



SENATE

**APPROVED Minutes of the Meeting held on
Monday, April 9, 2018**

3:00pm – 5:00pm

Theatre A, Sir Charles Tupper Medical Building, Carleton Campus, Halifax

The Senate met in regular session on Monday, April 9, 2018 in Theatre A, Sir Charles Tupper Medical Building.

Present: with Kevin Hewitt in the chair were the following: A. Abawajy; D. Anderson; M. Aston; R. Agu; J. Blustein; V. Bhargava; C. Brown; C. Cameron; S. Charlebois; S. Chowdhury; A. Cochrane; T. Cyrus; K. Dakin-Hache; M. Denike; C. Dieleman; T. Duck; S. Faridi; G.A. Finley; J. Gantar; N. Gear; L. Goldberg; J. Graham; D. Grujic; A. Habib; L. Hackett; J. Hall; A. Hayden; S. Holmes; J. Hoyle; Masuma Khan; M. Leonard; L. Macdonald; C. Macy; B. Merritt; C. Moore; R. Parker; J. Penney; A. Prosper; A. Rau-Chaplin; K. Sherren; L. Spiteri; J. Stamp; A. Steenbeck; F. Taheri; G. Wang-Pruski; C. Watters; E. Welsh; D. White; H. Xu

Regrets: N. Ali; A. Aiken; D. Bourne-Tyson; R. Croll; B. Davis; L. Diepeveen; R. Florizone; B. Foster; M. Ghasemi Ghodrat; R. Goodday; D. Gray; Muhammad Khan; C. MacDonald; R. Mopoho; N. Nadeem; M. Numer; T. Packer; D. Patterson; S. Ponomarenko; S. Somogyi

Absent: C. Helland; E. Johnson; D. Kelley; S. Kuzak; W. Lahey; J. Leon; C. Richardson; J. White

Guests: David Black (Chair, Senate Nominating Committee), Katherine Harman (Acting Vice Provost, Student Affairs), Vivian Howard (Professor and Associate Dean, Faculty of Management), Duncan MacIntosh (Professor and Department Chair, Department of Philosophy).

The Dalhousie University Senate acknowledges that this meeting is taking place in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. The Faculty of Management was called upon to share recent initiatives within their Faculty. Dean Charlebois reported that recruitment is currently underway for a position in Indigenous leadership. Additionally, the curriculum is being updated to help students think critically about the Canadian Constitution.

2018:47

Approval of Agenda

The Chair proposed two amendments to the agenda. Item #6.1, *Consultation on candidate profile for the position of Provost & Vice President, Academic*, was moved to follow item #7, *Reports*. The agenda was also amended to include an update from the Dalhousie Student Union President. This was added after item #7.1 and before item #7.2. The agenda was adopted with these amendments.

2018:48

Consent Agenda

2.1 Approval of the Draft Minutes of February 26, 2018 Senate Meeting

THAT the draft minutes of the February 26, 2018 meeting be approved as presented.

Approved by CONSENT.

2.2 Approval of the Draft Minutes of March 12, 2018 Senate Meeting

THAT the draft minutes of the March 12, 2018 meeting be approved as presented.

Approved by CONSENT.

2.3 Senate Planning and Governance Committee: Revised Senate Executive Officer Nomination Procedures

THAT the Senate approve the Revised Senate Officer Nomination Procedures as presented.

Approved by CONSENT.

2018:49

Matters Arising from the February 26, 2018 Senate Meeting Minutes

S. Brousseau reported briefly on work in progress to follow up on the recommendations in the 2016-17 Ombudsperson Annual Report.

There were no other matters arising.

2018:50

Matters Arising from the March 12, 2018 Senate Meeting Minutes

It was requested that the March 12, 2018 meeting minutes reflect that students do endorse a third party fund search and that they also wish to ensure that divestment does not negatively impact students. The Chair noted that the minutes of March 12, 2018 had already been approved as part of the Consent Agenda, but that this could be noted in the minutes of today's meeting under Business Arising.

S. Brousseau noted that, during the presentation on the Budget Advisory Committee report, there was reference to the provision of some additional information on facilities funding for accessibility initiatives. The Vice-President Finance & Administration undertook to provide some additional information, and this has been included in the meeting package as part of the materials attached for information.

2018:51

Steps to Make Diversity and Inclusion a Reality

Senator Prosper offered several recommendations with respect to accommodations for indigenous students in relation to days/events with religious and cultural significance. He noted the importance of Mawio'mi for indigenous students and that the benefits are not only cultural, but also related to health and well-being. He proposed that Dalhousie's accommodations policies be expanded to recognize important religious and cultural holidays for other students as well. Senator Prosper also spoke to the importance of recognizing different epistemologies (Indigenous and others) in grading procedures and practices and communicating with students about how to access and use smudging services on campus.

2018:52

Steps to Increase Student Retention

Vivian Howard, Faculty of Management presented on retention initiatives directed at first-year students in two undergraduate programs within the Faculty of Management. Retention strategies include taking student attendance in the first six (6) weeks of class to establish a healthy attendance pattern and providing students with early feedback so that the students who are doing well are reinforced and students who are performing not as

well are able to make changes early on. These two initiatives were piloted in September 2017. Overall, retention is fairly good in the Faculty of Management. This initiative was about doing even better. In early stages, these strategies were shown to be beneficial. Feedback from instructors indicated that these strategies stimulated attendance. The next steps will include evaluating the impact of these strategies on overall retention and on median grades for first year courses.

2018:53

Senate Nominating Committee: Appointment of Vice-Chair (Academic Programs)

D. Black introduced the two nominees for the position of Senate Vice-Chair (Academic Programs). Dr. Katherine Harman and Professor Jeff Hoyle, briefly addressed Senate and responded to questions from senators. Senators were also referred to the nominees' submitted responses and abbreviated CVs included in the package to Senators.

At the conclusion of an election by secret ballot, Dr. Harman was declared the successful candidate.

Senator Habib **MOVED, M. Khan seconded:**

THAT Senate appoint Katherine Harman as the Senate Vice-Chair (Academic Programs) for a three-year term from July 1, 2018 – June 30, 2021.

The motion CARRIED.

2018:54

Sexualized Violence Policy and Companion Documents

Katherine Harman, Acting Vice Provost Student Affairs, offered opening comments, before initiating the discussion. She introduced Isabelle French, Associate Legal Counsel, who has assisted in the drafting of the policy and was present to answer questions. In the summer of 2016, the Vice Provost Student Affairs and Acting Executive Director, Human Rights & Equity Services recognized the need for a sexual violence strategy. One out of five (5) women will experience sexualized violence while studying at a post-secondary institution. Wide consultation was undertaken on the Sexual Violence Policy, including subject matter, legal, and policy experts.

Senators were referred to the draft Sexual Violence Policy and the current Sexual Harassment Policy (that would be rescinded should the new policy be approved), as well as the companion documents in their package.

Senators engaged in significant discussion with comments and questions focused on a range of issues, including several terms defined in the document (in particular "student" and "visitor") and ensuring clarity around these; concerns around the potentially overly-broad and overly-inclusive nature of the policy in terms of the behaviour covered; how the policy aligns with other policies and processes in terms of such areas as protections for complainants and respondents and discipline; interim measures; confidentiality; training for members of the university community charged with responsibilities under the proposed new policy; the implementation and communication plans for the new policy; and the importance of an accessible document in terms of a format and language that all members of the community, but students in particular, would be able to navigate. The intersectionality of sexual violence with various other experiences was also noted and it was suggested that this complexity be kept at the forefront when the policy is operationalized. K. Harman and I. French responded to specific questions as they were presented and noted several places where some clarification could be added. K. Harman acknowledged and thanked senators for the comments. At the conclusion of the time for discussion, it was agreed that senators could submit further questions in writing for response.

A question was raised as to what was encompassed in the term “visitor” in the policy. It was a concern that a King’s student may be a “visitor” and thus fail to be captured by the policy. It was clarified that King’s students are captured under this policy; however, this could be made more explicit.

- It was further noted that the term “students” could engage different groups of people depending on how the term is defined. It was noted that the term “students” should be defined as broadly as possible for the purposes of this policy.
- A procedural question was raised as to how this motion would be presented before Senate in the future. It will be presented as one omnibus motion.
- Concerns were raised as to the extent to which this policy is too ambitious and overly broad. The approach of this policy is consistent; however, with that of other universities, including U15 peers.
- The policy would also suggest that it overrides any other criminal or civil legal process that could be engaged. As such, it was recommended that the policy adopt the same protections for the complainant and respondent that are incorporated into these other processes. In response, it was described that the policy’s interactions with the civil and criminal court processes are consistent with other Dalhousie University policies, including the *Student Code of Conduct*.
- It was noted that the policy further provides for staff at Dalhousie University to make decisions on and implement broad accommodations based on allegations alone. This appears to be an attempt at pre-emptive discipline. These powers, however, are meant to support individuals in being able to complete their roles to the greatest extent possible, while the investigative process is ongoing.
- Further concerns were raised about confidentiality. It was described that in the university setting, many of the allegations of sexual violence relate to intoxication. This results in a situation where, at times, not enough evidence can be raised to make a finding. However, students can still be significantly impacted in the interim. It was noted that the policy is explicit that the least amount of information possible should be shared in instances where the policy provides for disclosure.
- The training of the Senate Discipline Committee (SDC) was thought to be important so that members of the committee would ask appropriate questions. Placing the burden on panel members to ask questions is difficult, as they are not trained in legal proceedings. Under the proposed policy, however, there was an attempt to ensure that decision-making rests with those who have the requisite expertise in an area. The range of questions that can be asked by SDC members is much narrower, as their role in this process will focus on finding the appropriate sanction. Furthermore, the process is structured in a way where panel members ask questions in order to avoid the situation where the accused gets to cross-examine the accuser.
- It was confirmed that there is a plan in place for roll out, distribution, and education around the policy.
- Concerns were expressed about the language of “striving to balance commitments” in the policy. This is qualifying language that implies that there may be trade offs. An example was given as to how the factors listed in that section may not be mutually compatible. There may be some prioritization. However, these concerns have been noted and will be looked into.
- It was noted that the policy makes “disclosures” possible, whereby a student will be able to get support in navigating other policies, even if the Dalhousie University Sexual Violence Policy does not directly apply in their circumstances.
- It was noted that other forms of violence are captured under the *Student Code of Conduct*.
- It was further relayed that the policy was difficult to navigate and potentially inaccessible. In response, it was advised that this would only be one of the mechanisms through which information would be communicated to students. Information relayed on websites, for example would support making the policy more accessible.

2018:55

Chair of Senate’s Report

The time for this item was committed to further discussion of the Sexual Violence Policy and Companion Documents.

2018:56

DSU President's Report

The time for this item was committed to further discussion of the Sexual Violence Policy and Companion Documents.

2018:57

Provost's Report

The time for this item was committed to further discussion of the Sexual Violence Policy and Companion Documents.

2018:58

Consultation on candidate profile for the position of the Provost & Vice President, Academic

Duncan MacIntosh, Professor and Department Chair, Department of Philosophy, spoke to the current search process. In Dalhousie University's Senior Administrative Appointments Policy, consultation is required on the profiles of certain positions. Feedback is currently being sought from Senators on the Provost and Vice-President, Academic's profile.

Mr. MacIntosh introduced the matter by indicating how such profiles were critical to the candidate search. Several questions were put to Senators to help frame the discussion. However, due to time limitations, it was recognized that this matter would not be fully canvassed in this meeting.

In terms of the experience, knowledge, and qualities Senators considered mandatory for the Provost and Vice-Provost Academic, the following was proposed: the ability to listen, problem solve, and discern trends and patterns; the ability to articulate goals, frame initiatives, and include diverse constituencies in informing decisions; skills in implementing policies with the support of a wide range of constituencies at the university; and the ability to delegate and work with people.

It was further proposed that Senators would be interested in hearing from candidates how they would plan to advance the recommendations of the five reports commissioned by Dalhousie University following the Dentistry Facebook incident.

Senators further discussed the option for a closed search process. It was noted that transparency of the process should be prioritized, as candidates should be questioned by both faculty and students. In response, it was acknowledged that recruitment is challenging and increasingly difficult when an open process is undertaken.

2018:59

Question Period

There were no other questions.

2018:60

Other Business

There was no new business arising.

2018:61

Adjournment

The meeting was closed with a thank you to r outgoing Dalhousie Student Union President and senator A. Abawajy for her service to Senate during her term.

The meeting was adjourned at 5:11pm.