

**SENATE**  
**Approved Minutes of the Special Meeting held on**  
**Monday, November 14, 2022 at 3:00 p.m.**  
**Via Microsoft Teams**

The Senate met for a special meeting on Monday, November 14, 2022 via Microsoft Teams

**Present** L. Spiteri (Chair), R. Affoo, A. Aiken, G. Amore, D. Anderson, J. Andrews, D. Black, J. Blustein, K. Brooks, C. Cameron, R. Chang, S. Chitnis, T. Cyrus, K. Dilcher, P. Doucet-Bernard, A. Doucette, P. Doyle- Bedwell, O. Dryden, L. DuBois, H. El Naggat, R. Ezekiel, N. Ezzeddine, M. Farrimond, G. Gagnon, D. Grantham, D. Harvey, D. Horne, G. Ilie, D. Jakeman, M. Kienast, I. Keumani, S. Keyamo, S. Kirk, W. Lahey, C. Lake, P. Lee Men Chin, M. Leonard, C. Macdonald, L. Macdonald, V. Maselli, S. McKibbin, R. Meagher, B. Merritt, L. Meynell, A. Mohan, D. Naghibi, M. Nashnouch, J. Newhook, H. Niu, M. Pacurar, Y. Pan, T. Perrot, L. Phillimore, T. Rajack-Talley, A. Rau-Chaplin, K. Rosen, D. Saini, R. Sampangi, L. Sarson, S. Seth, M. Sharaput, A. Siegel, A. Stapleton, S. Store, D. Tyers, D. Westwood, S. Wildeman, E. Yiridoe

Guests: John Hope (General Counsel and University Secretary), Judith Ng'ethe (Associate Secretary of Senate), Bob Mann (Manager, Discipline and Appeals)

**Regrets** C. Brown, B. Davis, D. Gray, J. Hall

**Absent** G. Adolphe-Nazaire, T. Agbaje-Ojo, R. Agu, O. Akinkugbe, Y. El Hiani, K. El-Sankary, B. Foster, C. Graves, M. Irwin, S. Jeffrey, A. Kermanshahi-pour, C. Macy, R. Orji, N. Patil, L. Propper, H. Ro, A. Rudnick, D. Silvio, M. Ulku, M. Vandenburg, T. Walker, R. Zaiotti

The Dalhousie University Senate acknowledges that we are in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People and pays respect to the Indigenous knowledges held by the Mi'kmaq People, and to the wisdom of their Elders past and present. The Mi'kmaq People signed Peace and Friendship Treaties with the Crown, and section 35 of the Constitution Act, 1982 recognizes and affirms Aboriginal and Treaty rights. We are all Treaty people.

The Dalhousie University Senate also acknowledges the histories, contributions, and legacies of African Nova Scotians, who have been here for over 400 years.

**1. Approval of Agenda**

The agenda was **approved** as circulated.

Senator Spiteri provided context for the consideration and approval by the Senate Planning and Governance Committee (SPGC), on behalf of Senate, of the motions before Senate at this special meeting for consideration for ratification. Senator Spiteri noted the request from the University administration that the proposals put forward be addressed by November 4, 2022 and the conclusion reached by the

Secretariat that it would be unlikely that quorum would be achieved for a special meeting of Senate by November 4, 2022, resulting in the proposals being considered instead by SPGC on behalf of Senate. Senator Spiteri responded to questions and noted concerns raised regarding the conclusion reached by the Secretariat and took note of suggestions put forward of possible ways to quickly establish possible Senate quorum in the future.

**2. Proposed Suspension of Portion of Section 5.4(j) of the Senate Constitution to Consider Agenda Items 3.1 and 3.2 at Senate Special Meeting**

Senator Spiteri explained that in order to consider ratification of the three motions at this Senate special meeting per the request of a number of Senators, it was necessary to suspend the requirement of Section 5.4(j) of the Senate Constitution that required that ratification occur at the next regular meeting of Senate, with a two-thirds vote in favour. Senator Spiteri noted that the next regular meeting of Senate was scheduled for November 28, 2022.

Moved by J. Blustein, seconded by D. Westwood

**THAT in accordance with Section 5.3 of the Senate Constitution, Senate approve that the portion of Section 5.4(j) of the Senate Constitution requiring that motions or resolutions passed by the Senate Planning and Governance Committee be subject to ratification at the next regular meeting of the Senate be suspended to enable discussion of the three motions passed by the Senate Planning and Governance Committee at its special meeting held on November 3, 2022 at a special meeting of Senate held on November 14, 2022.**

Responding to a query raised regarding the effect of amending or modifying the motions put forward for ratification, John Hope noted that any proposed amendment or ratification would need to go back to the Senate Learning and Teaching Committee (SLTC) from which the motions first came, for consideration. In response to a question regarding the possibility of not ratifying the motions and instead passing new motions from the floor, J. Hope advised that motions on the floor on substantive matters should go back to committee to ensure that all implications and consequences of such motions had been considered.

The motion **CARRIED with two-thirds vote in favour.**

**3. Senate Planning and Governance Committee (SPGC)**

**3.1 Ratification of Motion Approved at SPGC November 3, 2022 Special Meeting - Proposed Requirement of Medical Notes for Final Exams/Use of Student Declarations of Absence for Final Exams and Final Pieces of Work**

Senator Spiteri reported that the motion had been approved at the SPGC November 3, 2022 meeting in accordance with Section 5.4 (j) of the Senate Constitution and was before Senate for its consideration for ratification. Senator Spiteri invited Senator Phillmore (in her capacity as Associate Vice President Academic) to speak to the item.

Senator Phillmore gave a presentation to Senate on the purpose and intent of the proposed changes to the requirement for medical notes and use of Student Declarations of Absence (SDAs) for the 2022-23 academic year. The meeting was advised the current policy required medical notes for rescheduling of final exams and restricted the use of student declarations of absence (SDAs) to term work. The meeting was informed that the proposal was generated following impetus from Associate Deans Academic given the difficulty that students experienced in obtaining medical notes due to challenges being experienced in the medical sector. The proposed

modifications would increase the flexibility in available options for rescheduling of final exams, final coursework or skills by allowing instructors to require, or not, a medical note for final exam rescheduling and also allowing instructors to use SDAs for final exams, coursework, fieldwork and skills if preferred. Senator Phillmore elaborated that the proposed modifications would not prevent the use of medical notes and would allow (SDAs) for final coursework, fieldwork, skills assessment as well as final exams. Senator Phillmore acknowledged the feedback that had been received that this proposal was not as urgent as the subsequent proposal relating to syllabus adjustment also before Senate for ratification. Senator Phillmore explained that the two proposals were submitted together and were therefore considered together. Senator Phillmore noted that while the motion as related to the entire academic year was not urgent, having the section that applied to the Fall 2022 term approved had been beneficial for students, as it had allowed for timely communication, by instructors to students, of changes for the entire term.

Moved by Senator Spiteri on behalf of the Senate Planning and Governance Committee:

**THAT Senate ratify the Senate Planning and Governance Committee’s motion of November 3, 2022, undertaken in accordance with Section 5.4(j) of the Senate Constitution, approving the following measures as a result of circumstances created by the COVID-19 pandemic:**

- 1. Waiver, for the fall 2022 examination period, of the requirement for a medical certificate to verify a student’s absence due to illness for requesting an alternate final examination time;**
- 2. Waiver, for the fall 2022 term and examination period, of the exclusion of final coursework, exams, fieldwork, and skill labs from the use of Student Declarations of Absence; and**
- 3. For the fall 2022 term, including the examination period, that course instructors have the ability to accept either a medical certificate or a Student Declaration of Absence to verify a student’s absence due to illness when requesting an alternate final examination time so long as what will be accepted is clearly communicated to students in advance of the final examination time.**

In response to a question about the procedural implications of the motion being approved by SPGC on behalf of Senate instead of being approved by Senate and whether the requirements of Section 5.4 (j) of the Senate Constitution had been met in this instance, J. Hope confirmed that he was satisfied having reviewed steps taken by the Secretariat that established that quorum could not be achieved for a Senate meeting before November 4, 2022, that it was necessary to proceed with an SPGC special meeting. Senator Ezekiel added that there was time sensitivity in individuals being made aware of the measures for relief provided.

In the ensuing discussion, it was noted that at the SPGC special meeting held on November 3, 2022, the measures proposed were approved only for the Fall 2022 term in order to allow for further discussion by Senate as pertained to the remainder of the year. Responding to a query whether with the SLTC having recommended that the measures proposed apply for the entire academic year, the SLTC proposal could be brought to Senate for approval with respect to the measures that applied to the Winter, Spring and Summer terms 2023, it was confirmed that the motion could be brought to Senate at the November 28, 2022 meeting for consideration. It was also confirmed by J. Hope that if the proposal was not passed by Senate on the basis of procedural inaccuracy, then it could be brought back to Senate for consideration on November 28, 2022, if first approved by SLTC.

Discussion also centred around making waivers of medical notes and expanded use of SDAs permanent and consistent across courses to benefit students and reduce unnecessary stress on the overburdened healthcare system.

The motion **CARRIED**.

### **3.2 Ratification of Two Motions Approved at SPGC November 3, 2022 Special Meeting – Proposed Response to Course Delivery Disruption for Fall Term 2022**

Senator Spiteri reported that two further motions had also been approved at the SPGC November 3, 2022 meeting in accordance with Section 5.4 (j) of the Senate Constitution and were before Senate for its consideration for ratification. Senator Spiteri again invited Senator Phillmore (in her capacity as Associate Vice President Academic) to speak to the items.

Senator Phillmore gave a presentation to Senate on the aims and basis of the proposals approved by SPGC on behalf of Senate, namely to temporarily waive aspects of the Syllabus Policy relating to course delivery due to instructors having to adjust course delivery to account for time lost as a result of labour disruption and other disruptions to learning that had occurred in the Fall 2022 term. The goal of this response was to preserve the ability of students to earn credits. The proposed changes allowed adjustment to course outcomes and delivery with appropriate oversight. However, there was no proposed waiver of the requirements to:

- communicate clearly with students;
- be compatible with the calendar description of the course; and
- submit revised Syllabi to the Academic Unit.

Moved by Senator Spiteri on behalf of the Senate Planning and Governance Committee:

**THAT Senate ratify the Senate Planning and Governance Committee’s motion of November 3, 2022, undertaken in accordance with Section 5.4(j) of the Senate Constitution, approving the following measures as a result of labour disruption, for classes whose course delivery have been substantially disrupted due to the suspension of classes taught by Part-Time Academic members of CUPE local 3912 during a labour disruption or the removal of teaching support by Teaching Assistant, Marker, and Demonstrator members of CUPE local 3912 during a labour disruption:**

- 1. the temporary suspension, for the Fall Term of 2022, of the section of F4 of the Syllabus Policy that applies to learning outcomes;**
- 2. the temporary suspension, for the Fall Term of 2022, of sections D7 and F5 of the Syllabus Policy to allow faculty to make changes to assessments without a vote of two-thirds of enrolled students; and**
- 3. that, for the Fall term of 2022, approval of changes to the syllabus specified in F5 be delegated to the Academic Unit Head as specified in E5, to ensure oversight and that any changes are in the best interests of students.**

In the ensuing discussion, concern was expressed by a Senator that the measures may interfere with collective bargaining. Concern was also expressed with the level of student consultation undertaken on the measure and with possible impact on accredited programs. Senator Phillmore responded that a number of supports were available for instructors, especially for accredited programs and programs that may not be able to adjust per these measures. Senator

Harvey informed Senate that the intent of the motion was to benefit students and not to influence the bargaining process. It was also recommended that in communication to faculties, it be emphasized that there was no change to course calendar descriptions.

The motion **CARRIED**.

Senator Phillmore presented the second measure approved by SPGC on behalf of Senate, at its November 3, 2022 meeting. The meeting was informed that the measure moved forward the November 1, 2022, deadline for students to withdraw from courses, as students would not have sufficient information available to them to determine whether to withdraw.

Moved by Senator Spiteri on behalf of the Senate Planning and Governance Committee:  
**THAT Senate ratify the Senate Planning and Governance Committee's motion of November 3, 2022, undertaken in accordance with Section 5.4(j) of the Senate Constitution, as a result of labour disruption, approving a revision to the Fall 2022 term dates, moving the deadline to withdraw from all courses with a W (Withdraw) until November 25, 2022, but with no change to the refund schedule.**

In the ensuing discussion, it was clarified that Senate does not have jurisdiction over the refund schedule and that this was included in the motion for clarity.

The motion **CARRIED**.

### **Adjournment**

The meeting adjourned at 5:00 p.m.