

Item: Senate Minutes, January 2005
Call Number: Senate fonds, UA-5

Additional Notes:

This document is a compilation of Senate minutes, staff matters and miscellaneous documents for January 2005. The documents have been ordered chronologically and made OCR for ease of searching. The original documents and additional documents for this year which have not yet been digitized can be found in the Dalhousie University Senate fonds (UA-5) at the Dalhousie University Archives and Special Collections.

The original materials and additional materials which have not been digitized can be found in the Dalhousie University Archives and Special Collections using the call number referenced above.

In most cases, copyright is held by Dalhousie University. Some materials may be in the public domain or have copyright held by another party. It is your responsibility to ensure that you use all library materials in accordance with the Copyright Act of Canada. Please contact the Copyright Office if you have questions about copyright, fair dealing, and the public domain.

DALHOUSIE UNIVERSITY

APPROVED MINUTES

OF

SENATE MEETING

SENATE met in regular session on Monday, January 31, 2005 at 4:00 p.m. in the University Hall, Macdonald Building.

Present with Mr. El-Hawary in the Chair were the following: Barker, Binkley, Bond, Breckenridge, Butler, Caley, Camfield, Cercone, Cochrane, Cook, Corke, Coughlan, Coxon, Dauphinee, Earl, Evans, Finbow, Fraser, Hamilton, Houlihan, Jalilvand, Jost, Kwak, Livingston, MacDonald, Maes, McGrath, McIntyre, McMullen, McNeil, O'Brien, Oppong, Phillips, Russell, Scrimger, Scully, Sommerfeld (Recording Secretary), Stone, Stroink, Stuttard, Taheri, Taylor, Traves, Whyte, Zuck.

Regrets: Barkow, Beazley, Cleave, Das Gupta, Dunphy, Finley, Hicks, Murphy, Pelzer, Precious, Pronk, Richard, Sullivan, Wallace.

Absent: Ben-Abdullah, Horackova, Klein, Meagher-Stewart, Morgunov, Rutherford, Satish, Scott, Swanston, Wanzel.

Invites in attendance: P. Cox, M. Mercer, R. Mopoho, A. Power, T. Rathwell, S. Tillotson, T. Wright.

2005:001

Adoption of the Agenda

The agenda was **ADOPTED** as circulated.

2005:002

Draft Minutes of the Previous Meeting

i) Approval

The minutes of the meeting of December 13, 2004 were **ADOPTED** as circulated.

ii) Matters Arising

Mr. El-Hawary reported that in reference to item **2004:101**, he had sent a memorandum to Mr. Scully requesting that he communicate with the Deans to encourage timely adherence to the policy regarding the submission of final grades.

2005:003

Senate Academic Priorities and Budget Committee

- i) Bachelor of Arts - Program Modification: to include concentration/major in Italian

On behalf of the Senate Academic Priorities and Budget Committee (SAPBC), Mr. El-Hawary **MOVED:**

THAT the Senate approve the proposal to offer Italian as a subject of concentration in the 15-credit Bachelor of Arts program, and as the second subject in a double major or combined honours within the 20-credit B.A.. Approval would be conditional upon the Faculty of Arts and Social Sciences providing to the Library a one-time transfer of \$7,000 for start-up/retrospective acquisitions and a base budget transfer of \$5,0000 to provide for the annual costs of new acquisitions.

Mr. El-Hawary invited Ms. Binkley, Dean of the Faculty of Arts and Social Sciences (FASS), Ms. Tillotson, Associate Dean of FASS, and Mr. Mopoho, Chair of the Department of French to present the proposal.

Ms. Tillotson presented highlights of the development of the proposal, noting the high student demand for students in Italian culture as well as the Italian language. She noted the strong support from the Department of French in the development of the program proposal.

The motion was **CARRIED**.

- ii) Bachelor of Arts - Program Modification: to change the name of Gender and Women's Studies program

On behalf of the SAPBC, Mr. El-Hawary **MOVED:**

THAT Senate approve of the proposal to change the name of the program "Bachelor of Arts (Women's Studies)" to "Bachelor of Arts (Gender and Women's Studies)", with a corresponding change in the name of credentials granted from "Women's Studies" to "Gender and Women's Studies".

Ms. Tillotson commented that the change in the name to Gender and Women's Studies would more accurately reflect the diverse scholarly work in the field and more accurately reflect the content of the program as it is currently offered at Dalhousie and in other universities nationally. She noted that the proposed name change also was recommended in a recent Unit Review. Upon question from Ms. Houlihan, Ms. Tillotson stated that the Registrar had agreed to change the code for the courses in the program from WOST to GWST.

The motion was **CARRIED**.

- iii) Program Modification: Master of Health Services Administration (International)

On behalf of the SAPBC, Mr. El-Hawary **MOVED:**

THAT the Senate approve the proposed Master of health Services Administration (International) (MSHA-I), a modification of the existing Master of Health Services Administration (MHSA) program. Approval of the program would be contingent on the Faculty of Health Professions covering the costs of any additional library resources, identified in the Library Assessment as being essential to the program.

Mr. El-Hawary invited Mr. Kwak, Ms. McIntyre and Mr. Rathwell to comment on the proposal for the program which was designed as an additional stream in the MSHA program and developed for an initial cohort of students from the peoples' Republic of China. The program would be a 12-month program rather than the current MSHA which is of 18-months duration. Ms. McIntyre noted that the Library Review had been completed and that the Faculty of Health Professions would provide the \$455 recommended in that Review. Mr. Kwak stated that within the Faculty of Graduate Studies, both the Academic Planning and Curriculum Committee and the Faculty Council had reviewed the academic content of the proposal in relation to similar one-year master's programs and found it to equal or exceed the requirements of those programs, and thus recommended the program for approval.

Ms. Houlihan inquired about concerns that had been raised through the Dalhousie Association of Graduate Students by MSHSA students in terms of resources for the program, particularly in relation to space. Ms. McIntyre replied that the MSHSA Student Society president had met with the Committee of the Whole in the School of Health services Administration where it was minuted that the students were entirely satisfied with the responses provided by the School in relation to this program. Mr. Rathwell concurred with Ms. McIntyre.

Mr. Scully noted that in reference to the excerpt (circulated with the agenda) of the Draft Minutes of the SAPBC meeting of December 20, 2004, where the proposal had been discussed and approved by that body, that SAPBC had noted that "a full review of the program would be completed immediately following the graduation of the second cohort of students". He stated that given the innovative approach in the development of this program, that a review after two years would be essential.

R. Fraser provided a correction to the relevant minutes' excerpt of the SAPBC meeting, paragraph 4, line 10, that "MHSA" should read "DHSA".

Ms. Bond inquired about the adequacy of the English language training to be provided for the students from China who would be recruited for this program. Ms. McIntyre replied that in addition to satisfactory TOEFL scores, Mr. Rathwell would be traveling to China to personally interview and select students to be enrolled in this program. Students would also have mandarin-speaking faculty support for these students throughout their program of study. Mr. Dauphinee asked about the "full-cost recovery" intent of the program, and the plan that any surplus was intended to be transferred into the MSHA program. He suggested that perhaps it should be directed back to the MSHA-I program specifically. Ms. McIntyre responded that within "full-cost recovery" programs, the intent was to re-invest within the Faculty and programs of the School of Health Administration, which would include the MSHA-I program, however any surplus would not be specifically designated to the MSHA-I program. Ms. Bond noted that bringing students from another country for the program as it was designed, might likely result in those students feeling isolated from other students in MSHA programs and within the University or community as a whole. Mr Kwak replied that there would be ample opportunities for interaction amongst the student groups once the program was underway.

The motion was **CARRIED**.

Mr. Scully added that rather than the terms ‘full-cost recovery’ being used for such programs as the MSHA-I, perhaps ‘direct costs’ should be used as it was essentially impossible to determine all indirect or true costs. He suggested that a more accurate descriptor might be ‘premium-fee’ programs.

iv) Annual Report of the Senate Reviews of Faculties

On behalf of the SAPBC, Mr. El- Hawary **MOVED**:

THAT the Senate approve the revision of the terms of reference for the Senate Reviews of Faculties, substituting the designate of the Vice-President Academic and Provost for the Executive Director, Institutional Affairs; and reflecting the changes in the Office of Institutional Affairs, now re-named the Office of Institutional Analysis and Research.

Mr. Fraser stated that the motion was intended to reflect changes that had occurred within the University, that is, that the position of Executive Director of institutional Affairs no longer exists, with responsibilities being assumed by the Associate Vice-President Academic. He noted that rather than designate that particular position in the terms of reference, the motion’s intent was to provide flexibility in the event that several reviews were underway concurrently.

The motion was **CARRIED**.

Mr. Fraser noted that this Annual Report on Senate Reviews of Faculties was the first to be presented to Senate and was the result of a recent review of the Senate Reviews process. He highlighted the schedule of specific reviews, noting those that were currently in-progress and scheduled for the next three years, as approved by the SAPBC.

2005:004

Senate Discipline Committee

The motion that was moved and deferred at the November 8, 2004 meeting of Senate was stated by Mr. El-Hawary:

THAT in the Constitutional Provisions Governing the Operations of Senate for the Senate Discipline Committee, under Functions, s. 5, the wording shall be changed from “conduct open hearings according to the elements of natural justice” to read “conduct hearings according to the elements of natural justice”.

Mr. El-Hawary invited Mr. Cox, Co-Chair of the Senate Discipline Committee (SDC) to summarize the issues implicit in the motion which he had presented at the November 8, 2004 Senate meeting and reiterated at the December 13, 2004 Senate meeting. He highlighted as well the points raised by Ms. Crombie, the University Legal Counsel, in her memorandum to the Chair of Senate of November 29, 2004 regarding clarification on the matter as had been requested of her, and in her memorandum of January 17, 2005 in response to further questions posed at the December 13, 2004 Senate meeting regarding the matter as related to the Freedom of Information and Protection of Privacy (FOIPOP) Act. Both memoranda had been circulated to the Senate members. Mr. Cox suggested that if the SDC hearings were in fact to be “open” that careful thought would be needed in order to meet the implications and requirements as described by Ms Crombie in relation to the FOIPOP Act. He added that such careful consideration might be best undertaken by a committee so designated. He encouraged the Senate to

proceed with a vote on the motion.

The motion was re-stated. Mr. Coughlan noted that, in agreement with Ms. Crombie, he understood the matter to be a policy issue rather than legal issue. He stated that he would be voting against the motion, and if it were defeated that he would introduce a motion such that a sentence would be added to the relevant section of the Terms of Reference whereby the chair of a hearing panel may close a hearing where that was appropriate in the interests of the principles of natural justice. Should a committee be formed to consider the matter further, he indicated he would be willing to serve on that committee.

Mr. Evans stated that removing the word “open” would create ambivalence regarding the rules of natural justice to be followed. He stated that the principled reason for open hearings as the norm was long-standing, allowing potential for independent third party attendance, whether from within the University or from outside, as a means of safe-guarding the validity of those proceedings. He indicated that he would be voting against the motion.

Mr. McGrath reminded Senators that the discussion points raised by the members of the Faculty of Law seemed to be drawing upon principles that were perhaps commonplace in the judicial system such as at the provincial and federal levels of government. He cautioned Senators not to draw direct parallels between that system and the tribunal system that essentially was used in the University’s discipline and appeal hearings. He noted that the issues at stake were very sensitive for both the students and faculty members involved in cases. Should hearings remain ‘open, Mr. McGrath raised a rhetorical question of whether decisions and results of hearings should be open as well as the hearings themselves, in which case the University might be challenged in terms of obligations under privacy legislation. Mr. McGrath stated his support for the motion and that as a member of the SDC hearing panels for many cases over the past five years, he urged Senators to consider seriously the sensitivity that was involved in affairs brought before the SDC.

Mr. El-Hawary reminded Senators that as this motion involved a change to the wording to the Constitutional Provisions Governing the Operation of Senate, that a two-thirds majority of those voting was required to pass the motion. Following a hand vote, the motion was **CARRIED**.

2005:005

Follow-up on Reviews of the Recommendations of the Report of the Senate ad hoc Committee on Plagiarism

Mr. Scully began this discussion by noting that the Report of the Senate ad hoc Committee on Plagiarism, in its recommendations, raised two major issues : 1) the devolution of the discipline process to the Faculties, and 2) to the establishment of an Office of Academic Integrity. He summarized the three memoranda circulated for the meeting as follow:

- i) Report of the Senate *ad hoc* Committee on Plagiarism, and the Recommendations referred to the Senate Committee on Academic Administration

Mr. Scully reported that the recommendations referred the Senate Committee on Academic Administration to had been carefully considered by that Committee which had concurred with most of those recommendations As a result sections of the Calendar had been revised for the 2005-06 year, a final copy of which was appended to the memorandum circulated.

- ii) Report of the Senate *ad hoc* Committee on Plagiarism: Recommendations that fall under the heading “Faculty Responsibilities”

Mr Scully reported that the Deans had support for the recommendations under “Faculty Responsibilities”, noting that several recommendations referred to actions that were currently in place or in soon to be in place in several Faculties.

- iii) Report of the Senate *ad hoc* Committee on Plagiarism: Recommendations concerning ‘Discipline’

Mr Scully reported that, as summarized in the memorandum circulated, the Deans informally were not in favor of the devolution of the Senate disciplinary process to the Faculties. He added that further discussion of the matter needed full discussion and disposition by the Senate.

Mr. Scully noted that full debate was needed by the Senate on the recommendations of the Report, and that such a discussion should occur in the near future to elicit agreement with the recommendations or to provide alternative recommendations.

Mr. Evans noted that as a new Senator, he had hoped for a clear indication on the agenda of which matters were being discussed for information, or for action, or for decision. He added that in the Faculty of Law, there had been significant discussion of the Report this past Fall with both faculty and students involved. As a result, there was agreement within the Faculty that devolution of the discipline process to the Faculty level was not appropriate. He added that the Faculty had been awaiting notification from the Senate as to when the Report would be fully considered with a view to decision-making. Mr. El-Hawary responded that the agenda for this meeting was correct in that the intent was enable Mr. Scully to present feedback on the Report’s recommendations for which he had assumed responsibility for seeking feedback from designated groups. Mr El-Hawary stated that at the appropriate time, Senate would be receiving the appropriate documentation for full debate of each recommendation, or groups of recommendations, that were deemed to be needing further debate and discussion. Mr. El-Hawary stated that the intent for this meeting from his perspective, as per the agenda, was not for decision but to receive follow-up information.

Ms. Binkley asked for advice given that the members of her Faculty were meeting in the near future to discuss faculty responsibilities and the functions that needed to be incorporated into the Faculty in regards to the Report. She commented that she had hoped to receive guidance from this Senate meeting in terms of directions to follow in terms of developing strategies within her Faculty to address issues and recommendations raised in the Report.

Mr. Stuttard suggested that motions would be helpful to either accept or not accept any of the recommendations and thus enable the discussion to proceed in a fruitful manner.

Ms. Stone asked about Recommendation 10 of the Report which referred to unauthorized collaboration in terms of giving students clear direction in terms of what was and what was not legitimate collaboration, and if that direction within context would be specifically available to students in the Calendar and on the Dalhousie website. Mr. Cox , as a member of the Senate *ad hoc* Committee on Plagiarism, clarified that the wording of the recommendation was in reference to “unauthorized collaboration”, with the default being no collaboration allowed, thus individual instructors or Faculties would be responsible for constructing any exceptions which then would be specified to students.

Mr. El-Hawary asked the assembly how the discussion should proceed. Mr. McGrath asked Dr. Scully if, on behalf Deans' Council, he would be prepared to move motions with regards to specific recommendations it had considered. Mr. Scully replied that while appreciating the intent of the request, to do so would not be appropriate given the Deans' Council was an informal body and the feedback he had provided should be considered within that context. He agreed with Mr. Stuttard's suggestion earlier in the discussion regarding motions being proposed. He added that the Report needed primacy of place in a near-future meeting with all Senators reviewing the Report carefully and attending that meeting prepared to make and discuss motions, hopefully positive motions, particularly but not solely regarding devolution of discipline to the Faculties and an Office of Academic Integrity. Mr. Scully noted that the Deans were in a quandary with what to do with a Report filed with Senate over six months earlier but on which the Senate had yet to take action. Mr El-Hawary agreed that motions needed to be brought forth at a future meeting.

Mr. Coughlan **MOVED**, seconded by Mr. Evans:

THAT the Report of the Senate ad hoc Committee on Plagiarism be put the agenda for the next meeting of Senate noting that it would be for decision.

Mr. El-Hawary asked, given that the next meeting of Senate was in two weeks, if that allowed sufficient time for the preparation of motions. Mr. Evans replied that as the seconder of the motion, that waiting for the meeting after the next would not be bothersome to him. He suggested that given its role, the Senate Steering Committee should assume responsibility for organizing the Report's Recommendations and bringing forth motions for consideration by Senate. Mr. Whyte called the question.

The motion was **CARRIED**.

2005:006

Senate Committee on the Environment: Award Recommendation for 2005

Ms. Wright stated that 2005 was the first year for this annual award. Several excellent nominations had been received and following review, the Senate Environment Committee had selected for the award, the Environmental Research Symposium Organizing Committee 2004, comprised of S. Bard, Environmental Programmes Faculty of Science; R. Côté, School for Resource and Environmental Studies, Faculty of Management; and G. Gagnon, Department of Civil Engineering, Faculty of Engineering. Ms. Wright noted that as a result of the Organizing Committee's commitment of expertise and volunteered time, the Symposium was a notable success, bringing together over 500 students and faculty members as well as members of the public to learn about existing research and opportunities for involvement in future projects related to studies of the environment.

On behalf of the Senate Committee on the Environment, Ms. Wright **MOVED**:

THAT the Senate approve that the Environmental Research Symposium Organizing Committee 2004 receive the Annual Senate Environmental Award for 2005 and that the award be presented at the March 14, 2005 meeting of Senate by a member of the Senate Environment Committee.

The motion was **CARRIED**.

2005:007

Chair's Report

Mr. El-Hawary gave notice that he would be presenting a brief report on the activities of Senate during 2004 at the February meeting of Senate.

2005:008

Question Period

Mr. Coughlan reminded the assembly of the Annual Report of the Senate Academic Appeals Committee (SAAC) which was presented to Senate at the October 4, 2004 meeting of Senate by then SAAC Chair, A. Kaiser. In that Report, reference had been made to an outstanding issue which involved a complaint registered about a particular panel of the SAAC, and to which the SAAC had requested a written response from the University administration and the Chair of Senate. Mr. Coughlan stated that Senators might not be aware that, having completed the work of appeal hearings for which he sat as Chair, Mr. Kaiser had resigned from the SAAC as he was not satisfied that there had been a complete response to the concerns he had raised on behalf of the SAAC. Mr. Coughlan added that since Mr. Kaiser's resignation, a second member of the Faculty of Law had resigned from the SAAC for similar reasons, and a third member who had replaced Mr. Kaiser for the latter three months of his sabbatical leave on the SAAC had completed his term at the end of December and had not re-newed. Mr. Coughlan stated that he has been led to understand from the Faculty of Law's member on the Senate Nominating Committee, that he has been unable to recruit replacements for these positions on the SAAC until a response to the issue as raised in the Annual Report had been satisfactorily addressed. Mr. Coughlan asked if there was an intention to have a response as requested.

Mr. El-Hawary acknowledged that there were several concerns raised by the SAAC, and there had been delays in responding. He stated that a meeting with the SAAC, scheduled for February 1, 2005, to discuss the matter had been postponed due to unavailability of some members and Mr. Kaiser. Mr. Kaiser had agreed to attend the meeting to discuss conclusions of a literature search on related matters as requested by the SAAC and conducted by a law student under Mr. Kaiser's supervision after his resignation from the SAAC. Mr. Kaiser had been unable to complete the report due to illness. Mr. El-Hawary stated that the meeting would be re-scheduled.

Mr. Coxon inquired about the University's policies for closing due to storm conditions, and the practice of closing for full days when perhaps weather conditions could change so as to allow the University to open mid-day, for example. Mr. Traves summarized the process of decision-making for storm closure before 6 a.m., including predictions of weather forecasters, road conditions, availability of bus transportation, and decisions for closures by other universities and government departments. He noted that the default position was that the University would be open. However, if it was clear that conditions may be notably unsafe, the decision would be to close.

In regards to the earlier question. Ms. Houlihan inquired if there were any appeal cases pending before the SAAC. Ms. Sommerfeld replied that there was one case pending for which she was awaiting documentation from the appellant before scheduling a hearing panel.

2005:009

President's Report

Mr. Traves stated that he would be giving a full report on a number of substantial matters at the next meeting of Senate.

2005:010

Other Business

There was no other business.

2005:011

Adjournment

The meeting adjourned at 5:35 p.m.