

Item: Senate Minutes, March 1984  
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**DALHOUSIE UNIVERSITY**

**MINUTES**

**OF**

**SENATE MEETING**

Senate met in regular session in the Board and Senate Room on Monday, 12 March 1984 at 4:00 P.M.

Present with Mr. W.E. Jones in the chair were the following members:

Anderson, Belzer, Bethune, Betts, Bishop, Braybrooke, Brett, Burt, Byham, Cameron T.S., Caty, Charles, Comeau, Duff, Easterbrook, Fraser P., Friedenber, Gesner, Gold, Gordon, Gratwick, Haley, Hill K.C.W., Hill T., Jones D.W., Josenhans, Klein, Laidlaw, Leffek, Lewis, MacKay W.A., Maloney, Manning, Manos, McInnes, O'Brien, O'Dor, O'Shea, Ozier, Pereira, Pooley, Pronych, Richards, Rodger, Ruf, Sherwin, Sinclair, Stewart, Stern, Stovel, Stuttard, Szerb, Thiessen, Tindall, Tingley, Treves-Gold, Van Feggelen, Varma, Warner, Waterson, Welch, Winham, Wolf, Zatzman, Zinck.

Regrets: A.D. Cohen, Cromwell, Fulton, Jones J.V., Yung.

84:21. Minutes of Previous Meetings

The minutes of the meeting of 13 February 1984 were approved upon motion (Rodger/Hill) with one amendment recommended by Mr. Braybrooke, namely that, "recent" replace "impending" in 84:12.C.I. It was moved and seconded (Rodger/van Feggelen) that the minutes of the special meeting held on 27 February 1984 be adopted. The motion carried. It was noted that Mr. Friedenber should be identified with those present and that Ms. Waterson wished her regrets recorded.

84-22 New Members of Senate

The Chairman extended a welcome on behalf of Senate to the following new members:

Suzanne Knox - Director, School of Dental Hygiene

John Gratwick - Full professor and Director of the Canadian  
Marine Transportation Centre

H. J. Kreuzer - Full professor (Since September 1982)

George Zinck - Elected representative of the Faculty of  
Administrative Studies

Marcos Zentilli - Chairman, Geology Department

James E. Holloway - Acting Chairman, Spanish Department

84:23. Question Period

Mr. Bradfield questioned whether, in the context of the recently announced Mobil Chair, there was a policy regarding minimum contributions necessary to establish a Chair and if so, what the minimum was.

The President responded that there was no minimum at the present time.

84:24. Academic Appeals Committee -- Appeal of Mr. Kirk Meldrum

Before turning to the matter of the appeal, Mr. Braybrooke reported that the AAC had made considerable progress in reviewing and revising their proposed procedural guidelines in light of evaluative comments received from the Faculties.

He advised members that the committee would return to Senate for advice regarding the issue of scope of jurisdiction. He then noted that a sub-committee of the AAC, chaired by Mr. R. Evans, had preceded with the task of reviewing the academic appeals procedures of the Faculties and had prepared a general statement on standards which was circulated to the Deans, Directors and Chairpersons to elicit feedback.

Mr. Braybrooke, introduced the appeal of Mr. Meldrum by re-reading correspondence from Mr. R. Fournier, dated 21 January 1984.

It was moved and seconded (Braybrooke/Josenhans)

**that the report of the hearing panel be ratified.**

Mr. Hill referred to his letter of 8 March 1984, and elaborated on the three additional points on page 2 which he "offered to Senate as justification for providing a rehearing of Mr. Meldrum's appeal. He stated that the hearing panel had, in his opinion, made a sustainable decision based on the information they had at that point in time. However, he contended that additional information had come to light, necessitating a review of the new facts. Thereafter, it was moved and seconded (Hill/MacInnes) that

**the case be referred back to the AAC for a re-hearing focusing on the three**

**new factors.**

The motion carried.

Mr. Braybrooke warned against the dangerous prospect that the work of the hearing panels could become interminable and that procedures could break down. He queried whether the panel could simply report back on the three points without a re-hearing. Mr. Hill agreed with the opinion that the case should be handled expeditiously, yet maintained that the hearing panel should deal with the three points exclusively by conferring with all interested parties who could elaborate on their respective positions. Mr. Braybrooke urged that the same hearing panel, which heard the case originally, be invited to consider the points raised in the letter.

It was moved and seconded (Rodger/Hill)

**that the motion be amended to include the words "same hearing panel of" between "the" and "AAC".**

The amended motion carried.

84:25. Notice of Motion -- Dalhousie Faculty Association

Ms. Burt provided the background for the item which appeared as a notice of motion on the agenda by referring to the disturbing trend of interference by provincial governments in matters considered to be academic and of encroachment on university autonomy. She contended that the AUCC had been silent in hampering efforts to achieve such encroachment and that a motion be passed to urge AUCC to take a public stand on this matter.

**Whereas: the recent activities of several provincial governments, most notably that of British Columbia, have encroached upon the autonomy of universities and colleges in matters relating to academic freedom, tenure, etc.**

**Whereas: the Canadian Association of University Teachers (CAUT) has urged the Association of Universities and Colleges of Canada (AUCC) to join in publicly deploring that encroachment.**

**Whereas: to this date the AUCC has taken no public stand against such**

encroachment.

**Therefore: The Senate of Dalhousie University strongly urges the President or other university representative to AUCC to bring before the AUCC, and support, a resolution adopting as policy that, where governments enact legislation placing in the hands of chief executive officers and/or boards of governors of universities powers beyond those previously agreed between the employer and the employees concerning the matters of academic freedom, tenure, seniority, and/or financial exigency procedures, AUCC declare the exercise of such powers not to be in the interest of the Canadian university community. The Senate declares that in the event AUCC fails to adopt and act upon such a policy, the Senate undertake a review of this university's continued membership in AUCC.**

The President indicated that AUCC had been in communication over the past several months with the Premier of British Columbia, his colleagues, and other officers of public service. He queried whether the initial 'whereas' to the motion could be documented and reiterated the position adopted in correspondence circulated by AUCC and CAUT as rationale for questioning the third "whereas". He expanded by noting that AUCC had consulted with CAUT and with the ministry concerned, and contended that the position of AUCC was well known. President MacKay summarized by advising Senate that AUCC had reaffirmed its commitment to institutional autonomy and academic freedom and had adopted relevant measures directed to the governments concerned.

Ms. Burt revealed her pleasure to hear that AUCC was currently undertaking such endeavors, but stressed the word "public stand", reiterating that the stance of AUCC should be revealed publicly through the media.

The motion was put to a vote and **carried**.

84:26. Reports and Recommendations -- Committees of Senate

A. Academic Planning Committee

1. Proposed Ph.D. Programme in French (Minute Nos. APC 82:78, 83:126, 84:36)

It was moved and seconded (Haley/Stern)

**that the proposed Ph.D. in French be approved with implementation contingent upon the availability of start-up funds.**

Mr. Haley, Chair of the APC sub-committee which reviewed the revised proposal,

reported that the original concerns raised by the initial sub-committee had been addressed. However, the financial implications of awards and start-up costs for the library persisted as potential concerns.

Mr. Jones noted that the programme, if approved, would be forwarded to the Board of Governors, then to the MPHEC, and back to Senate (APC) for implementation. Mr. Rodger raised, for consideration, the possibility that MPHEC might be persuaded to recommend \$30,000 to \$40,000 in start-up funds. Mr. Sinclair indicated that, notwithstanding the fact that MPHEC, as a general rule, only reviewed requests of \$300,000 or more, this case could be made in the application process. He believed that additional sources of funds might be available. In response to a question from Mr. Betts, the Vice-President (Academic) noted that the Capital Fund Drive incorporated within its terms of reference the possibility of funding the library component, in particular, of this and other Ph.D. programmes. Mr. Leffek anticipated that funding could be reasonably expected from such sources as the new scholarship fund in the Faculty of Graduate Studies and the Government of France. He urged that the motion be adopted, whereupon the vote was called and the motion carried.

## 2. Proposed Biomedical Engineering Institute (83:23, 84:39)

It was moved and seconded (Haley/Josenhans)

**that the proposed Biomedical Engineering Institute be approved with the understanding that no additional costs for Dalhousie University would be incurred.**

Dr. Allan Marble reviewed the historical development of the proposal, which culminated in the establishment by the Board of TUNS of the first Chair of Biomedical Engineering in Canada. The proposal had been endorsed by the Faculties of Medicine and Dentistry and the Senate APC of Dalhousie and by all relevant parties of TUNS. Mr. Betts termed the proposal praiseworthy and requested information regarding the extent to which funding of indirect costs would be covered. Dr. Marble revealed the original intention that funding be obtained external to the two universities involved, noting however, that TUNS would provide the building site, and the costs of maintenance, heat and lights.

Ms. Manning, Health Sciences Librarian, confirmed that there was no formal agreement between the librarians at Kellogg and TUNS. She contended that it was inappropriate for the Institute to put journals into the library and that the libraries should be given the funds directly. Dr. Marble clarified that this preferred option should be feasible. Mr. Bethune then relayed the wholehearted support of the Department of Surgery, following which Mr. Rodger called upon the Head of the Department of Physiology and Biophysics for his comments. Mr. Ruf fully endorsed the plans. Mr. D.W. Jones envisioned a unique

opportunity to obtain research funding collectively under the umbrella of the proposed Institute.

Upon vote, the motion **carried**.

B. Committee on Academic Administration

1. Ombudsman's Report 1982-83 (Minute Nos. CAA 83:71, 84:03, 84:06,84:15)

The Secretary reminded members that this report had been distributed at the December meeting of Senate, and had been forwarded to numerous sectors of the university for feedback. She noted that the comments of the individuals contacted had been summarized and taken into consideration in the preparation of the precirculated proposal of the CAA sub-committee of MacKay, Stewart and Hill for administratively dealing with the six recommendations. On behalf of the CM , it was moved and seconded (Stewart/Hill)

**that the recommendations contained in the 1982-83 Ombudsman's Report be implemented as follows:**

**Recommendation 1 - Student Employees - Refer to President for consultation with appropriate bodies (e.g. Personnel)**

**Recommendation 2 - Advising - Refer to the Faculties and the Office of the Registrar**

**Recommendation 3 - Academic Offenses - Refer to the Legal Advisor or the President.**

**Recommendation 4 - Foreign Students - Refer to the Dean of Student Services for consultation with appropriate individuals/groups (e.g. International Student Coordinator)**

**Recommendation 5 - Attitudinal Problem - Refer to the President's Office who will investigate the feasibility of "training" programs for staff who deal directly with students and the public.**

**Recommendation 6 - Calendar - Refer to the committee chaired by Vice-President Sinclair (i.e. - "Calendar Review Committee"). Also refer to this body, suggestions involving the calendar in feedback to Recommendations #3 and #5.**

Mr. Hill reported that the Student Union endorsed the 1982-83 Ombudsman's Report.

The motion **carried**.

2. Terms of Reference -- Office of Ombudsman (Minute Nos. CAA 81:30, 84:04, 84:07, 84:16)

A sub-committee of Vice-President Sinclair, the Secretary of Senate and the President of the Student Union had invited input from the Deans of Faculties, the Ombudsman and the Assistant Ombudsman, the Chairman of the Advisory Committee, the Registrar and Student Health Services regarding the proposed terms of reference. The Secretary further noted that numerous revisions had been incorporated and submitted to the CAA. This body had recommended that the terminology used in the proposed name be altered. It was thereafter moved and seconded (Stewart/van Feggelen)

**that the recommendations of the CAA, namely that the terms of reference for the Office of the Ombudsman be approved, that the name Ombudser be replaced throughout the terms of reference with the terms "Ombud" and that chairperson in 16 altered to read chair, be endorsed.**

It was moved and seconded (Hill/Warner)

**that the proposed title be amended to revert back to Ombudser.**

The Secretary relayed the rationale for the proposed change, specifically to eliminate the gender bias of the current terminology and to assume the correct Swedish word translatable as "representative" (rather than a non-existent term in any language). Following discussion by Messrs. Rodger, Hill and Friedenber, the amendment was put to a vote and defeated.

The main motion carried.

C Committee on Committees

There being no further nominations, the following slate of nominees, proposed by Mr. K. Easterbrook, on behalf of the Committee on Committees, was ratified and the individuals identified declared duly elected to the named positions.

Committee to Advise on the Appointment of a Vice-President (Planning & Resources)  
(Easterbrook/Stern)



C. Helleiner (Biochemistry)  
R.N. Anderson (Medicine)  
J. Eisner (Dentistry)  
L. Maloney (Recreation, Physical and Health Education)  
N. Horrocks (Library Service)  
M. Ozier (Psychology)  
E. Angelopolous (Biology)  
E.Z. Friedenbergl (Education)  
P. Burt (Killam Library)  
H.L. O'Brien (Law)  
S. Houlihan (Student Union)

Review Committee for Canadian Marine Transportation Centre (Easterbrook/Van Feggelen)

R.A. Ellison (Business Administration)  
K.R. Rozee (Microbiology)

Review Committee for Centre for Development Projects

T. Shaw (Political Science)  
A.P. Ruderman (Public Administration)

Review Committee for Ocean Studies Program

I.A. McLaren (Biology)  
C.J.R. Garrett (Oceanography)

Committee on Non-Academic Student Discipline  
(Easterbrook/Laidlaw)

P. Thomas (Law)

84:27. Report from Senate Representative to the Board of Governors

Mr. Rodger, in his role as Senate observer at meetings of the Board of Governors, referred members to his correspondence dated 1 March 1984. This letter incorporated a motion related to policy on overdue student accounts and reference to presentation of a recommendation from the Department of French for academic appointments in that department. With reference to the former issue, Mr. Hill suggested that there may be

cases of real hardship which would lead to instances of delinquent accounts. Mr. Rodger concurred with the Chairman that this be taken as a matter of information, which could be reconsidered as required. Ms. Ozier contended that Senate should concern itself directly with the second issue, in light of the third basic operating principle delineated in the 1983 "Constitutional Provisions Governing the Operations of Senate". Specifically, this reads "Senate has full practical control (notwithstanding the ultimate legal authority of the Board of Governors) over policy with respect to appointments, promotions and tenure."

Ms. Ozier then moved (seconded by Mr. Friedenbergr)

**that Senate establish an ad hoc committee to**

- (1) inquire into the implications of this case for current academic policy and make recommendations to Senate for resolution and**
- (2) to inquire into the specific matter of appointment(s) in French Canadian Studies.**

President MacKay and Vice-President Sinclair did not envision any difficulty with the initial component. However, they were concerned that Senate debate of the second issue would interfere with the grievance process, as the grievance referred to had been resolved following lengthy deliberations. Mr. Friedenbergr commented that implementation of the resolution by the President's Office had not proceeded, according to Mr. Rodger's observation, and that similar occasions may have occurred in the past. Subsequently, he expressed his view that the proposed ad hoc committee would review the relevant policies and procedures, rather than the specific grievance.

Mr. Betts relayed his consternation that Senate had not had an opportunity to study the motion, and maintained that it would be unwise to vote immediately on this controversial matter, which has potential impact on many individuals.

It was agreed upon motion (Betts/Leffek)

**that the motion be tabled.**

Mr. Braybrooke requested that additional information regarding the grievance and its resolution be conveyed to Senate in the interim.

Ms. Ozier then advised Senate of her intent to raise this item from the table at the 9 April 1984 meeting of Senate and to submit, in writing, a Notice of Motion. She agreed that the grievance had been resolved and that the issue at hand was the implication of the Board's non-action for academic policy.

84:28. Report of the Senate Ad Hoc Committee on Transfer Credits for Correspondence Courses

The Chairman advised members that this precirculated document would be discussed at the next meeting of Senate, at which time the Chairman of the committee, Mr. K. Heard, would be present to speak to the recommendations incorporated in the report.

84:29. Report of the President

The President indicated his intention to communicate a report to Senate in writing.

84:30. Honorary Degree Candidates -- Voting

Voting on the names of ten Honorary Degree candidates took place by secret ballot. Two scrutineers were appointed by the Chairman, namely Ms. Stern and Mr. Van Feggelen.

84:31. Adjournment

There being no further business, the meeting adjourned at 5:15 P.M.