

Item: Senate Minutes, November 1999

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**DALHOUSIE UNIVERSITY**

**APPROVED MINUTES**

**OF**

**SENATE MEETING**

SENATE met in regular session on Monday, November 8, 1999, at 4:00 p.m. in University Hall, Macdonald Building.

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

Alexander, Bell, Binkley, Bleasdale, Bradfield, Brett, Carlson, Coffin, Cunningham, El-Hawary, Flood, Fooladi, Furrow, Galley, Giacomantonio, Girard, Gupta, Ipson, Kay-Raining Bird, Johnston, Kipouros, Lee, Lohmann, MacAulay, B. MacDonald, N. MacDonald, Maloney, McConnell, McIntyre, Pacey, Phillips, H. Powell, Rathwell, Rutherford (for Ricketts), Russell, Scully, Shafai, Starnes, Traves, Ugursal, Wainwright, White, Whyte.

Regrets: Jalilvand, MacInnis, McAlister, C. Powell, Sastri, Shepherd, Tindall, Treves, Wallace.

**99:118.**

Adoption of Agenda

Mr. Stuttard drew members' attention to his email addendum concerning the Presidential Review Committee, and suggested that it become item 6 (i). The Website Protocol would then become 6 (ii), and if there was no objection, he would remain in the chair for that item. There was no objection and the agenda was adopted as amended.

**99:119.**

Minutes of Previous Meeting

The minutes of the meeting of 7 October, 1999, were adopted as circulated.

**99:120.**

Recording of Median Grades on Student Transcripts

Mr. Stuttard reminded members that this item had been postponed to this meeting to give the Registrar time to report to Senate. At the July 26, 1999 meeting of Senate, Mr. Traves had moved:

**That the current University policy of recording on individual student transcripts the median grade of each class be suspended until September 1, 2000.**

Mr. Scully moved:

**That Senate postpone discussion of the motion until the December meeting of Senate.**

Mr. Scully hoped that at that point we would be able to inform Senate where "things stood."

concerning the median grade.

The motion was **CARRIED**.

**99:121.**

Responses to Questions from Previous Meeting of Senate

Mr. Scully indicated that after the deadline for class changes in January he would have a more complete answer to Mr. Bradfield's question concerning any relationship between the University's new fee-per-class policy and the apparent modest shift from full-time to part-time study. In response to a later question from Mr. Brett, Mr. Scully noted that there appeared to be a decrease in the number of class registrations in several Faculties, though he was reluctant to comment further or draw conclusions until information for the second term registration was available.

Regarding Mr. Bradfield's request for a detailed report of Dalhousie's investment portfolio, and specifically information concerning any University investments in Indonesia, Mr. Scully reported that Dalhousie currently held no stock in companies whose head offices were located in Indonesia. Mr. Scully suggested that individual Senators address questions concerning any individual company to Senate's representative on the Investment Committee.

**99:122.**

Changes to the October Graduation List

Mr. Stuttard corrected the name of one individual listed in the letter from Associate Registrar Judy Douglas, included in the Senate mailout.

**99:123.**

Question Period

Mr. Bradfield noted that about two weeks earlier, the CBC had reported that Dalhousie was negotiating with Knowledge House concerning a new degree in the field of Information Technology. Assuming the report was true, when would Senate be given information concerning such negotiations?

Mr. Traves responded that Dalhousie had been approached by an information technology company in the private sector interested in investing in a possible on-line version of the existing Master of Engineering degree in Internetworking. Discussions of a possible partnership which would package the program for distance education were underway between the company and faculty members concerned. Such a partnership was being considered because of the substantial investment required to create on-line versions of the classes. He would report again to Senate if necessary.

Ms. MacDonald asked whether there were any countries from which we would not accept government-sponsored students, and any countries from which we would not accept students who were paying their own way. Mr. Scully agreed to bring an answer to the next meeting of Senate.

Ms. Bleasdale wondered about the possibility of extending to students the current program of free flu vaccinations for faculty and staff. Mr. Traves suspected that if such extension would be a cost to Dalhousie it would be beyond our means, but he would look into the background to the program.

**99:124.**

Nominations from the Nominating Committee

On behalf of the Senate Nominating Committee, Ms. Bleasdale moved:

**That the following nominations be approved: to the Senate Committee on Academic Administration, Robert MacDonald (Dentistry), November 1999- June 2002; to SCITPC, G. Flowerdew (Faculty of Graduate Studies, Medicine), November 1999-June 2001; to the Senate Library Committee, F. Smith (Faculty of Graduate Studies, Medicine), November 1999-June 30, 2002.**

After the requisite calls for further nominations, the motion was **CARRIED**.

**99:125.**

Admissions Policy

On behalf of the Senate Committee on Academic Administration, Mr. Scully moved:

**That Dalhousie University reserves the right to rescind any acceptance of an applicant into a Programme or to rescind an offer of admission of an applicant into a Programme. Such rescission shall be in writing and may be made by the President or the Vice-President (Academic) and Provost, in consultation with the appropriate Dean, at any time prior to the applicant's registration being confirmed by the Registrar. Any such rescission shall be reported to the Senate *in camera*.**

Ms. Furrow asked where and with what explanation this right of the University would be communicated to applicants. Her concern was that potential students not be put off by fears that they were vulnerable to having their acceptance rescinded without just cause. What type of reasons for rescinding offers of admission had SCAA discussed? Mr. Scully clarified that this statement would be printed in a prominent position at the beginning of the Calendar. The discussion at SCAA had noted that this would be an exceptional occurrence, and would happen almost exclusively where the grounds for rescinding the acceptance were non-academic, and were concerned with issues such as personal security for the University community. At present the University had no explicit policy stating that it reserved the right to withdraw an offer of admission under certain circumstances. He did not believe this right would be exercised more than once in any academic year, and foresaw years in which it would not be invoked. Mr. El-Hawary requested clarification as to why the clause was restricted to the period prior to confirmation of registration by the Registrar. Mr. Scully explained that after confirmation of registration the applicant became a student and as such subject to the existing University policies covering student behaviour.

In response to the concerns of Mr. Ugursal, Mr. Scully observed that although the University might technically already have the right to rescind an offer of acceptance, it was important for the Calendar to contain an explicit policy to which we could refer if necessary. Mr. Stuttard added that the University's Legal Counsel had drawn up the proposed motion. Mr. Bradfield suggested words "to the address supplied by the applicant" be added after "in writing" in order to protect the University from allegations that notification of the rescission had not been received. He also suggested that the Chair of Senate be involved in any rescission, on the same basis as for additions to the graduation list. Mr. Traves noted that the Senate was directly involved in approving graduands, but not in the acceptance

of applicants into programs. He also spoke to the prudence of having such a policy spelled out before a rescission order which might be challenged.

Mr. Wainwright wondered what the rights of the student would be in this matter, particularly given that the report to Senate would be after the fact. Mr. Stuttard noted that applicants were not students until registered. Mr. Wainwright then asked whether there was a written University policy concerning the step-by-step process for dealing with such a situation? Such a policy would protect a prospective student against an arbitrary decision, and address the important distinction between an individual who applied to Dalhousie and was refused and one who applied, was accepted, and then had that acceptance rescinded. Was there an opportunity for the student to challenge the rescission? Mr. Scully noted there was no formal University process through which the individual could appeal, but the individual had all the rights available under the law. This motion spoke to an exceptional circumstance in which the rights of an individual had to be weighed against the right of the collective University body. The reporting to Senate addressed the issue of accountability. Mr. Galley asked whether the motion could state that the University's right was restricted to non-academic issues. Mr. Scully and Mr. Stuttard noted that the distinction between academic and non-academic issues could be blurred, for example in the case of an applicant who had falsified records. Mr. Bell received clarification that this mechanism could not be used to remedy problems such as those of a Faculty admitting too many students and needing to eliminate some.

Mr. Stuttard welcomed Ms. Kay Raining-Bird, a former Senator and former Vice-Chair of Senate now returning to Senate as a representative of the Faculty of Health Professions. Ms. Kay Raining-Bird reminded members that in the recent past students had been blacklisted from University, and she was concerned that Senate be careful to provide applicants with some type of recourse against decisions to withdraw their acceptance. Mr. Pacey accepted the motion as an interim step, but considered it desirable for the University to specify some of the grounds on which an offer of admission might be rescinded. This would assist in ensuring fairness, and also assist our legal position in the case of a challenge. Would this policy alone stand up in court, or could an individual still point to the arbitrariness of the University's actions? Could SCAA report back on this point? Mr. Traves noted that any legal advice he had received on University regulations pointed to the need to make them general rather than specific. He believed that the ultimate check on any potentially arbitrary action would be in court or the report to Senate. He understood the type of social issues and concerns behind Senators' reservations; however, it was within the power of Senate to protect the institution from the potential abuse of power by an administrator.

Ms. McIntyre noted that there was no right to appeal for those who were not part of the University community, and the attempt to attribute rights to non-members of the community was misguided. This proposed motion was directed at protecting the rights of the University and the rights of Senate. Administrative officers could act and would be answerable to the Senate. The University needed to ensure it did not return to the days of rejecting students for arbitrary reasons, and the *in camera* report to Senate would do that. Mr. Bradfield suggested, and the mover accepted, a friendly amendment:

**That the words "that Senate approves the following addition to the Calendar" be inserted at the beginning of the motion.**

Mr. Bradfield believed such an addition would achieve in the short run what the motion was intended to achieve, and the broader concerns raised by members could be addressed at another time.

Mr. Brett moved:

**That "the reasons for" be added before "be reported to Senate."**

Mr. Brett believed this would give Senate an informed role in overseeing the application of the policy.

Ms. McIntyre indicated that the Committee had removed "and the reasons for" for the reasons noted earlier by the President: indication of specific reasons would provide an opportunity for individuals to challenge the grounds for the rescission of their acceptance. Mr. Whyte accepted the legal arguments on behalf of the University, but the issue that appeared to be causing concern was whether the University should attempt to accommodate in some way those who applied and had their acceptance rescinded. The proposed amendment would go some way to protecting those who did not have rights.

Ms. Bleasdale noted that Mr. Crocker had originally suggested that we include "and the reasons for", and that SCAA had deleted that provision on the understanding that Senate would be given the reasons *in camera*.

The amendment was **LOST**.

From his experience, Mr. Scully could not conceive that any report to Senate on this type of action would not include discussion of the reasons for the action. Individuals reporting would feel obliged to justify their actions. Ms. MacAulay asked what Senate would be able to do if it decided a rescission should not be upheld. Mr. Scully answered that Senate could pass a motion that the rescission be rescinded.

The following amended motion was then **CARRIED**:

**That the following policy be adopted and published in the University Calendar, "That Dalhousie University reserves the right to rescind any acceptance of an applicant into a Programme or to rescind an offer of admission of an applicant into a Programme. Such rescission shall be in writing and may be made by the President or the Vice-President (Academic) and Provost, in consultation with the appropriate Dean, at any time prior to the applicant's registration being confirmed by the Registrar. Any such rescission shall be reported to the Senate *in camera*."**

**99:126.**

The Presidential Review Committee

Mr. Stuttard reported that in the absence of the President the Steering Committee had agreed to recommend to Senate:

**That the three current Officers of Senate be appointed to serve on the Presidential Review Committee.**

Ms. McIntyre understood that the review process was to be objective, and as arms-length and informed as possible. The email from Mr. Stuttard indicated that the three current Officers of Senate had participated in the annual performance appraisals of the President, and this spoke to some degree of prior knowledge of the performance of the President. She was concerned that this might in some way remove the more objective view that might come from someone who had not taken part in that type of

appraisal. The Board representatives on the Presidential Review Committee, drawn from the Officers of the Board of Governors, might also have participated in the annual performance appraisal. But that did not obviate the desirability of including on the Committee someone from outside that process. Mr. Stuttard noted that the Review would encourage submission of the opinions of the broad range of individuals and groups at Dalhousie. The Senior Administrative Appointments document, previously adopted by the Senate and Board, was the source of the composition of the Committee.

The motion was **CARRIED**.

**99:127.**

Protocol for the Senate Website

Mr. Stuttard introduced the protocol for the Senate Website, adopted by the Steering Committee on 27 September, 1999, and circulated with the agenda as an item of information. Ms. McIntyre noted that the Protocol had come to her attention because one of Senate's sub-Committees had wanted to undertake a dialogue with members of the University, something the protocol appeared to prohibit. She asked who was the Webmaster, who could amend the Website, and by what mechanism a Senate sub-Committee might dialogue with the larger University community. Mr. Stuttard pointed out that Senate Committees could interact with the University community in a variety of ways: through a public notice on Notice Digest or through an email list, for example. The problem with information put on the Web was that it was available for consumption world-wide, and it did not seem desirable to publish for the world material that might include misinformation or misunderstandings, or that might be obsolete, and consequently detrimental to Dalhousie. This problem had led to the original concern about the Senate Committee on Information Technology Planning Committee which as of last Friday had still had an autonomous Website containing obsolete material and internal reports which gave a poor impression of the computing facilities at Dalhousie. All Senate Committees were listed on the Senate Website, maintained by Ms. Minnie Clements in Senate Office in conjunction with the Senate Officers and an expert who set up the Web page. The current protocol had been devised in an attempt to ensure that only Senate-approved material would be available to the world. Ways of limiting access to Websites existed, but to date had not been made available to Senate Office. When they became available it might be possible to communicate through the Web using limited access to parts of the Web page.

Mr. Sullivan, Chair of SCITPC, indicated that that Committee shared some of the concerns already stated. He asked Senators to consider giving SCITPC the opportunity to review the protocol in light of the evolving understanding that the Web could be a means of generating discussion and disseminating new ideas, not simply a place for publishing information after it had been perfected by discussion. Mr. Stuttard pointed out that the protocol had been sent to Mr. Sullivan as Chair of SCITPC, and wondered why the Committee had not yet received it. Mr. Sullivan clarified that the Committee did not like the protocol and would like to offer suggestions for changes. Ms. Bleasdale appreciated that on this issue SCITPC might consider itself in a privileged position in relation to other Senate Committee's, since it was directly concerned with information technology. However, she was concerned that all Committees of Senate would need to be extended the same opportunity to review the protocol, and perhaps to decide what information they wished to include on the Website. If that process were followed, the potential for inaccuracies and misrepresentation would expand enormously and undermine a Website which at present reflected the work of Senate accurately.

Mr. Sullivan clarified that SCITPC simply wanted to help Senate develop the protocol; it was not

requesting the right to decide what went on its Website. Mr. Stuttard suggested that the current protocol had been adopted, and SCITPC could offer any motions for its modification and improvement, in light of their expertise. Ms. Binkley asked whether dialogue was possible other than through email and distribution lists. Could we have chat rooms, for example? It was important to facilitate discussion within the University on issues coming forward from Committees. Mr. Stuttard reminded members that we had an email address (Senate-list@ac.dal.ca) which enabled anyone to send messages to all Senators. Unfortunately, that address was hardly ever used, which suggested the sense of urgency in getting exchanges on the Web might be virtual. Ms. Bleasdale pointed out that at one point Dean Slonim had kindly offered to set up a chat room for SCAA, but one of the problems in expanding such services was the on-going cost. Senate would certainly welcome the allocation of resources which would be necessary for the creation and maintenance of the types of dialogue mechanisms Ms. McIntyre and Ms. Binkley were suggesting. Senators might also wish to demonstrate more enthusiasm for the email address currently available. Action on Senate-list@ac.dal.ca was decidedly slow.

Mr. Sullivan had been reminded by Mr. Barkhouse that it was possible to limit websites to specific users such as Committee members only, and those were the types of protocol issues that SCITPC would like the opportunity to discuss. Mr. Stuttard indicated that Senate would await a motion from SCITPC concerning the Senate Website protocol. In the meantime, SCITPC should inactivate its Website in order to conform with the existing protocol approved by the Steering Committee.

#### **99:128**

#### Annual Report of the Senate Computing and Information Technology Committee

Mr. Sullivan noted that on page 6 under OI DT, at the second bullet, "and a new Instructional Technology Coordinator position was filled" should be added after "was hired." That item should continue to read: "The majority of the funding for this latter position comes from the Faculty of Health Professions." Mr. Sullivan welcomed questions.

Mr. Rutherford:

#### **That the Annual Report of the Senate Computing and Information Technology Planning Committee be accepted.**

Mr. Wainwright asked whether the Committee had any record of the differences between and among Faculties at Dalhousie concerning computing services and facilities. His question was prompted by the extent to which computing equipment was or was not made available to members within his Faculty, FASS, and the resulting personal costs to faculty requiring equipment for teaching and research. He had heard that in other Faculties members did not need to pay for email, ethernet services, softwood packages, and disks.

Mr. Traves was sympathetic, but understood that the type of expenditures to which Mr. Wainwright referred were within the purview of the individual Faculties, and not covered by some University-wide policy. Mr. Sullivan added that SCITPC had attempted to spend any central funds equitably. Mr. Ugursal believed that in the Faculty of Engineering such expenditures were decided at the departmental level.

Ms. MacDonald suggested that for the benefit of the uninitiated the University might attach a glossary of acronyms to its Website, or better still invent shorter names for its Committees. Mr. Stuttard



welcomed suggestions.

Referring to the discussion of IT expenditures at the top of pages 5 and 7, Mr. Bradfield understood that the \$280,000 at the top of page 7 was a special allocation for upgrading classrooms, but was troubled that a third of the money appeared to have been spent on furniture. Would it be possible to secure specifics as to how much had been spent for equipment, etc., and for which classrooms. Mr. Scully offered to make that information available to the next meeting of Senate.

Mr. Stuttard commented that the prospective meeting between the Chair of SCITPC and the Senate Steering Committee to discuss the Website, mentioned under item 3 on p. 4 of the SCITPC Report, had in fact taken place on September 2, 1999, and clarification of issues at that meeting had produced the Website protocol which was adopted on September 27, 1999, and subsequently sent by email to the Chair of SCITPC.

The motion was **CARRIED**.

### **99:129.**

#### President's Report

The President had recently participated briefly in an awards ceremony honouring twenty-four faculty members and six graduate students and instructors for teaching excellence in 1998/99. The list of award winners would be available in the Senate Office. It included individuals honoured at Dalhousie, regionally, and nationally. He wished the minutes to reflect his personal appreciation and the appreciation of the institution for the service of such dedicated teachers. Mr. Traves had also recently attended a luncheon for the fiftieth anniversary of the class of 1949, and had been once again struck by the impact which our professors had on the lives of their students.

On another matter, the President noted that the Report of the Task Force on Research Policy and Administration had been widely distributed in hard copy to Senators and was on the Web for all members of Dalhousie. He had invited comments from the University, but to date had received relatively little comment. Perhaps members had chosen to comment on the interim Report, when the Policy had been in its formative stage. The President had found the exercise very useful, and the final Report substantial and wide-ranging. The President was personally persuaded that one item in the Report called for immediate action: the creation of a Research Council, advisory to the Vice-President Academic and Provost, and to the yet to be appointed Vice-President Research. He wished to have further discussion of this item with the Deans and Senate, but to date had heard nothing negative concerning this aspect of the Report. Other items in the Report were for referral and further consideration, and would ultimately lead to additional recommendations from the Research Council. Mr. Traves congratulated Professor Stairs and all those who had served on a very demanding Task Force. He understood that the Chair of Senate was scheduling a discussion of the Report for the near future.

The President also addressed the Federal Government's recent announcement concerning the creation of what were being called Twenty-First Century Academic Research Chairs. It was his understanding that the intention was to establish at least 1200 new University positions, distributed over the next three years and fully paid for by the Federal government. The expectation in Ottawa was that the program would be extended beyond the three years for an additional two years, resulting in a five-year program and approximately 2,000 appointments, each of which would carry funding for a five-year period.

What might be described as senior appointments would carry approximately \$250,000 per annum to provide salaries and substantial research funding for senior professors. What might be described as junior appointments would carry approximately \$100,000 for salaries and research support. The expectation among the University Presidents who had been notified about this federal initiative was that these would be normal faculty appointments, carrying some teaching responsibilities. The precise distribution of the positions was subject to further discussion by a committee consisting of the chairs of the three national granting council and approximately five or six university presidents, as well as the President of AUCC. The committee appeared to represent a reasonable balance across the regions, and between large and small universities, and of those in wealthy and poorer areas.

Mr. Traves also believed that although the money would be funnelled through the Research Councils, it would not be allocated in exact proportion to the current allocations to each of those Councils. However, a large number would go through the MRC and the two other Councils. Allocations would also be made in some rough proportion to a university's past research performance, with universities receiving in some rough proportion to their past research performance. He believed it would be left to each University to determine the internal disposition of those chairs allocated to it.

In the first instance, a sub-committee of Deans would advise the Vice-President on methods for distributing chairs within Dalhousie, though internal decision-making would be influenced to some extent by the rules governing the national distribution of funds.

Mr. Stuttard noted that the Report of the Task Force was on the agenda for an up-coming meeting of the Senate Academic Priorities and Budget Committee, and would be forwarded to a subsequent meeting of Senate. He asked members to please send to the Senate Office copies of comments submitted to the President so that discussions at SAPBC and Senate could be informed by them.

**99:130.**

Adjournment

The meeting adjourned at 5:45 pm.