

Item: Senate Minutes, September 2003
Call Number: Senate fonds, UA-5

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DALHOUSIE UNIVERSITY

***APPROVED* MINUTES**

OF

SENATE MEETING

SENATE met in regular session on Monday, September 8, 2003, at 4:00 p.m., in the Lord Dalhousie Room, Henry Hicks Academic Administration Building.

Present with Mr. M. El-Hawary in the chair were the following:

Barker, Barnes, Beazley, Breckenridge, Campbell, Carroll, Cochrane, Corke, Coughlan, DasGupta, Dunphy, Earl, Elliott, Farrell, Finbow, Finley, Fraser, Galarneau, Guy, Hamilton, Hicks, Horackova, Huebert, Jalilvand, Jost, Kwak, Lahey, Livingston, Loudon, Macrae, Maes, McGrath, McIntyre, McNeil, Meagher-Stewart, Morgunov, Murphy, Oppong, Parpart, Partridge, Pelzer, Rajora, Rathwell, Richard, Russell, Schroeder, Scrimger, Scully, Sommerfeld (Recording Secretary), Stone, Stroink, Stuttard, Taylor, Traves, Whyte, Zalezsak, Zuck.

Regrets: Caley, Cercone, MacDonald, Neumann, Phillips, Pronk, Wanzel.

Absent: Ben-Abdullah, Cook, Grantmyre, Hart, McMullen, Precious, Satish.

Invitees: Ms. B. Downe-Wamboldt, Mr. R. Hoffman, Ms. K. Fierlbeck, Ms. F. Bergin, Mr. J. Yogis

2003/067

Adoption of Agenda

Mr. El-Hawary noted the following changes to the agenda for the meeting: Question Period would follow Item #4, Chair's Report; and under Item #8 - Annual Reports to Senate, Item #8.2 would be deleted and placed on the agenda for the next meeting of Senate. The agenda would be renumbered accordingly.

The agenda was ADOPTED as amended.

2003/068

Welcome New and Returning Members

On behalf of the Senate, Mr. El-Hawary welcomed Grant Wanzel who had replaced Tom Emodi as Dean of the Faculty of Architecture & Planning, David Precious who had replaced Bill MacInnis as Dean of Dentistry, Harold Cook, Interim Dean for the Faculty of Medicine during

Noni MacDonald's administrative leave, and Keith Taylor, the incoming Dean for the Faculty of Science. On behalf of the Senate, Mr. El-Hawary welcomed newly elected Faculty Senators: for the Faculty of Arts & Social Sciences, Dennis Farrell, Robert Finbow, David McNeil, and Marjorie Stone; for the Faculty of Architecture & Planning, John Zuck; for the Faculty of Computer Science, Norman Scrimger; for the Faculty of Dentistry, Joseph Murphy; for the Faculty of Engineering, Mysore Satish; for the Faculty of Health Professions, Lori Livingston and Brenda Richard; for the Killam Library, Ella-Fay Zalezsak; for the Faculty of Management, Ray Carroll, Karen Beazley, and Andrews Oppong; for the Faculty of Medicine, Bruce Dunphy, Magda Horackova, and Nik Morgunov, and for the Faculty of Science, Dorette Pronk and Patricia McMullen. He noted that David Schroeder will continue to serve on Senate, but in his capacity as Acting Dean for the Faculty of Arts and Social Sciences during Marian Binkley's leave. Mr. El-Hawary also welcomed the new senators from Dalhousie's affiliated institutions, Phillip Hicks, the first President of the Nova Scotia Agricultural College, and the newly appointed King's College President, William Barker.

Mr. El-Hawary reminded Senators that Senate is the highest academic governing body within Dalhousie and thus has responsibility for assuring that all academic matters and issues are dealt with in a manner to achieve the best interests of Dalhousie University as a whole, regardless of the Faculty from which any particular senator may be appointed.

2003/069

Draft Minutes of Previous Meeting

i) Approval

The minutes of the meeting of June 23, 2003 were ADOPTED as circulated.

ii) Matters Arising

Mr. Stuttard inquired about a question raised by Ms. McIntyre at the June 23, 2003, meeting (Minute Item 2003:063) regarding proposed increased costs to fringe benefits. Mr. Traves responded that he had communicated directly with Ms. McIntyre regarding the matter, but noted that the fundamental element driving the increased costs noted by her was the significant increase in the university's pension contributions.

2003/070

Question Period

Ms. Macrae noted that she had attended the Killam Lecture series this past June during the Congress for the Humanities and Social Sciences and had found this to be an excellent experience. She commented that it was unfortunate that the Lectures were held at a time when students were not generally present on campus. Mr. Traves responded that the Killam Lecture

Series had been moved to June to coincide with the Congress of which several students had attended. He commented that while there were neither financial resources nor sufficient lead time for another Killam Lecture series during this academic year, there were a number of other lectures planned over the course of the year. He further noted that the Killam Lecture series would be returning to its usual in-term schedule during the 2004-2005 academic year. Mr. Scully noted that a very large number of faculty, staff and students from across Dalhousie had been involved in the Congress for the Humanities and Social Sciences which had six thousand registrants. He congratulated those involved on the outstanding success of the Congress.

Mr. Scully also noted that as of September 5, 2003, the increased enrollment target of 750 students had been surpassed to 900 students, resulting in an approximately 6% increase in undergraduate students, and as well there was an increase of approximately 8% at the graduate level.

Mr. Whyte inquired about the campus parking situation, specifically that it appeared that the number of reserved parking spaces had increased while the number of non-reserved parking spaces had decreased. He noted that it was the responsibility of the Security and Parking Committee to pursue issues of decreasing non-reserved parking spaces, as well as determining acceptable numbers of reserved parking spaces, including issues related to revenue generation. He stated that he had spoken to the Senate's representative on the Security and Parking Committee, Patrick Ellis. Mr. Whyte wondered how Senate might get clarity on the issue from its representative given that Mr. Ellis was not a Senator. Mr. El-Hawary responded that the matter of parking should be taken up by the Senate Physical Planning Committee which would then report to Senate. Mr. Traves noted that as there was Senate representation on University Security and Parking Committee, it may not be appropriate to refer the matter to another Senate Committee. In addition, Mr. Traves commented that while it may be perceived that the number of non-reserved parking spaces had decreased, in fact increased reserved spaces had provided the financial resources to increase non-reserved parking spaces. He noted the on-going problem of lack of parking in general for the University, particularly if one arrived on campus after 8:30 a.m., and that the fees set for parking were not easily changed as they remained part of collective agreements.

Ms. Macrae asked for clarity concerning Mr. Ellis, a non-Senator, serving as Senate's representative on the University Security and Parking Committee. It was confirmed that Mr. Ellis was not a member of Senate but was its representative on this particular committee. Mr. Stuttard noted that there were Senate representatives on several University committees who were not members of the Senate.

2003/071

Senate Steering Committee:

- i) *Constitutional Provisions Governing the Operations of Senate: membership.*

Mr. El-Hawary reminded members that a motion to amend the Constitution required that two-thirds of members voting must be in favour to adopt the amendment.

On behalf of the Senate Steering Committee, Mr. El-Hawary **moved:**

THAT the Senate approve the *Constitutional Provisions Governing the Operations of Senate* be amended under 'Elected Faculty Members', page 3, to allow elected members of Senate who go on sabbatical or other leave of six months duration to be replaced for the duration of their leave, with the member on leave returning to the Senate position at the end of the leave if the term had not yet expired.

Mr. Stuttard inquired if the Senate e-mail discussion group list (senate-list@is.dal.ca) was up-to-date. Mr. El-Hawary stated that it was. Mr. Stuttard pointed out, therefore, that all Senators would have received his e-mail sent prior to the meeting regarding this issue and urged Senators to vote against this motion and the one to follow. He commented that if there was a problem with absenteeism by members on leave for up to six months significantly affecting the quorum at Senate meetings, then an alternate solution would be to require that senators taking leaves of any duration be replaced for remainder of their elected Senate term. Mr. Scully concurred with Mr. Stuttard's comments pointing out that the business of Senate was sufficiently complex not to enable a temporary replacement to easily slip into the role of Senator. Mr. Scully also pointed out the need to protect sabbatical leaves and that those individuals on such leaves needed to step down from commitments such as Senate in order to take full advantage of the purpose of the sabbatical leave itself. Mr. Traves asked for clarity on what the current situation was in relation to the intent of the motion. Mr. El-Hawary noted that currently only those senators unable to complete their full term of more than six months duration were replaced for the remainder of their term; for a period of six months or less, no replacements were sought. Mr. Huebert queried if a reasonable approach might be to require a senator going on sabbatical leave of six months or one year to resign from Senate. Ms. McIntyre stated that she was favorably inclined to the current motion as a six-month appointment to Senate might give an individual experience such that one may be more inclined to serve on Senate for a full term at some future time while enabling a quorum to be met and the work of Senate to be accomplished. Mr. Jalilvand commented that replacing faculty for six-month appointments was not always possible as faculty simply were not available. He suggested that an alternative might be to give the faculty members going on sabbatical the option to choose whether they can or cannot meet their Senate responsibilities while on sabbatical leave.

Mr. Jalilvand moved the following amendment, seconded by Mr. Whyte:

THAT "may be replaced" be inserted for "to be replaced".

Mr. Jalilvand accepted Ms. Beazley's friendly amendment to the amendment:

THAT "to be replaced" be retained in the motion and "or to resign from the position" be added at the end of the motion.

Mr. Huebert spoke against the amendment as it would permit someone to do what they can already do, that is to resign their position. Mr. Coughlan noted the difficulty of drafting an acceptable motion in such a large session. Mr. Stuttard commented that the precise wording for the Constitution was not part of the motion or the amendment to the motion.

Mr. El-Hawary put the question and the amendment to the motion was **LOST**.

Mr. El-Hawary put the question and the motion was **LOST**.

ii) *Constitutional Provisions Governing the Operations of Senate : Quorum*

On behalf of the Senate Steering Committee, Mr. El-Hawary **moved**:

THAT the Senate approve that the *Constitutional Provisions Governing the Operations of Senate* be amended to include under 'Quorum' on page 14 the statement "In the event that a Senate position is unoccupied due to a sabbatical or other leave, or the member has resigned and has not yet been replaced, the position will not be counted in the quorum until the position has been filled."

Mr. Stuttard commented that the motion was unnecessary as membership referred to persons and as vacancies were not persons, quorum is determined by the actual number of persons who were members of Senate at the time of a meeting. Mr. Traves suggested that Senate accept Mr. Stuttard's clarification and that the motion be withdrawn. Mr. El-Hawary stated that as it was a motion from SSC, that it could not be withdrawn. Mr. Jost suggested that the motion be referred back to SSC for further review. Mr. Fraser pointed out that the motion could be tabled and be returned to Senate only if a member so requested.

It was moved by Mr. Jost, seconded by Mr. Stuttard:

THAT the motion be postponed indefinitely.

The motion was **CARRIED**.

2003/072

Senate Academic Priorities and Budget Committee:

i) *Proposed Degree Program: Bachelor of Arts with Minor in Community Design*

On behalf of the Senate Academic Priorities and Budget Committee, Mr. El-Hawary **moved:**

THAT the Senate approve the proposed Bachelor of Arts with a Minor in Community Design program.

Mr. El-Hawary invited Mr. Schroeder to comment on the proposal. Mr. Schroeder responded that the program was a cooperative effort between the Faculty of Arts and Social Sciences and the School of Planning and was a result of prior discussions held between those divisions in the development of the Bachelor of Community Design program. The advantage to this proposed program was that students would be able to take classes in community design with a strong background in arts and social sciences, and at the end of the program may be better equipped to decide whether they wished to study further in the area of community design. Mr. Zuck concurred with Mr Schroeder's remarks.

Mr. Campbell noted that the motion from SAPBC was dependent on two revisions being received. Mr. El-Hawary confirmed that the required revisions had been received.

The motion was **CARRIED**.

ii) *Proposed Degree Program: Bachelor of Arts with Minor in Health Studies.*

On behalf of the Senate Academic Priorities and Budget Committee, Mr. El-Hawary **moved:**

THAT the Senate approve the proposed Bachelor of Arts with a Minor in Health Studies program.

Mr. El-Hawary invited Mr. Schroeder to comment on the proposal. Mr. Schroeder responded that the program provided an opportunity for students to study issues of health within the context of the Social Sciences and Humanities and that it was not designed as a professional program. He noted that while the Faculty of Medicine had not been originally consulted on the proposal, subsequent to the discussion of the proposal at SAPBC, there had been such consultation which had indicated interest from the Faculty in participating. Ms. Fierlbeck commented that the focus of the program would be on the study of the social nature of health and within a broad definition of health. Mr. Coughlan suggested that the Health Law Institute may have classes available that may be included in the program design. Mr. Stuttard commented that he assumed there was no

mis-conception that students in this program would be able to take classes in the Bachelor of Medicine program which are designed strictly for medical students. He was reassured that his assumption was correct. Ms. Partridge inquired as to why a "B-" was required for approved courses in this program. Mr. Schroeder responded that the number of classes that students would be required to take would have limited enrollment and the grade of "B-" would indicate that students pursue the program in a serious manner. Ms. Stone spoke favourably of the initiative and stated that there was a demand for the program. Ms. Parpart noted that the International Development Studies stream had a strong interest in health issues as well. Also, Ms. Parpart suggested that it may be helpful to link the program with the School of Health and Human Performance. Ms. Macrae asked for clarification as to whether or not the classes listed were in fact generally full and hard to access as indicated in the proposal; if yes, then would students actually be able to register for them. Mr. Schroeder responded that the program would be attractive to students and that choices would have to be made at some point, for example, as to whether to make more sections of particular courses available, and that such decisions would be part of an on-going planning process within the Faculty.

The motion was **CARRIED**.

iii) *Proposed Degree Program: Doctor of Philosophy in Nursing*

On behalf of the Senate Academic Priorities and Budget Committee, Mr. El-Hawary **moved:**

THAT the Senate approve the the proposed Doctor of Philosophy in Nursing program, with the condition that the Faculty of Health Professions makes a one-time transfer to the Library of \$1,560 and a base budget transfer of \$3,400, to be phased in over three years, as outlined in the Library Assessment.

Mr. El-Hawary invited Mr. Kwak, Ms. McIntyre and Ms. Downe-Wamboldt to comment on the proposal. Mr. Kwak commented that the Faculty of Graduate Studies was very pleased to bring the proposal forward to Senate as it represented what would be one of seven Ph.D. Nursing programs in Canada, and the only such program east of Montreal. He noted that the demand would be limited, although the need for doctorally-prepared nurses was high. He commented that the proposed program had been extensively reviewed internally by the Faculty of Health Professions and externally by the Faculty of Graduate Studies, with all reviews being favourable. He noted that the capacity of faculty members in the School of Nursing to deliver the program was significant, that the program was research intensive, and that students would be well integrated into the well developed and well funded research program within the School of Nursing. Ms. McIntyre noted her full support of the program and commented that she was very

pleased the proposal had finally been presented to the Senate for its consideration. Ms. Downe-Wamboldt noted the significant level of research funding that had been awarded to faculty members in the School of Nursing.

Mr. Stroink noted that in the financial review of the proposal by Brian Christie, Executive Director of Institutional Affairs, it was noted that the revenue generated by the proposed program would be minimally adequate to fund necessary expenditure levels if the planned enrollments were achieved. Ms. McIntyre responded that Ph.D. programs generally were not meant to be revenue generating, that the proposed doctoral program had sufficient revenue to meet its bare costs, and that the School of Nursing was well placed to provide support for students in the proposed program. She further noted that changes had been made by the physical plant to provide adequate physical space for the doctoral students, and that resources currently employed for the Master of Nursing program were sufficient to manage also the additional doctoral program administrative load. She further commented that Mr. Christie's review had been developed based on the ERBA formula and thus was not applicable to the proposed doctoral program due to the small number of students involved. Mr. Barnes asked about the long term financial support for the proposed program. Ms. Downe-Wamboldt responded that funding for \$354,000 has been received from the Canadian Institute of Health Research for a six-year period, and as well there was a commitment of funding from the Faculty of Health Professions and internally within the School of Nursing. She stated that there also was a history of funding support for Master of Nursing students from the Nova Scotia Health Research Foundation. Mr. Kwak reiterated that this was a high-need program but also one of low enrollment, and noted that as the research intensity of faculty members was very high, research funding for graduate students was likely to continue.

Mr. Stuttard commented that Ms. McIntyre had noted that the Faculty had the resources for the proposed program and given that allocation of resources was a matter of priority, he wondered to what extent making resources available for this proposed program lead to under funding of other programs within the Faculty and to heavier workloads for faculty members in other programs in the School. Ms. McIntyre responded that the Master of Nursing program had been reduced from a 48 credit program to a 36 credit program resulting in more faculty availability for the PhD program; that is, graduate resources being used for graduate resources. She noted that the School of Nursing's costs related to increased undergraduate enrollment had been met through financial resources from the Nova Scotia Department of Health. She concluded by stating that the School was thus financially well resourced to provide this proposed doctoral program. Mr. Stuttard asked if whether there were any pressure on faculty members teaching in the undergraduate program to increase their teaching workloads to accommodate this initiative. Ms. McIntyre responded that faculty members qualified to teach in the graduate program were not necessarily the same who taught in the undergraduate program and while she could not comment on each faculty member's workload, the workload demand was distributed satisfactorily. She further stated that senior faculty members who were successful researchers were able to include Ph.D.

teaching into their workload. She noted that faculty workloads were negotiated as per the collective agreement. Ms. Macrae asked what consultation had occurred with the faculty of the School of Nursing in relation to the workload distribution as related to this proposed program. Ms. Downe-Wamboldt responded that the faculty had recently approved the academic plan for the next five years for the School of Nursing and that a clear priority for the School was the Ph.D. program which would add significantly to the highly successful research programs that had developed over the past five years. Mr. Elliott asked about the space being made available for Ph.D. students and asked for a fuller description of what was being made available. Ms. Downe-Wamboldt responded that 20 study carrels were being made available in total and each of these was to be equipped with a computer line. She noted that there were three computer labs available to students in the School of Nursing as well.

Mr. McGrath commented that the DSU had considerable skepticism of the proposal but had attempted to review it in a serious manner as it did with all new program proposals. He commented that one section of the Internal Review Report, dated February 11, 2003, by the Faculty of Graduate Studies, was particularly bothersome to him and he read from page 7, paragraph 2, of that Report: *“Problems of ‘climate’ are evident in other ways as well. The Committee heard concerns that dissenting viewpoints were not easily tolerated within the School. One manifestation of this was the posting of rules of interaction during faculty meetings in the School of Nursing. These rules included such admonitions as ‘no sneers, no whispered comments, no rolling of eyes’ and ‘listen attentively/no slouching’. While the rules seem to have been born of a need to improve the interactive environment in the School., they appear to now be contributing to a sense of disenfranchisement and suppression of alternate viewpoint, at least for some. The Committee is disturbed by such ‘accepted practices’ and feel such practices are inconsistent with a healthy academic and professional climate and inappropriate to a democratic environment where individuals should feel free to speak their minds, even if their opinion is not the majority opinion (see Recommendation #7.2).”* Mr. McGrath further noted that in the School of Nursing's March 6, 2003, written response to the report, in reference to this recommendation, it was stated that *“we are distressed and frankly offended to read this patronizing view of the School.”*, to which the Internal Review Committee noted in its April 8, 2003, written response that *“We are disappointed by the Steering Committee’s response to these recommendations. The information that motivated these recommendation was presented to us in the course of this review, which suggests to us that past efforts to ensure that all perspectives are heard have had only partial success. We want to reiterate here our concerns about the need for attention to the School’s atmosphere because we can see the potential negative impact on Ph.D. students if problems in this area continue.”* Mr. McGrath noted that this characterization of the School of Nursing seemed to be prohibitive in allowing the School to achieve success as regards to the Ph.D. proposal and asked what identifiable measures were being taken by the School of Nursing to counteract these statements that were given to the Internal Review Committee by members of faculty within the School. Mr. Kwak responded that the issue had been discussed at the Faculty of Graduate Studies level noting that much had happened in the School since those

statements regarding the School's policies had been made. He added that as in all departments there were differing opinions and debates. He reiterated what he perceived were the strong academic merits of the program proposal. Ms. McInyre made similar supporting comments noting that the School had a positive, vibrant climate.

Ms. Partridge noted that in the External Review Report by Dr. C. Varcoe of the University of Victoria concerns were raised over the intent to accommodate the doctoral students needs for administrative support by adding to the current administrative workload of staff. Ms. Partridge asked what consultation had been done with the current administration of the School of Nursing in terms of how these demands would be met. Ms. Downe-Wamboldt re-iterated that the number of Ph.D. students would be small with admission numbers under the control of the School, and that the current administrative structure of the Master of Nursing program could satisfactorily handle the required administrative load, noting that the Associate Director of the Graduate Program had been part of the Steering Committee which had developed the proposal for the program.

Mr. McGrath noted that at the SAPBC meeting where this proposal had been approved, Mr. Christie's memo of May 6, 2003, had been discussed in relation to comments regarding adequacy of funding as assessed in the original proposal. Mr. McGrath stated he had asked that Mr. Christie comment on the proposal again in light of the revisions to the June 20, 2003 version, but a response had not been received. While the program appeared to be an important one that would add to the quality of the University vis-a-vis comparator groups, the DSU could not support the proposal without further response from Mr. Christie regarding a financial re-assessment based on the revised proposal.

Mr. Stuttard suggested that given the concerns that had been raised and the questions that remain unanswered in relation to the financial assessment, the proposal be deferred to the next meeting of Senate or until an updated financial assessment from Mr. Christie was received. Mr. Fraser noted that Mr. Christie was present at the two SAPBC meetings where the proposal was discussed, and that Mr. Christie had noted that while he had written that the resources were minimally adequate, he did believe they were adequate. Mr. El-Hawary reminded Senate that the motion on the table was a motion from SAPBC and that the emphasis should be on adequate rather than not inadequate. He stated that in his opinion it would be inappropriate to wait for any individual to appear at Senate to respond to a particular issue after SAPBC had deliberated at length on that issue. Mr. Scully supported this view, noting that Senate should not be attempting to duplicate activities undertaken at the Committee level, and that it was not appropriate to suggest that Mr. Christie be asked to report directly to Senate as well as to SAPBC. He concluded by stating that this program proposal had received intense scrutiny at all levels and supported Mr. Kwak's comments made earlier.

The motion was **CARRIED**.

2003/073

Proposed Schedule of Meetings 2003-04

It was moved by Mr. El-Hawary, seconded by Ms. Sommerfeld:

THAT the proposed 2003-2004 Schedule of Meetings for Senate and Standing Committees of Senate, distributed with today's meeting agenda, be adopted.

The motion was **CARRIED**.

2003/074

Annual Reports to Senate

- i) Report of the *Senate Computing & Information Technology Planning Committee (SCITPC)*

On behalf of the Senate Computing and Information Technology Planning Committee, Mr. El-Hawary moved:

THAT the Senate adopt the Senate Computing & Information Technology Planning Committee's 2002-2003 Annual Report.

Mr. El-Hawary invited Mr. Hoffman, Chair of the SCITPC, to comment on the Report. Mr. Hoffman noted that the report had been submitted to the Senate Office at the end of June 2003, and invited questions on the report. He stated that the spam filter improvements that had been noted in the Report had taken place and the SCITPC hoped that the experience had been positive. He added that the wireless nodes had been implemented on campus, and that there were several sites on campus where this could be accessed, noting that there was no charge to users for this connection. He further added that the University was now providing evening technical support to faculty teaching after regular daytime hours. Finally, he noted the survey of individual faculty members being conducted by SCITPC on computer support levels.

The motion was **CARRIED**.

ii) *Report of the Senate Discipline Committee (SDC)*

On behalf of the Senate Discipline Committee, Mr. El-Hawary moved:

THAT the Senate adopt the Senate Discipline Committee's 2002-2003 Annual Report.

Mr. El-Hawary invited Ms. Fierlbeck, Co-Chair of the SDC, to comment on the 2003-03 Report. Ms. Fierlbeck noted that there was a 10% decrease over the previous year in terms of the number of cases with the majority of cases involving plagiarism. She reported that there were two substantive points arising from the Report– a recommendation that the schedule of hearing dates be regularized throughout the year, and a recommendation for a change in the wording of the SDC's Terms of reference.

Ms. McIntyre inquired as to recommendation contained in the SDC Report of 2001-02 regarding composition of SDC membership, recalling that there was to be a study of membership and wondered if had assisted in the efficiency of the hearing process. Ms. Sommerfeld responded that the SDC had decided to proceed for another year with the membership as it had existed and at the same time, to assess more accurately the pattern of cases in terms of timing throughout the year and the availability of SDC members to hear cases as they arose. She added that a computer database was being developed in the Senate Office to assist with this process.

The motion was **CARRIED**.

On behalf of the Senate Discipline Committee and after reminding the members that a motion to amend the Constitution requires that two-thirds of members voting must be in favour to adopt the amendment, Mr. El-Hawary **moved**:

THAT in the Constitutional Provisions Governing the Operations of Senate, for the Senate Discipline Committee, under Function 2(ii), the wording be changed from "chosen to withdraw from the University prior to being disciplined" to read "chosen to withdraw from the class, program or University prior to being disciplined."

Ms. McIntyre asked for clarification regarding whether the SDC was seeking authority to continue the disciplinary process if the individual withdrew as stated in the motion or to suspend it if any of the withdrawal situations occur. Ms. Fierlbeck responded that the motion was to continue the disciplinary process and was intended to clarify what had been past practice and to prevent cases from going to the Senate Discipline Appeals Board, for example, where a student might withdraw from a class or program to avoid serving a penalty awarded at the SDC hearing level on the basis that it had not been clearly stated in the SDC's Functions that he/she could do so.

Mr. Stuttard suggested that the revised wording was unnecessary and the intent was implicit in the original wording. Ms. Sommerfeld responded that the revised wording being suggested was to provide clarity to students who may not interpret the current wording in the manner he suggested and hence believed there was a basis for appeal of a SDC decision. She noted that such an appeal had been heard by the Senate Discipline Appeal Board during the past year.

The motion was **CARRIED**.

iii) *Report of the Senate Academic Appeals Committee (SAAC)*

On behalf of the Senate Discipline Committee, Mr. El-Hawary **moved:**

THAT the Senate adopt the Senate Academic Appeals Committee's 2002-2003 Annual Report.

Mr. El-Hawary invited Ms. Bergin, the 2002-2003 Chair of the SAAC, to present the report. Ms. Bergin noted that the Report actually spanned the years 2001-03 as there was no designated Chair of the SAAC during 2001-02. She commented on an appeal heard in the past year that was withdrawn after the appeal had been heard and that the SAAC was without procedural rules for dealing with the withdrawal given that negotiations for the withdrawal were made external to the SAAC process. Mr. Stuttard inquired as to when the SAAC might be coming forward with revised wording for the Constitutional Provisions Governing the Operations of Senate as regards the SAAC to address the processes as described by Ms. Bergin. Mr. El-Hawary replied that the matter was being addressed at the Senate Steering Committee.

The motion was **CARRIED**.

2003/075

Report of the President

Mr. Traves referred to his report distributed earlier to the University community and suggested that in the interests of time and business remaining, that questions about that report be deferred to a future meeting.

2003/076

Reports of Decisions of the Senate Academic Appeals Committee

The Senate session moved *in camera* to hear Reports of SAAC decisions.

When the Senate returned to open session, Mr. El-Hawary reported that the Senate, during the *in camera* session, had ratified the decision of the SAAC June 23, 2003, Hearing Panel and the decision of the SAAC June 26, 2003, Hearing Panel.

2003/077

Adjournment

The meeting adjourned at 6:04 p.m.

Mo El-Hawary, Chair of Senate

Denise Sommerfeld, Secretary of Senate