terms and conditions of employment of academic staff which the Steering Committee had agreed should be separated off into a separate document. The portion dealing with items such as salary, pensions, vacations, and leaves would comprise a document which would only require approval by the Board of Governors. As his letter to Senators had indicated, Mr. Stuttard had sent Mr. Crocker and Ms. Butt a draft of that second document in October 2000, along with the document currently before Senate, and perhaps Mr. Crocker and Ms. Butt were still working on that. However, the Steering Committee had agreed that the present document was self-sufficient and overdue for consideration.

The motion was **CARRIED**.

2001:74.

The New Chair of Senate

Mr. Stuttard congratulated Mr. El-Hawary on his election as Chair of Senate.

2001:75.

Senior Administrative Appointments Document

Mr. Stuttard noted that the Senior Administrative Appointments Document before Senators contained some house-keeping changes and one substantive item to which all parties had agreed. On behalf of the Steering Committee, Mr. Stuttard moved:

That the draft Revised Senior Administrative Appointments Document, dated March 2001, be adopted.

Mr. Cochrane saw no specific reference to Henson College in the document, and wondered whether Henson was considered a Faculty in this context. Mr. Scully noted that under past practice Henson had been included in the document. Mr. Stuttard pointed out that under the terms of its establishment, Henson was considered equivalent to a Faculty and was headed by a Dean, but was not a Faculty. In response to a question from Mr. Tindall, Mr. Stuttard explained that the non-house-keeping change was section 1.3.4 which arose directly from the experience of the appointment of the Vice-President Research. It stipulated that in future, if a search committee wished to make a significant modification to the position description or the terms of reference after the search had been initiated, the committee would be required to inform the Steering Committee of Senate and the Steering Committee of the Board of Governors of its intentions, and invite their comments. Mr. Tindall recalled that in September 1997 sections of the document

had generated considerable discussion, but the President had urged members to approve it in light of the need to proceed with the search for a Vice-President, a University Librarian, and three Deans. Mr. Tindall wished Senators to return to review the issues that had generated controversy at that time, and had even led to a motion from the Faculty of Arts and Social Sciences to rescind the document at a subsequent meeting.

Mr. Brett received confirmation that the provisions for confidentiality were consistent with the Freedom of Information Act.

Mr. Tindall moved:

That the document be referred to the Senate Steering Committee for thorough consideration of the points raised in Senate in September and October 1997, in this body, and any other points brought before them.

The motion was **LOST**.

The main motion was **CARRIED**.

2001:76.

Ombudsperson Advisory Committee

Mr. McGrath moved:

That the appointments of Ms. Ellaree Metz as Ombudsperson and Ms. Candice Smith as Assistant Ombudsperson be approved.

The motion was **CARRIED**.

2001:77.

Senate Review of the Relationship Between Dalhousie the University of King's College

The Chair reported that the SAPBC had reviewed the responses of King's College and the Faculties of Science and Arts and Social Sciences to the Review of the Relationship between Dalhousie and the University of King's College. The SAPBC was satisfied that the relationship was healthy, that minor irritants were being addressed, and that cooperation between the two institutions was increasing. There were no issues requiring Senate attention. The Report and the Responses were available in the Senate Office.

2001:78.

President's Report

Mr. Traves reported that recruitment efforts were going well and that demand for our programs remained relatively strong, particularly among out-of-town students who often depended on an offer of admission to residence. In response to a substantial waiting list for places in residence, the University was actively exploring arrangements to take over for the coming year Gerard Hall, connected to the old Halifax Infirmary building. Dalhousie was also exploring arrangements for transportation by bus to and from the sexton campus.

2001:79.

Adjournment

The meeting adjourned at 5:08 p.m.

Secretary

Chair