

Item: Senate Minutes, April 1997
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APPROVED MINUTES

Special Joint Meeting of the Senate and the Board of Governors
April 1, 1997

Senators C. Adams, A. Bell, W. Birdsall, N. Brett, D. Cameron,
present: C. Camfield, R. Carroll, D. Clark, H. Dickson, D. Egan, L.
Fraser, S. Guppy, R. Gupta, D. Hobson, D. Hooper,
E. Kay-Raining Bird (Secretary pro tem), D. Kiang,
G. Kipouros, R. Klein, T. Lee, F. Lovely, W. MacInnis,
B. MacKay, L. Maloney, L. McIntyre, W. Phillips,
T. Rathwell, T. Rhodes, P. Ricketts,
W. Robertson, P. Rosson, D. Russell, C. Starnes, C.
Stuttard (Chair), E. Sutherland, T. Traves, I. Ugursal, C.
Wallace, R. White, W. Wrixon.

Regrets: A. Andrews, R. Apostle, B. Archibald, R. Bleasdale, M.
Bradfield, D. Cherry, G. Coffin, F. Doolittle, P. Farmer, R.
Moore, R. Morehouse, M. Morrissey, I. Oore, D. Patriquin, N.
Pereira, T. Scassa, G. Taylor, G. Tomblin Murphy.

Invitee: C. Hartzman

97:047.

Introductory Remarks

Mr. Stuttard opened the meeting by welcoming everyone to the historic event in which DalTech would be created and the amalgamated university would become a reality. He recognized all the hard work that had gone before and looked forward with optimism to the future of the amalgamated University. The following newly-elected Senators were recognized and welcomed:

Adam Bell, Susan Guppy, R.P. Gupta, Georges Kipouros, Thomas Rathwell, William Robertson, V. Ismet Ugursal, and Carmichael Wallace.

Mr. Stuttard then noted that three motions were on the joint agenda, but Senate would be asked to vote only on the second motion. He then yielded the chair to Mr. Shaw, Chair of the Dalhousie Board of Governors.

97:048.

Establishment of the Faculty of Computer Science

Mr. Shaw also welcomed members of the amalgamated university, stating that the teaching and research endeavours of Dalhousie were being strengthened through amalgamation. He introduced three new Board members: Ivan Duvar, Andy Eisenhower, and Jack Flemming. Mr. Shaw then moved (Joan Conrod seconded) the motion:

That, upon recommendation of Senate, effective today the Faculty of Computer Science is established.

The motion CARRIED without dissent.

97:049.

Creation of Dalhousie Polytechnic

Mr. Stuttard resumed the chair to allow Senate to consider the second motion, which he invited Mr. Rhodes to propose. Mr. Rhodes welcomed the assembled Senators and Board members and expressed his happiness that the process of amalgamation was complete and his optimism that the amalgamated institution had a strong, positive future. He also stated that, due to concerns that had been raised about the name "Dalhousie University Polytechnic", the DalTech Board would host a discussion about the current name and submit its findings and recommendation to the Dalhousie Board of Governors by July 1st, 1997. Mr. Rhodes moved (Mr. Traves seconded) the motion:

That effective April 1, 1997, a College of Applied Science and Technology is created. The name of the College is Dalhousie University Polytechnic and it shall comprise the Faculties of Architecture, Computer Science and Engineering. The terms of reference of the Dalhousie University Polytechnic Board are as approved by the Dalhousie University Board of Governors on November 19, 1996; and the terms of reference of the Dalhousie University Polytechnic Academic Council are as approved by the University Senate on March 10, 1997.

Several Senators called for discussion regarding the new name of the former TUNS. They asked whether it would be appropriate, therefore, to pass a motion which included the controversial name. Mr. Stuttard clarified that the College needed to have a name because it was being officially created today, but the name was not yet carved in stone and would be reconsidered in accordance with the commitment just given by the mover of the motion. There was no further discussion and the motion was CARRIED without dissent. Under the chairmanship of Mr. Shaw, the

motion was then considered by members of the Board. There was no discussion and the motion was CARRIED without dissent.

97:050.

Appointment of Principal

With Mr. Shaw still in the chair, Mr. Traves, on behalf of the Board of Governors, moved (Mr. Flemming seconded):

That effective April 1, 1997, Dr. Edward Rhodes is the Principal of Dalhousie University Polytechnic.

There was no discussion and the motion was CARRIED without dissent.

97:051.

Closing Remarks

In his closing remarks, Mr. Traves described the history of discussions between TUNS and Dalhousie regarding amalgamation. He recognized the historic excellence of TUNS in both teaching and research. He elaborated the strengths of the amalgamated institution, stressing that the whole will be greater than the sum of individual parts. Mr. Traves welcomed the day's celebration of the amalgamation, but cautioned that there were details that still need to be worked out. He looked forward to the emergence of a new amalgamated Dalhousie culture. He thanked all those who contributed to the process of amalgamation, including the Board, the Senate, and individuals at both institutions. In particular, he recognized the efforts of Julia Eastman, Executive Coordinator of the Dalhousie-TUNS amalgamation process. Mr. Traves and Mr. Rhodes presented Ms. Eastman with an inscribed hard-hat, in recognition of her efforts throughout the amalgamation process. Ms. Eastman stated that she had enjoyed getting to know the people from TUNS during the amalgamation process and expressed her positive hopes for the future of the new University.

97:052.

Adjournment

The meeting was adjourned at 4:59 p.m.

Secretary

Chair

DALHOUSIE UNIVERSITY
APPROVED MINUTES
OF
SENATE MEETING

Senate met in regular session on Monday, April 14, 1997 at 4:00 p.m. in the University Hall, Macdonald Building.

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

Adams, Apostle, Archibald, Bell, Birdsall, Bleasdale (Secretary), Brett, Cameron, Camfield, Cherry, Clark, Coffin, Dickson, Egan, Guppy, Gupta, Hobson, Hooper, Kiang, Kimmins, Kipouros, Klein, Lee, Lydon, MacDonald B., MacInnis, MacKay, Maloney, McIntyre, Moore, Morehouse, Oore, Patriquin, Pereira, Phillips, Rathwell, Rhodes, Ricketts, Robertson, Rosson, Russell, Scassa, Shepherd, Siddiq, Starnes, Sutherland, Taylor, Tomblin Murphy, Traves, Ugursal, Wallace, Wanzell, White.

Invitee: Hartzman

Regrets: Bradfield, Doolittle, Farmer, Hyndman, Kay-Raining Bird, Lovely, Morrissey.

Mr. Stuttard welcomed new members to this first regular meeting of the expanded Senate.

97:053.

Adoption of Agenda

The agenda was adopted as circulated.

97:054.

Minutes of Previous Meeting

The minutes of the meeting of 10 March, 1997 were adopted as circulated. Approval of the minutes of the April 1 special joint meeting of the Board of Governors and Senate was deferred to the meeting of April 28, 1997.

97:055.

Matters Arising

Mr. Stuttard noted that two matters arising would be dealt with in subsequent agenda items.

97:056.

Nominations to the Senate Nominating Committee

On behalf of the Steering Committee Ms. Bleasdale moved:

That James Holloway, Faculty of Arts and Social Sciences, be elected to serve on the Senate Nominating Committee for the term April 1, 1997 to June 30 1999; and that Cheryl Kozey, Faculty of Health Professions, be elected to serve on the Senate Nominating Committee for the term July 1, 1997 to June 30, 2000.

The motion CARRIED.

97:057.

Election of Senate Officers

Mr. Stuttard reminded members that motions from the Steering Committee which were amendments to the Constitution required a two-thirds vote in favour to carry. On behalf of the Steering Committee Mr. Stuttard moved:

That Section B. (page 6, Election of Officers) be amended by inserting in the second sentence the words "including former Senators of the Technical University of Nova Scotia" after the word "past", and deleting the third sentence "If a member of Senate . . ."

The motion CARRIED.

97:058.

Membership of Senate Discipline Committee

On behalf of the Steering Committee, Ms. Bleasdale moved:

That the number of elected faculty members of the Senate Discipline Committee be increased from six to eight.

This motion had been slightly modified from that circulated to insert "number of" between "the" and "elected".

The motion CARRIED.

97:059.

Motion to Modify "Guidelines for Evaluators"

On behalf of the Steering Committee, Ms. Bleasdale moved:

That the "Guidelines for Academic Evaluators Regarding Violations of Academic Regulations By Students" be amended by deleting the words "a disciplinable offence" in the second paragraph and replacing them with the word "inappropriate".

Ms. Bleasdale explained that the proposed amendment arose from a 29 November, 1996, meeting of the Senate Discipline Committee at which members had addressed concerns raised by faculty members attempting to apply the Guidelines.

The motion CARRIED.

97:060.

Faculty of Science Cooperative Education Programs

On behalf of the Senate Academic Priorities and Budget Committee, Mr. Stuttard moved:

That approval is granted for a further five-year period for new cooperative education programs in the Faculty of Science, where such programs result in no reduction in academic requirements or changes in summer school programs. The Faculty of Science will inform the Secretary of Senate when it intends to introduce new cooperative education programs and will continue to provide annual reports to Senate on such programs.

The Chair accepted a friendly amendment from Mr. Kimmins to remove the word "such" and insert words which would reflect the fact that all Faculty of Science Cooperative Programs were required to submit annual reports. Mr. Stuttard suggested the words "its cooperative", and explained that this was a renewal of a motion passed five years ago to expedite the Faculty of Science's implementation of cooperative versions of existing programs. Mr. Kimmins elaborated that since the cooperative programs required no modifications other than the addition of work placement terms, approval of each individual program had appeared an unnecessary burden on Senators. Mr. Cameron wondered why Senate's blanket approval was limited to five years; Mr. Kimmins could offer no explanation.

The amended motion CARRIED.

97:061.

Areas of Special Emphasis

On behalf of the Senate Academic Priorities and Budget Committee, Mr. Stuttard moved:

That Senate give notice that proposals for designation or redesignation of Areas of Special Emphasis will be considered by Senate after December 31, 1998.

Mr. Stuttard drew members' attention to the existing Guidelines on Areas of Special Emphasis which had been sent to almost all Senators by e-mail, together with a copy of SAPBC minute 97:010. Mr. Stuttard explained that the intent of the motion was to allow adequate time for groups of faculty to recognize their common interests and then frame and submit proposals reflecting those interests for Senate's consideration. In response to a question from Mr. Archibald, Mr. Stuttard confirmed that the December 31, 1998 deadline would impose a sunset clause on the existing Areas of Special Emphasis and require proposals for their continuation as designated areas. Mr. Traves reminded Senators that during the negotiations leading to amalgamation he had at times referred to what he considered to be our areas of special emphasis, and he invited others to do so since there were no budgetary implications. Specifically, he had noted the new emphasis around technical and technological education. He liked the idea of formal sanctioning by Senate of Areas of Special Emphasis; however, in light of the merger, he favoured somewhat earlier consideration of proposals. Though unfamiliar with the paperwork which had been necessary to the designation of Ocean Studies and Health Studies as Areas of Special Emphasis, he was comfortable that we would be ready much earlier than December 31, 1998 to advertise our new capacities in the area of technology-related study. Mr. Stuttard responded that SAPBC wished to ensure that all groups had time to bring forward detailed proposals presently being developed.

Mr. Traves informed Senators that because of the strong new emphasis on technology education and technology-related research, a major colloquium, scheduled for May 12th, would highlight technology transfer and developments within the University. This was intended in part as a launching date for a new brochure advertising the seven distinct groupings at Dalhousie linked under this area. This was not intended to give the area any special status in the University, only to recognize the new realities resulting from the merger. Ms. McIntyre was concerned that the Areas of Special Emphasis not be considered outside the context of the Mission Statement, since the Guidelines required an area to be clearly related to the Mission Statement. She understood the need for a sunset clause, but realistically a new Mission Statement could not be completed by December 31st, 1998. How could the drafting of a new Mission Statement and the process of designation of Areas of Special Emphasis be synchronized? Mr. Stuttard indicated that during the amalgamation process the need for a revision of the Mission Statement had been recognized. He would have thought a Mission Statement fitting nicely with the consideration of Areas of Special Emphasis could be completed before the end of 1998.

In response to Mr. Dickson's question concerning plans to review the status of the already designated areas of special emphasis, Mr. Stuttard explained that that had been the genesis of the SAPBC's proposal. Ocean Studies had an effective structure and had been able to promote itself well. Health Studies had been quite successful in securing external funding; however, it had never established the required structure, and

had no overall director. That had made it difficult for SAPBC to find someone who could report on developments in Health Studies, provide material, and generally assist in a review of the area. Consequently, SAPBC had decided to put the onus on the existing designated areas to come forward with new proposals to justify their continued status. Mr. Rhodes was surprised and a little worried that it would take nearly two years to consider and approve another Area of Special Emphasis. He preferred a process which would enable Senate to consider, at any time, a proposal for such a designation. In response to Mr. Taylor's question concerning any limit on the number of Areas of Special Emphasis which could be designated at any one time, Mr. Stuttard indicated that it would be doubtful that more than four areas could be so designated, since more than that would include virtually the whole University, and end up defeating the purpose of the exercise.

Mr. Kimmins observed that Senate had never distinguished itself by its ability to identify areas of special focus or emphasis at the University. For that reason the previous President had set up two task forces, one to explore Ocean Studies, and one to explore Health Studies. Further, the body responsible for the Mission Statement had been a Presidential Committee. In order to address what he considered to be the legitimate concerns of Mr. Rhodes, he moved (seconded by Dickson) an amendment:

That "December 31, 1998" be deleted and replaced with "June 30th, 1997".

Mr. Traves reminded Senators that the University Act noted that the amalgamated University would have a special mandate in the area of technology and technology-related teaching and research. We needed to bring our Mission Statement in line with this legislation. It appeared that events had overtaken the intentions behind the drafting of this motion. To the extent that Areas of Special Emphasis were descriptive, we now needed to take advantage of the opportunity to define a new area, which appeared to him self-evident.

In totting up the stages necessary to approval of Areas of Special Emphasis, and the number of months left before December 31, 1998, Ms. Bleasdale found the time line realistic, and perhaps speedy. This was particularly so if we wished to encourage new areas of emphasis, perhaps one initiated by members of the Faculty of Arts and Social Sciences. Mr. Dickson believed the deadline too distant, and preferred a rolling process rather than one unfolding within a rigid time frame. Strong groups warranting consideration should be able to bring forward a proposal quickly.

Mr. Cameron found the discussion and process distasteful and frivolous, and believed Senate was behaving in a not very helpful way. Senators were attempting to make this process prescriptive, rather than descriptive. For example, what could conceivably change in the near future in the Faculty of Arts and Social Sciences which could enable it to bring forth a proposal for an Area of Special Emphasis. He would prefer that the

President propose a new Area of Special Emphasis, and spare Senators the tedium of such endless deliberations. Mr. Maloney preferred to eliminate the date, though he would support the amendment. If we removed "or redesignated", it would look like those with initiative were being asked to put their ideas on hold, which was not in the best interests of the University.

Mr. Kimmins agreed with President Traves that in the context of the motion the Areas of Special Emphasis were descriptive rather than prescriptive, and should reflect what was self-evident. But we needed to be careful to maintain the involvement of Senate in formally

recognizing the University's strengths. If Areas of Special Emphasis were descriptive, proposals could come forward quickly, and Senate could act expeditiously. Mr. Taylor agreed that the process should reflect the realities of our strengths in Ocean Studies, Health

Studies, and now the broad field of technology. He encouraged Senators not to lock themselves into the game of assessing competing contenders for a limited number of designations. The process should remain creative and non-divisive. Ms. Hobson emphasized that Areas of Special Emphasis were not restricted to a particular Faculty, but cut across all Faculties. That was what made them Areas of Special Emphasis. Mr. Pereira clarified that SAPBC's intent was not to delay consideration of proposals, but, on the contrary, give individuals and groups a reasonable length of time to prepare their ideas for submission. At the same time, those areas already designated could reflect on whether they wished to continue with their special status.

Mr. Stuttard reminded members that if we went with the current Guidelines we needed a report from the areas, particularly Health Studies, which had not reported since its inception in 1990 and still lacked a council to oversee its operations. He was unclear what the

implications of changing the date to June 1997 would be for Health Studies. Mr. Kimmins believed that Health Studies could produce a proposal within three weeks.

The amendment to the motion CARRIED.

Mr. Ugursal asked whether there was a tangible benefit resulting from being declared an Area of Special Emphasis. Mr. Stuttard responded that, in looking over the budget which had been prescribed by the President's BAC III Report in 1993, all Faculties had had their budgets cut, with the exceptions of the Faculties of Science and Health Professions which had experienced a net increase in funding in this period. Whether this had any relationship to the designation of Ocean Studies and Health Studies as Areas of Special Emphasis was unclear.

Mr. Clark expressed his broad-based concern over the whole process of setting priorities. Areas of Special Emphasis struck him as a disturbing little euphemism. We should be calling this what it was another form of setting academic priorities. As such it would perpetuate the sometimes very unpleasant competition for resources among Faculties. However, it would make grappling with the issue easier, if messier. Also, if

this was the process for establishing sections of special interest, then maybe it should carry direct economic implications. Maybe designated areas should be exempt from budgetary cuts, if they were that special. Mr. Traves felt some Senators were missing important points: this process did not involve a Faculty designation; to the extent that Faculties were able to reallocate resources and build on existing strengths it was prescriptive; but it did not confer benefits on one department or on one Faculty. For example, the Colloquium in May was not being advanced on behalf of a Faculty. Mr. Ricketts emphasized the inter-disciplinary and cross-Faculty nature of this type of enterprise. He noted that one resource that was undeniably beneficial to an Area of Special Emphasis was the advertising and promotion it generated.

Mr. Pereira could not entirely accept the distinction between descriptive and prescriptive. Though he understood the difference, the two were linked, and the coincidence was more than coincidence. The description reinforced the strength of the area, its ability to attract resources, and, inevitably, took on a prescriptive quality. He was not suggesting that was wrong, only that it was less than conscious of us to not recognize this reality. Mr. Birdsall reminded Senators that the phrase "Areas of Special Emphasis" was, indeed, a euphemism which had come out of a subcommittee of SAPC which he had chaired in the mid 1980s when the word "priorities" raised the spectre of hit lists. Over the years the concept had changed: he did not believe it had had any budgetary implications, and it had evolved past the original intent that it be part of a prescriptive process. Ms. Bleasdale suggested it was not entirely reasonable to argue that there was no relationship between an Area of Special Emphasis and particular Faculties benefitting significantly from that designation.

When SAPBC had reviewed the two existing designated areas it had become clear that certain Faculties did benefit more. While she did not object to this, she asked to be forgiven for hoping one day to see an Area of Special Emphasis which benefitted the Faculty of Arts and Social Sciences a little more.

The motion, as amended, CARRIED.

97:062.

Amalgamation Update -- Graduate Studies

Mr. Ricketts was pleased to report that the arrangements agreed to date represented an appropriate balance between both the wishes of the old Dalhousie and those of the former TUNS. The agreement allowed for the offering of approximately 136 individual graduate programs, equivalent to an increase of approximately 66% over the Faculty of Graduate Studies of the old Dalhousie. This substantial increase in programs was now offered through almost 60 individual departments and schools at the graduate level. With an enrolment between 2300 and 2500 graduate students, Dalhousie was now comparable to our competitors, such as Calgary, Carleton, Queens, McMaster, Waterloo, and Western.

Unlike those schools, at which graduate student enrolment made up roughly 10-12% of total student enrolment, approximately 20% of our total student enrolment would come from Graduate Studies.

Mr. Ricketts highlighted some of the administrative arrangements outlined in the circulated agreement. These reflected the unique nature of DalTech within the University, and maintained and administered the combination between research and graduate studies as they had existed at TUNS. Arrangements included an Associate Principal for Graduate Studies and Research, appointed by the Principal, and accountable to the Dean of Graduate Studies at Dalhousie, and a Graduate Council which would assist the Associate Principal and the Dean of Graduate Studies to serve and administer graduate programs at DalTech. The agreement also provided for graduate faculty and graduate students of DalTech to become members of the Faculty of Graduate Studies at Dalhousie, and for graduate coordinators to become full members of the Graduate Coordinating Council. They would also have representation on the expanded Council of the Faculty of Graduate Studies.

Considerable work remained to be done in the area of scholarships because they have fundamental budgetary implications for the University. Still to be worked out were the implications of extending Dalhousie Graduate Studies allocation procedures to the graduate programs at DalTech; however, the agreement provided for the Graduate Studies Council at DalTech to administer the scholarships which were specific to DalTech programs. These include approximately 40 scholarships. Over the summer, work would continue on the harmonization of existing regulations and procedures of Graduate Studies at Dalhousie with those continuing at DalTech. Hopefully a new governance document would be the result. It had been agreed that admissions effective for the academic year 1997/98 would continue under the existing rules.

Mr. Lee asked for an estimate of the proportion of our total tuition revenue generated by graduate students who comprise approximately 20% of our total student enrolment. Mr. Ricketts agreed to e-mail the answer. Ms. Hobson clarified that the whole issue of funding -- both tuition and scholarships -- would be considered by the BAC working through the summer and fall. Mr. Rhodes supported the agreement whole-heartedly. He noted that the marked increase in the proportion of graduate students enrolled in the new Dalhousie resulted, to a significant extent, from the high percentage of graduate student enrolment at DalTech.

97:063.

Terms of Reference of Academic Council of DalTech

On behalf of the Steering Committee, Ms. Bleasdale moved:

That the terms of reference of the DalTech Academic Council be modified to add item 15: "Monitor codes of conduct as they apply to students, and administer the college level of academic appeals."

The motion CARRIED.

97:064.

For Information.

(1) Qualifying Program in Dentistry

Ms. Bleasdale drew members' attention to the material circulated with this item. It was being presented for information before referral to the Board of Governors. Mr. MacInnis, Dean of the Faculty of Dentistry, addressed concerns raised by members of the Steering Committee and SAPBC. He explained that the qualifying program was an attempt to institute an examination process for graduates of non-accredited dental programs that would take the place of the existing process. The existing process had problems of reliability and validity, and the ten licensing authorities in Canada had asked the Universities with Dental Programs whether they would be willing to provide a teaching environment and process that would replace the national examination process which would be terminated in the year 2000. This was not an "end-run" around immigration. Candidates for the existing National Examination were virtually all Canadian residents, and virtually all candidates for the new process would also be Canadian residents. Mr. Stuttard explained that this proposal went directly to the Board of Governors because it was a service to the professional body, and not a proposal involving the awarding of Dalhousie credentials. Ms. Sutherland was concerned that the Library had not been asked to do an assessment of the impact of this proposal. Mr. Stuttard explained that that would have been part of the budgetary assessment completed by Mr. Christie.

(2) Residency Program in Cardiac Surgery

The Steering Committee and SAPBC had reviewed the information from the Faculty of Medicine and agreed that this proposal should be forwarded to the Board of Governors (and then to MPHEC) for approval.

97:065.

President's Report

Mr. Traves commended Senators for their patience, humour, and judgement during the process of negotiating the merger. Now that we were emerging from the ad hoc mode which had been necessary for dealing with some issues, he believed that the new Senate would be a good place for consideration of the future issues related to amalgamation. Items were

being moved into the normal planning, approval, and governance processes of the University. He noted that in the weeks ahead a series of advertisements concerning out areas of strengths in the amalgamated University would be appearing in the Chronicle-Herald and other media.

In a follow-up to the earlier discussion of the Faculty of Science cooperative programs, Mr. Traves indicated that during recent preparations for a speech he had been personally astounded to discover that approximately 3000 students at Dalhousie, almost all undergraduates, participated in some form of experiential learning, be it in cooperative programs or practicum. We have moved towards an emphasis on applied learning which has not been adequately recognized as one of our unique strengths.

In thinking over the implications of the amalgamation, and our strengths in general, the President believed that to a significant extent the period of rationalizing and streamlining of our resources was behind us, at least for the moment. Now was the time to define a new agenda which better fitted the realities of today. The new University was well launched, and ready to think about its future in a sustained and focussed way. In the summer he planned to bring together the senior administrators and a handful of Board members to begin this process. Hopefully the preliminary results of these deliberations would be brought forward to Senate for discussion and refinement.

97:066.

Question Period

In what would be one of his final contributions to Senate discussion, Mr. Clark wished to raise an issue especially close to his heart. He appreciated the fact that Dalhousie had spent large sums and had attempted in a variety of ways to make itself more accessible to students with disabilities. However, to date the University had been lax in addressing the fact that seating was designed for "those of less than considerable bulk". This issue had been addressed by various human rights organizations. Mr. Traves responded that Dalhousie had an advisory committee which attempted to deal with such matters, and he would personally undertake to convey Mr. Clark's concerns to that body.

Mr. Klein suggested that this was an ideal time for Dalhousie to hold an open house. With the amalgamation, students, faculty, and administrators would be excited to share amongst themselves, and with the larger community, the developments at the University. Mr. Traves agreed.

97:067.

Adjournment

The meeting adjourned at 17:42 h.

DALHOUSIE UNIVERSITY
APPROVED MINUTES
OF
SENATE MEETING

SENATE met in regular session on Monday, 28 April 1997 at 2:00 p.m. in the University Hall, Macdonald Building.

Present with Mr. Colin Stuttard in the chair, were the following:

Adams, Andrews, Apostle, Archibald, Bleasdale, Bradfield, Cameron, Carroll, Coffin, Doolittle, Farmer, Guppy, Gupta, Hooper, Kiang, Kimmins, Kipouros, B. MacDonald, MacInnis, Maloney, McIntyre, Moore, Rathwell, Ricketts, Rosson, Ruedy, Scassa, Siddiq, Taylor, Tomblin Murphy, Traves, Ugursal, Wallace, White.

Regrets: Bell, Dickson, Egan, Fraser, Kay-Raining Bird, Klein, Lee, Lovely, D. MacDonald, Morehouse, Morrissey, Oore, Rhodes, Russell, Wrixon.

97:068.

Adoption of Agenda

The Chair noted that he wished to speak to item 6 and proposed that Mr. Archibald would temporarily take the chair for that item. This was agreed and the agenda was then adopted as circulated.

97:069.

Minutes of Previous Meeting

With a spelling correction at item 97:064, line 2 (MacInnis), the minutes of the meeting of 14 April, 1997, were adopted.

97:070.

Thank you to Student Senators

On behalf of Senate, Mr. Stuttard thanked the student members who had served on Senate during the past twelve months, and wished them well for the future. Senate looked forward to working with the new student representatives.

97:071.

Awarding of Degrees -- Nova Scotia Agricultural College

Mr. Coffin moved (seconded by Mr. Traves):

That the degree Bachelor of Science in Agriculture be awarded to the 93 students identified in correspondence to the Secretary of Senate.

The motion CARRIED.

Mr. Ricketts moved (seconded by Mr. Wallace):

That the degree Master of Science in Agriculture be awarded to the 2 students identified in correspondence to the Secretary of Senate.

The motion CARRIED.

Mr. Bradfield moved:

That the Principal and Registrar of the Nova Scotia Agricultural College and the Dean of Dalhousie's Faculty of Graduate Studies, where appropriate, in consultation with the Chair of Senate, be authorized to add to or remove from the graduation list the names of any students omitted from or included in the list through demonstrable errors on the part of the College, the University, or one of its Officers, or other reasons, and that any such additions or deletions be reported to Senate.

The motion CARRIED.

97:072.

Report of Ad Hoc Committee on Student Discipline Appeals

Mr. Darby reminded Senators that in establishing the Senate Discipline Committee and its jurisdiction, Senate had not considered the question of appeals made from decisions of this Committee. In a number of cases which had arisen in the past few years, Senate had been faced with requests for appeals which appeared to be frivolous or vague. The Committee which he chaired had been asked to investigate this matter, and to recommend guidelines for the handling of appeals. The authors of the present Report had been concerned to ensure adherence to the principles of natural justice. Essentially, they recommended establishment of a Senate Appeal Board which would hear appeals. Such

appeals would be limited to errors of process, including disputed jurisdiction, lack of evidence, and the denial of natural justice. Factual matters would not be grounds for appeal, on the basis that a Senate appeal body should not assume the power to second-guess the substance of a case. Matters which would fall under the general rubric of the denial of natural justice were laid out in the Report.

The Committee had not included review for errors of law on the face of the decision or of the record. Committee members did not believe the University was obliged to review errors of law; and such review would needlessly duplicate the good work of the Senate Discipline Committee and the Senate Academic Appeals Committee. Recent decisions of the Nova Scotia Appeal Court suggested that we might need to address this issue at some point in the future. At present, however, the Committee recommended limitation of the grounds to denial of natural justice.

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

That the Report of the Ad Hoc Committee on Student Discipline Appeals be adopted.

Ms. McIntyre thought the report excellent, and hoped all other processes of appeal at Dalhousie would be reviewed within the context of this conceptual framework. She asked whether the right to counsel or other representation set out at page 4, section (d), implied a right to counsel at the Faculty level, and at all levels of hearings at Dalhousie. Mr. Darby believed it was better to advise students of their right to counsel, rather than subject Dalhousie to the criticism of the Courts at a later stage. Decisions of the Senate Discipline Committee could have adverse consequences for students, including expulsion from the University and a notation to that effect on their transcripts. It was better to warn students of the possible consequences of not seeking appropriate counsel, and thus avoid challenges on that ground. Ms. Scassa agreed that the University would be ill-advised to not allow counsel at the higher level. At the Faculty level this was less of an issue. Mr. Taylor observed that the issue did not arise at the Faculty level since discipline cases went directly to the Senate Discipline Committee.

Mr. Adams questioned the composition of the proposed Appeal Board. Mr. Archibald indicated that if the Report were accepted, he was prepared to put forward two motions dealing with this issue. The first would authorize the Steering Committee to draft language, based on the Report, to place in the Constitution. The other motion would be based on the premise that it would be advisable to utilize individuals who were familiar with holding hearings, but not involved

in Senate discipline. This suggested choosing an Appeal Board from among the members of the Senate Academic Appeals Committee. Concerning the issue of legal counsel, Mr. Cameron appreciated that the student might suffer adverse consequences, but so might the University. He wondered whether we could assume that where serious issues were at stake the right of the student to counsel might be matched by the right of the University or Faculty to counsel. Mr. Darby thought that the University could usually take care of itself.

Mr. Ricketts noted that some Universities did not include the right to cross-examination of witnesses in their appeal procedures. Mr. Darby explained that part of the requirements of due process was that an individual be allowed to cross-examine witnesses. The Court would set aside cases in which that right was denied, since it was a denial of natural justice. Mr. Andrews found the Report helpful, but requested clarification as to who would determine that there was "leave to appeal." Mr. Darby explained that would be decided by the Appeal Board, and could be dealt with as the first item of business at the Appeal Board's proceedings. Mr. Andrews asked whether Senate received regular reports from the Senate Discipline Committee. Mr. Stuttard explained that the Committee submitted an Annual Report to Senate, as was required of all Standing Committees. The Committee also reported each case to the Secretary of Senate.

The motion CARRIED.

Mr. Stuttard thanked Mr. Darby and the Committee members for their work.

Mr. Archibald moved (seconded by Mr. Ricketts):

That the terms of reference for a Senate Discipline Appeal Board be drafted by the Senate Steering Committee, based on the recommendations of the Darby Report, and shall be brought to Senate for incorporation in the Constitutional provisions governing the operations of Senate as an addendum to the terms of reference of the Senate Discipline Committee, and that this be done as soon as possible.

Mr. Archibald suggested that the addendum would encompass, primarily, the items at the bottom of page 6 and the top of page 7 of the Report. Ms. Scassa thought it would be advisable to broaden the remedial provisions to include the power of the Appeal Board to quash a decision.

The motion CARRIED.

Mr. Archibald moved:

That the five members of a Senate Discipline Appeal Board be chosen from the members of the Senate Academic Appeals Committee, by the Chair of that Committee.

Mr. Archibald suggested these individuals comprised a natural pool from which members of a Board could be drawn, given their familiarity with and experience in hearing appeals. Mr. Andrews could not think of a better proposal, but was not convinced this was the correct method of proceeding. He wished to abstain from the vote. Mr. Adams asked whether we could have a mandated number of students on that Committee, to provide for student representation on each Appeal Board. Mr. Stuttard agreed that Steering would look into this.

The motion CARRIED.

97:073.

Request for Retroactive Conferral of Graduate Degree

Ms. Bleasdale presented a motion from the Senate Committee on Academic Administration:

That Senate give favourable consideration to the request from the Faculty of Graduate Studies that Mr. C. Paetzold's M.A. degree be conferred retroactively effective October 1995.

Ms. Bleasdale drew attention to the letter circulated with the agenda which laid out the reasons why this individual had not been granted his degree at the appropriate time. She moved:

That Senate award an M.A. degree to Mr. Paetzold retroactively effective October 1995.

The motion CARRIED.

97:074.

Quorum for SCAA Meetings

Mr. Stuttard noted that this item from the SCAA was a motion to amend the terms of reference of that Committee as set out in the Constitution, and would require a two-thirds vote in favour to pass.

On behalf of SCAA, Mr. Stuttard moved:

That the quorum for meetings of SCAA shall be 40% of the

membership.

Mr. Stuttard explained that the effect of this motion would be to delete the second component of the quorum rule, the provision that "at least half of the quorum shall be elected members".

The motion CARRIED.

97:075.

Appointment Process for Clinical Medical Faculty

Mr. Archibald took the chair for this item. He drew attention to the material circulated with this item, and reminded members that this matter had been before Senate recently, and had been considered by the Board of Governors. The Chair of Senate wished to propose motions arising from deliberations at the Board of Governors and from subsequent discussions between himself and the Dean of Medicine, Mr. Ruedy. Mr. Stuttard referred to his recent memorandum on this issue to the Board of Governors on April 14, copied to all senators on April 18 with a covering memo which constituted a notice of motion to Senate. He explained that since that communication to Senators even greater progress had been made toward agreement on these matters. He and Mr. Ruedy had now reached agreement on the proposed amendments to the CAPR document shown in the copy circulated to Senators. Mr. Stuttard clarified that Senators had received today a revised first page of the previously circulated document. He also noted three small changes not included in the copy before Senators: at the last line of section 4.5, "in" became "within"; in section 2.5, line 6, "one" became "a Chair"; and, similarly, in section 4.7 "one" became "a Chair". This wording was consistent with Senate Regulation 5.8.4. Mr. Stuttard proposed a single motion to deal with this item (seconded by Mr. Ruedy):

That Continuing Appointment with Periodic Review be incorporated into Senate's Regulations Concerning Appointments, Tenure, and Promotion by reference to the Faculty of Medicine's document entitled "Appointment Process for Clinical Faculty", revised and dated April 28, 1997.

Mr. Stuttard assured members that the Board of Governors had committed itself to endorse any changes made by Senate. Mr. Ugursal asked what would happen if the two designated individuals disagreed. Mr. Archibald assumed that two new individuals would be chosen and the process would begin again. However, he trusted that, with goodwill, agreement would be reached. Mr. Brett pointed out, and Mr. Stuttard agreed, that the change to 2.5 and 4.7 needed to be made in 3.5 also.

Ms. McIntyre wondered if 1.1 was too narrow to achieve its intent. Was it too restrictive for those involved in clinical care, and could it be worded in such a way as to include all M.D.s appointed to clinical departments or divisions of the Faculty of Medicine. Mr. Ruedy had had no problems with the original wording, and had no difficulty with the proposed definition. It was important to distinguish clearly those members of a clinical department with an advanced degree who were solely involved in research and had no clinical responsibility. The wording was both broad enough and narrow enough.

Mr. Andrews asked whether the new words could be applicable to an individual holding an M.D., active in clinical care, but also holding a PhD and carrying out research activity. The wording did not appear restrictive, but rather descriptive of a condition to be met. Mr. Ruedy explained that this excluded those with appointments in clinical departments not involved in clinical care. Mr. Andrews noted that the appeal procedures had been improved enormously, but he remained concerned with 3.5 and 4.7. He would have preferred that the member had the right to appear in person before the Board, since the President was a member of the Board, and would be able to appear in person. In this respect the proposed procedure seemed unbalanced.

The motion CARRIED.

97:076.

Report of the President

Mr. Traves highlighted items from his circulated report. He applauded the success of applicants for NSERC and SSHRC research grants. The data in his Report did not include the results for DalTech or the results of the MRC grant competitions. The President also noted the very slight improvement in Dalhousie's position coming out of the recent announcements of funding levels by the provincial government. The Budget Advisory Committee would review our final budgetary situation and recommend the disposition of any additional funds. The announcement of additional funding for the Faculty of Medicine from the Provincial Department of Health was also welcome, and Dean Ruedy was to be congratulated on the success of his strong lobbying efforts. This was both a model and an encouragement to all of Dalhousie as we press our case for certain types of funding in other areas of the University community. Mr. Traves asked members to take notice of the memorandum from the Vice President of Development and Alumni Affairs, Dale Godsoe, which outlined our fund-raising efforts, and our strategies for the future. To date, since the beginning of the current capital campaign, we had taken in slightly more than \$39

million, counting all sources of funding to the University, above the normal tuition fees, government grants, and research contracts and grants. In particular, the President wished to thank those who had contributed through the Staff, Faculty, and Student Campaign.

Mr. Andrews urged that SAPBC assume its appropriate role in the BAC's final review of the budgetary situation. Mr. Stuttard noted that SABPC would be meeting next Monday and could take a preliminary look at the implications of the slight increase in funding. Mr. Traves indicated that, if further information was available before the meeting of SAPBC, he would forward it to that Committee. If that information was not ready within the week, he trusted SAPBC would still proceed with a discussion of the final budget and offer any suggestions that would assist the President and the BAC in their deliberations. Mr. Andrews recalled that last year the University had an operating surplus of close to \$1 million which the Board had decided to apply to debt reduction. Was that same procedure likely to be followed this year. Perhaps debt reduction was no longer the priority it had been in the past. Was it time to look at applying the operating surplus to operating costs? Mr. Traves had not received the report on the final state of affairs. Once we had that report we would inform the community of the options available to us with respect to the disposition of the money. No decision had been taken.

Mr. Bradfield wondered whether the effects of early retirement would also be considered in the formation of the final University budget. He recalled it amounted to approximately \$1 million in the 1997/98 budget. He also asked what had happened to the NSCHE funding formula kite flown a while ago. Mr. Traves indicated it was still flying. The document initially circulated was amended shortly thereafter, because of a number of errors. Subsequent meetings had identified and considered a massive series of questionable assumptions used to justify the existing formulation. One example was the assumption of a tuition fee level of \$3000 per student, which bore no relation to the fees actually charged at the Universities in Nova Scotia. At present the important issue appeared to be identifying where further work was needed. Mr. Traves believed that in the Minister's Office and the Council some desire remained to see a new formula. Dalhousie was not opposed to a new formula, but believed the only credible formula would be one based on the realities of Universities within Nova Scotia, rather than on fantasies.

Mr. Bradfield requested information concerning the size of the debt carried by TUNS, and what had happened to it in the merger. Mr. Traves responded that the debt was approximately \$2.3 to \$2.4 million, a portion of which had been carried forward from this current year. A

number of other debt items had also been carried forward. These were reviewed in the President's Office and the debt was divided up. Essentially, one part of the past debt of roughly \$200,000 was assigned to DalTech. The current 1996/97 planned deficit was also assigned to DalTech. The remainder was assumed to be University debt. The President would ask Mr. Mason to provide the specific figures and the reasons underlying decisions concerning division of the debt.

97:077.

Question Period

Mr. Bradfield wondered about the status of the promised review of the endowment policy. Mr. Traves understood that the review was proceeding and he expected a report from the Committee in the current academic year. Mr. Bradfield noted that in the discussion of the BAC Report, and in some of the e-mails from Vice President Mason, it had become clear that the University had two budgets. Which budget did the BAC use, or did it look at both budgets? What were the different surplus and deficit figures on the two budgets? Mr. Traves suggested the question be framed more precisely and forwarded to Vice President Mason.

97:078.

Adjournment

The meeting adjourned at 17:45 h.