

Item: Senate Minutes, May 2007
Call Number: Senate fonds, UA-5

Additional Notes:

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DALHOUSIE UNIVERSITY

Approved Minutes of **Senate Meeting**

Senate met in regular session on Monday, May 14, 2007, at 4:00 p.m. in University Hall, Macdonald Building.

Present with Mr. Mo El-Hawary in the chair were the following: Adshade, Barker, Chowdhury, Cleave, Cochrane, Cook, Dunphy (Recording Secretary), El-Masry, Gault, Geldenhuys, Grundy, Haslam, Helland, Hicks, Kesselring, Khimji, Klein, Leon, Maes, McLarney, Moukdad, Roberts, Rutherford, Saunders, Scherkoske, Schroeder, Scrimger, Shaver, Singleton, Slonim, Sullivan, Swanston, Taylor, Tipping, Traves, Voegeli, Webster.

Regrets: Binkley, Bodorik, Breckenridge, Butler, Camfield, Fraser, Jones, Lane, McConnell, Pegg, Poulton, Smith, Sutow, Tindall, Wallace, Watters, Wheeler, Whyte.

Absent: Allen, Croll, Gray, Hubert, Johnson, McNeil, Nowakowski, Pelzer, Persaud, Plug, Precious, Sheng, Spence Wach, Tschirhart, Wanzel, Yeung.

Guests: A. Power

2007:63

Call to Order

The Chair called the meeting to order and welcomed the following new Dalhousie Student Senators: Mr. Michael Tipping, President, Ms. Tara Gault, Vice-President, Education, Ms. Jordan Roberts, Mr. Christian Tschirhart, Ms. Victoria Jones, and Ms. Tracy Voegeli, DSU Graduate representative.

2007:64

Adoption of Agenda

The agenda was **ADOPTED**.

2007:65

Draft Minutes of March 26, 2007 Senate Meeting

a) Approval

The *draft* minutes of the March 26, 2007 Senate meeting were **APPROVED**.

b) Matters Arising

Mr. El-Hawary informed Senators that a review of the penalties of academic dishonesty have been assigned to the Senate Committee on Academic Administration Sub-committee on Academic Integrity.

2007:66

Draft Minutes of April 9, 2007 Senate Meeting

a) Approval

The *draft* minutes of the April 9, 2007 Senate meeting were **APPROVED**.

b) Matters Arising

There were no matters arising.

2007:67

Question Period

There were no questions.

2007:68

Budget Advisory Committee Report XXXIV – For Discussion

Mr. El-Hawary invited the following members of BAC to the Senate meeting: Mr. Alan Shaver, Vice-President, Academic & Provost; Mr. Tom Vinci, Professor and Senate Representative on BAC; Mr. Keith Taylor, Dean, Faculty of Science; Mr. Ken Burt, Vice-President, Finance and Administration; and two BAC resource persons: Ms. Elizabeth Lane, Director, Institutional Analysis & Research; and Ms. Susan Zinck, Associate Director (Financial Services).

Mr. Shaver spoke to the BAC XXXIV and drew Senate's attention to the fact that the BAC was completed this year following the announcement that the government was going to take steps to address tuition fees in Nova Scotia. As a result, the process for developing a model and a report had been delayed. Mr. Shaver reported that the BAC had been presented to the Board and it also had been presented to the Board Operations Committee. The original assumptions were consistent with this being the third and final year of the Memorandum of Understanding, which regulates the grant from the province to Nova Scotia universities. The MOU includes a 4.48% increase per year in costs escalation; provides up to a 3.9% across the board adjustment increase in tuition fees and it exempted Dalhousie University for applying differential fees to students from Medicine, Dentistry, Law, and international students. Mr. Shaver outlined the revenues and expenditures and reported that there is also a budget reduction of \$3 million. This reduction is required by the MOU as well as a 1.25% efficiency cut. The reduction will be applied to the units – 2% to all the Faculties, 0.5% to the units receiving strategic initiatives, but they will not be able to make a cut out of the money that they are getting as an allocation and a 1% cut for all remaining units.

Mr. Tipping said that this is a very good budget for students and he is pleased that there will be no differential increases for Law, Medicine, and Dentistry and tuition will be the same for the next year. He is also happy to hear from the Operations Committee that they have voted a motion to prohibit any more increases of the international differential fee until there is a comprehensive review of what this means to international students at Dalhousie and the future of this University. He said that he is disappointed that once again there is an \$810 increase to the differential fee for international students.

Mr. Cook commented that he shares in the general optimistic tone, particularly from the student perspective. The unit reduction, year after year, is what he would say is beyond efficiency reduction, and he hopes that would be addressed as more than just a continual percentage issue; that we actually look at some programs and determine how this is best done. Mr. Cook also inquired in regard to the projection of a decline in enrolment and if BAC had a contingency. Mr. Shaver responded that the model was built in with a 125 student decline. Mr. Cook clarified that if there is some increase in enrolment, has BAC discussed how that might be utilized? Mr. Shaver explained that that would go through the normal process of allocation through the ERBA process and that would normally happen in the year after the enrolment was counted.

Mr. Slonim asked what the contingency was that appears on line 18. Mr. Shaver explained that there are a number of uncertainties: energy costs are one example; and a number of negotiations are on-going; and there is uncertainty in the enrolment. The contingency is very small given the size of the budget.

The Chair of Senate thanked Mr. Shaver and the members of BAC for attending the Senate meeting.

2007:69

Senate Academic Priorities and Budget Committee (SAPBC)

- a) Name Change Request – Master in Health Services Administration (International) to Master of International Health Services Administration

Mr. El-Hawary invited Mr. William Webster, Dean, Faculty of Health Professions to the meeting to discuss the Name Change Request – Master in Health Services Administration (International) to Master of International Health Services Administration.

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

***THAT** the Senate approve of the name change request for the Master of Health Services Administration (International) to Master of International Health Services Administration.*

The motion **CARRIED.**

- b) Modified Program Proposals:
- i. Bachelor of Science (Kinesiology)
 - ii. Bachelor of Science (Kinesiology) Honours

Mr. El-Hawary invited Mr. William Webster, Dean of the Faculty of Health Professions and Ms. Lori Livingston, Director, School of Health and Human Performance to the discussion on the modified Program Proposals for the Bachelor of Science (Kinesiology) and Bachelor of Science (Kinesiology) Honours.

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

***THAT** the Senate approve of the modified program proposals for a Bachelor of Science (Kinesiology) and a Bachelor of Science (Kinesiology) Honours.*

Ms. Livingston explained that the modifications are in fact minor program modifications with the addition of five courses followed by the deletion of five courses. The primary impetus behind these changes is really to better prepare their students for their future as Kinesiologists. In relation to that preparation, she thinks it is important to note that in terms of student retention, this is an important issue for their students from Ontario, with approximately 25% of their undergraduate students coming from Ontario where Kinesiology is currently being considered, and it will probably become a regulated health profession within the next couple of years. Mr. El-Hawary noted that this proposal had been discussed by SAPBC at length.

The motion **CARRIED.**

- c) Centre for European Studies Proposal

Mr. El-Hawary invited Mr. David Schroeder, Assistant Dean, Faculty of Arts and Social Sciences to the discussion on the Centre for European Studies proposal.

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

***THAT** the Senate approve of the Centre for European Studies proposal.*

Mr. Schroeder said that this proposal has had strong support within the Faculty, considering that we have Canada Research Chairs dedicated to European Studies. We are now a European Union Centre of Excellence in Canada and a number of members in the Faculty do their research within this area.

The motion **CARRIED**.

2007:70

Senate Nominating Committee – Slate of Nominees

On behalf of the Senate Nominating Committee, Ms. Laurette Geldenhuys **MOVED**:

THAT the following individuals be elected to serve on the designated committees as follows:

- **Senate Steering Committee, nomination for the term July 1, 2007 to June 30, 2008, Mr. Elliott Sutow, Dentistry;**
- **Senate Academic Priorities and Budget Committee, nomination for the term July 1, 2007 to June 30, 2009, Mr. Jerome Singleton, Health Professions;**
- **Senate Committee on Academic Administration, nomination for the term July 1, 2007 to June 30, 2010, Mr. Eldon Gunn, Engineering;**
- **Senate Academic Appeals Committee, nominations for the term July 1, 2007 to June 30, 2010, Ms. Ann Morrison, Law, Ms. Elizabeth Kelley, Management, Mr. T. Stanley Cameron, Science, and Mr. Paul Bishop, Engineering;**
- **Senate Computing & Information Technology Planning Committee, nominations for the term July 1, 2007 to June 30, 2010, Ms. Susan Spence Wach, Medicine, Mr. David Jakeman, Health Professions, Mr. Robert Currie, Law, Ms. Mary Liz Grise, Management, Ms. Alison Thompson, Science, Mr. Serguei Iakovlev, Graduate Studies, Mr. Pemberton Cyrus, Engineering;**
- **Senate Discipline Committee, nomination for the term, July 1, 2007 to June 30, 2010, Ms. Karolyn Waterson, Arts and Social Sciences, Mr. Lloyd Fraser, College of Continuing Education, and Mr. Vaughan Black, Law;**
- **Honorary Degrees Committee, nomination for the term July 1, 2007 to June 30, 2010, Mr. Bruce Archibald, Law, Mr. John Barnstead, Arts & Social Sciences, Mr. Carmichael Wallace, Medicine, and Ms. Patricia Cleave, Health Professions;**
- **Nomination as Senate Discipline Advisor for the term September 1, 2007 to August 31, 2010, Mr. David Blaikie, Law;**
- **Senate Library Committee, nomination for the term July 1, 2007 to June 30, 2010, Mr. James Blustein, Computer Science, and Ms. Mary McNally, Dentistry;**
- **Senate Committee on Learning & Teaching, nomination for the term July 1, 2007 to June 30, 2009: Ms. Roberta Sharp, Health Professions, and nominations for the term July 1, 2007 to June 30, 2010: Ms. Patricia Laws, Science, Ms. Constance MacIntosh, Law, Mr. Anthony Cox, Computer Science, and Ms. Louise Spiteri, Management;**
- **Board of Governors, nomination for the term July 1, 2007 to June 30, 2009: Mr. Richard Evans, Law;**
- **Advisory Council on Athletics, nomination for the term July 1, 2007 to June 30, 2009, Ms. Kathleen Spurr, Health Professions;**
- **University Security & Parking Committee, nomination for the term July 1, 2007 to June 30, 2008: Mr. Peter Jones, Engineering;**
- **University Tenure & Promotion Appeals Panel, nomination for the term May 14, 2007 to June 30, 2009: Mr. William Baldrige, Medicine, Ms. Lindsay DuBois, Arts and Social Sciences, Mr. Terrance Galvin, Architecture and Planning, Mr. Jack Gerrow, Dentistry, and Mr. Peter Gregson, Engineering**

After the requisite three calls for further nominations, the nominees were declared elected to their respective committees.

Ms. Laurette Goldenhuys distributed a memo to all Senators outlining the election procedure which will be followed for the June 11, 2007 election to the position of Chair of Senate for the term July 1, 2007 to June 30, 2010. She noted that there are three candidates for election to the position of Chair of Senate: Dr. Peter Butler, Faculty of Arts and Science, Dr. Bruce Dunphy, Faculty of Medicine, and Dr. Lloyd Fraser, College of Continuing Education. The process will be conducted in accordance with the Constitutional Provisions Governing the Operations of Senate and at least one week prior to the contested election, the Senate Office will circulate copies of the curriculum vitae of each of the candidates. Voting will be by secret and preferential ballot. At the June 11, 2007 meeting of Senate a period not exceeding 30 minutes be set aside for questions and answers to the three candidates. Members of the Teller's Committee shall be neither Senators nor Senate Office staff, but selected by the Chair of Senate one week prior to the meeting when the elections are held.

Mr. Tipping reported that most of the student representatives will be unable to attend the June 11th meeting of Senate and asked if there was any possibility of moving the election to the second meeting date in June. Mr. El-Hawary indicated that this would be taken under advisement.

2007:71

Ombudsperson Advisory Committee: Appointment of Ombudsperson 2007-2008

On behalf of the Ombudsperson Advisory Committee, Mr. El-Hawary **MOVED:**

***THAT** Mr. Daniel Huffaker be appointed as the 2007/2008 Ombudsperson.*

The motion **CARRIED**.

2007:72

Chair's Report

On April 2, 2007 Mr. El-Hawary received notice from the Maritime Provinces Higher Education Commission (MPHEC) that the Paediatric General Practice Dental Residency program had been approved and on May 10, 2007 he received notice that the Bachelor of Arts, Concentration in Music had been terminated. He informed Senators that the approved motion signed by himself and the Registrar of Dalhousie University for the approval of graduands for convocation at the Nova Scotia of Agricultural College for May 2007 was appended to the meeting package for information. The Nova Scotia Agricultural College graduation ceremony was held on Friday, May 4, 2007.

Mr. El-Hawary noted that there will not be a scheduled Senate meeting on Monday, May 28 due to the Dalhousie University convocation ceremonies and informed Senators that the reception to honor and thank all members of Senate who have completed their terms will be held at the end of the June 11, 2007 Senate meeting.

On April 20, 2007 the Secretary of Senate received a letter from Dr. Gabrielle Horne, Faculty of Medicine, concerning a Senate appeal pursuant to Article 7.2.1. Subsequently the President advised that most of the issues outlined are currently under active consideration and that it may be premature to deal with this matter. Mr. Singleton said he could not understand the delay in moving forward with the grievance and indicated he would support and would prefer a committee to discuss this and find a resolution under 7.2.1. Mr. Traves agreed that any faculty member with a status that Dr. Horne holds outside the bargaining unit has the right to lodge a grievance and pursue it through the University Senate under the regulations adopted by Senate; however, it is a question of the context of the scope of the grievance and the timeliness. There are claims advanced in the grievance about a series of violations of the policies of the Canadian Institutes of Health Research (CIHR) with which Dalhousie has an agreement to follow CIHR policy. The University is in the process of responding to a separate communication by Dr. Horne to CIHR which then produced a letter by CIHR asking the University for an update and

clarification on these issues. Mr. Traves explained that the intention here is not to deny the right to grieve and he added that he thinks we need clarification on the scope of the question, insofar as CIHR can provide guidance on that, which we believe they will. That would then set up a logical sequence in which we understand the issues at stake and then the Senate has to deal with any grievance that may come forward on issues that remain to be determined, so the request was essentially to structure them in a sensible fashion in order that we deal with the two processes in sequence, rather than simply combine them and then find that we might be in a position in which Senate says the University has violated CIHR policy and CIHR comes back and says the University has not violated policy. Then what does the University do?

Mr. Singleton expressed appreciation for the President's support for Dr. Horne but expressed concern about the timeliness aspect. He said that the information that Mr. Traves provided did not identify a specific timeframe. Recognizing that Dr. Horne's academic career has been on hold for 5 years he questioned if this will be resolved within a week or two weeks so that Dr. Horne can feel comfortable that she can proceed with her research, or by the next Senate meeting so that Senate can either proceed with the proposed grievance protocol or, at least that Senators will know what actions can then be taken. Mr. Traves responded that he could not give any undertaking as to how quickly this would be resolved; however, it would definitely not be resolved in a week or two.

Dr. Gabrielle Horne was present at the meeting and the Chair of Senate gave permission for her to address Senate. Dr. Horne thanked Senate for its unflinching support in a difficult situation and thanked the President for his support in this difficult situation. She said that she did provide a letter of appeal to Senate to deal with her grievance as this is her only appeal mechanism. Mr. Traves indicated that it is a question of when that process should begin to unfold.

Mr. El-Hawary suggested that a committee could initially monitor and advise on the procedures on how to move forward.

Mr. El-Hawary **MOVED**, seconded by Mr. Singleton:

THAT Senate appoint a committee to monitor and advise on procedures to follow in regard to the matter brought forward by Dr. Gabrielle Horne in her communication to the Secretary of Senate on April 20, 2007.

Mr. Grundy asked about the composition of the proposed committee and Mr. El-Hawary responded that a subsequent motion or amendment could be made to address the composition.

Mr. Traves **MOVED** an amendment agreed to by Mr. El-Hawary:

THAT the committee's composition consists of an equal number of representatives from each side and the members of the committee elect their own chair.

Mr. Maes expressed concern that there are a lot of issues here that he can only faintly recall and he cannot say that he would be in a position to judge fairly whether a committee is appropriate at this time, so he would have to vote no at this time, realizing ultimately perhaps that a committee is the best way to go. Mr. El-Hawary reminded Senators that Senate had adopted a process like this with a past grievance. This same process, which had been recommended by external legal advice, is consistent with what is being proposed today.

The amendment **CARRIED**.

Mr. Grundy indicated that since this committee has the potential to morph into a grievance committee, it might be appropriate to restrict the membership on both sides to people who do not have any active stake in this particular issue. Mr. Traves suggested that Senate was getting itself into too much of an ad hoc

process. The structuring of a grievance committee along the lines that we have already indicated is outlined in the established processes by Senate. Mr. Saunders expressed concern about the ad hoc aspect as well, particularly since this is coming from something on which we do not have a motion on the agenda. This is a difficult and complicated thing and it is easy to get it wrong. He said that he is also concerned about the morphing, which is not actually part of the resolution, but seems to be part of the understanding and he can see circumstances where an advisory and monitoring role should not morph into a Committee of Inquiry or grievance later.

Mr. Barker then informed Mr. El-Hawary that there were a number of people in the back of the room who did not have a clue as to what was going on. He also noted that two people had left the meeting and questioned whether Senate still had a quorum. It was confirmed that the quorum was lost.

Mr. Traves advised that it is important to move this matter along and he suggested, given a lack of quorum, that this matter be addressed by the Senate Steering Committee.

2007:73

Report of the President

Mr. Traves gave notice of his intention to bring forward at the beginning of the fall term another Strategic Directions report for the period 2007 – 2010. He has had substantial input from a number of individuals and he will look to Senate to comment on and advise on the draft document. He thinks it is an important process and will help the University in terms of establishing priorities as a number of significant issues are ahead of us. Mr. Traves reminded Senators that spring convocations are coming up and he urged all members of Senate to participate in a very meaningful ceremony for our students and their families.