

SENATE MEETING MINUTES **November 17, 2006**

The 498th Meeting of the Senate of Saint Mary's University was held on Friday, November 17, 2006, at 3:00 PM, in the Secunda Marine Boardroom. Dr. D. Naulls, Chairperson, presided.

PRESENT: Dr. Dodds, Dr. Murphy, Dr. Dixon, Dr. Vessey, Dr. Naulls, Dr. McCalla, Dr. Linney, Dr. Power, Dr. Stinson, Dr. Kennedy, Dr. MacKinnon, Dr. Russell, Dr. Pe-Piper, Dr. Bjornson, Dr. Dawson, Ms. Lefebvre, Mr. MacDonald, Mr. Mitch Gillingwater, Mr. Steeleworthy, Mr. Jarda, and Ms. Bell, Secretary to the Office of Senate.

REGRETS: Dr. Butler, Dr. Enns, Dr. Wicks, Dr. Stretton, Dr. Rand, Dr. Konopasky, Dr. Van Proosdij, Mr. Hotchkiss, Mr. Churchill, and Miss Lopez

Meeting commenced at 3:10 P.M.

06026 **REPORT OF THE AGENDA COMMITTEE**
The report of the Agenda Committee was accepted.

06027 **MINUTES OF THE PREVIOUS MEETING**
.01 Minutes of the meeting of October 25, 2006, were *circulated* as ***Appendix A.***

The following amendments were noted:

- Page three .08 Literacy Strategy – change the third sentence to read, “Dean Enns advised that the individual involved not only chairs the Literacy Council but is also a full time faculty member.”

Moved by Dr. Murphy, and seconded, “**that the minutes of the meeting of October 25, 2006 are approved as amended.**”

Motion carried.

06028 **BUSINESS ARISING FROM THE MINUTES**
None

06029 **REPORTS OF STANDING COMMITTEES**
.01 ***Continuing Education Committee circulated as Appendix B.***

The following key points were discussed:

- Members noted recommendations attached to this report and were advised that the recommendations were those from the strategic review of the Division of Continuing Education done last year. They are historical and provided for information only. Continuing Education

has a new director as of November, Ms. Betty MacDonald. Dr. Murphy advised that she requested to attend Senate as an observer. There was no objection to this request.

- **Senate accepted the report of the Continuing Education Committee into the record of the Academic Senate in compliance with Senate Bylaw article 5.1.11.**

.02 Library Committee *circulated as Appendix C.*

The following key points were discussed:

- The following statement in second sentence of the Overview section was noted <Holdings of books and journals remain inadequate (as MacLean's survey makes clear> It was suggested that the published opinion of MacLean's should not be accepted regarding our holdings being inadequate. Strong arguments have been made relative to the accuracy of this survey and MacLean's methods of securing and reporting information published in this report.
- Members were advised that the library had an engineering study done on the present building and it will withstand the addition of only one more floor.
- It was noted that there are increasing acquisitions figures in the appendix. Members inquired, given the current university budget restraints, if these projections would remain stable or if they would be reduced? The University Librarian advised that like other department in the university, the library is also subject to the overall institutional financial environment. Members spoke in support of maintaining the library budget as presented.
- Members inquired about usage and if there were any problems related to access to facilities. The University Librarian advised that congestion is an issue and that line ups to access computers were normal during the day and early evening. In an attempt to address this, the library is now wireless; however the technology is not available to print directly from laptops to network printers. The library is currently working with ITSS to resolve this.
- Photocopying in the library had been an issue, but members were advised that the new machines are so effective that this problem area has been reduced.
- The Café run this week by SMUSA was applauded for the organization and results. Many good ideas were brought forward.
- **Senate accepted the report of the Library Committee into the record of the Academic Senate in compliance with Senate Bylaw article 5.1.11.**

.03 Quality of Teaching Committee *circulated as Appendix D*

- **Senate accepted the report of the Quality of Teaching Committee into the record of the Academic Senate in compliance with Senate Bylaw article 5.1.11.**

.04 Research Ethics Board *circulated as Appendix E.*

The following key points were discussed:

- Members were advised that on the last page of the report, first paragraph, there was a reference to a limited budget of \$4,000.00. This is only the unrestricted portion of the REB budget. There is also a restricted budget amount of \$4,000.
- Members asked that if the REB reports to Senate and is a Senate Committee, why does it have a budget when the other Senate

Committees do not. The response was that the budget falls under the FGSR budget. The chair of this Committee has signing authority on this budget because of stipulations in the Tri-Council Policy Statement.

- Members noted that the recommendations within this report fall to the Senate to deal with and go beyond the scope of Senate to some degree. The example of Safety of Student Researchers was given. Members were advised that risk management is being addressed by a number of groups within the university. The Board of Governors is currently working on a comprehensive risk management policy. It was acknowledged that this was an area where attention and policy was needed.
- The Chair of the REB advised that committee members are unaware of any mechanisms that would look after the safety of students. The committee found themselves in difficult and uncomfortable predicaments/situations related to undergraduate students and students who conduct research but do not apply to FGSR for funding. The Tri-Council policy states that the REB is also to some extent responsible to address the issue of student safety.
- Members were advised that the safety issue also extends to faculty members doing research, and suggested the occupational health and safety people should address this.
- There are sections in the student handbook that address this. FGSR has dealt with this at the council level. The handbook was devised with the cooperation of the OHS group. This may be a first step towards addressing the issue, but there is progress.
- It was noted that the undergraduate students involved in research are in the most vulnerable situation due to the potential for less experience. Progress in other areas is appreciated but the group at most risk is not being addressed.
- Student representatives noted that better communication of these issues was needed as students did some survey work and did not know that they had to go through the REB to do it. Also, the backlog of submissions is also a problem and impacts student progress.
- Student Senators asked why there was no student representative on the REB and recommended that students be included. The Committee chair responded that the terms of reference of this committee in the Senate Bylaws do not provide for this but that they are being reviewed. This item will be brought at a future committee meeting. It was noted that other boards across Canada have graduate/mature students on them and the request may be considered.
- It was noted that the numbers of applications from the Department of Sociology and Criminology was extraordinarily low and questioned that report. The Chair responded that due to a change in staff last year, the numbers presented may not be perfectly accurate. Efforts are being made to reconcile the information but this discrepancy was noted in the report along with the reason.
- **Senate accepted the report of the REB into the record of the Academic Senate in compliance with Senate Bylaw article 5.1.11.**

None

06031 **REPORT OF JOINT COMMITTEES**
None

06032 **REPORT OF PRESIDENTIAL COMMITTEES**
None

06033 **NEW BUSINESS FROM**

- a. Floor (not involving notice of motion)
- b. Floor (involving notice of motion)
A proposed Work Stoppage Policy was circulated by the SMUSA Senators. Labour negotiations are worrisome to the students. The proposed policy outlines the rights and responsibilities of students during a work stoppage. The content of this document has been taken from policies implemented by other universities.

- c. Chair
 - .001** Dean Emeritus Recommendation circulated at meeting as **Appendix F**
Discussion covered the following key points:
 - Dr. Dodds advised that the process of recommendation and submission to the various university levels had been followed.
 - Members noted that emeritus recommendations should be reviewed by the Senate Executive prior to submission to the Senate. Members were advised that since there was no scheduled meeting of the Executive Committee, this recommendation came directly to the Senate for consideration.

Moved by Dr. Dodds, and seconded, **“that Senate approves the recommendation of Dr. David Richardson for Dean Emeritus status and will forward the recommendation to the Board of Governors for awarding.”**

Motion carried.

- .002** **PIIDPA** – Ms. Lefebvre presented the following information:

- On July 14, 2006, government passed the **Personal Information International Disclosure Protection Act (PIIDPA.)** This Act was created in response to the Patriot Act. BC and Alberta have similar legislation. It is meant to ensure that the personal information of people in Nova Scotia is not required to be disclosed under the patriot act.
- Personal information is information about an identifiable individual as defined in the Freedom of Information and Protection of Privacy Act. It can include their name, address, phone number, health care history or financial data, as well as their views or opinions on a subject which could include those presented in research.

- This Act was created to provide additional privacy protection, and at the same time respond to concerns about the vulnerability of public body and municipal personal information holdings to foreign access and disclosure.
- In preparation for this legislation, the Universities were asked early this year what kind of data files they had and that might be held by US Service Providers. Following an example set by other major Universities, Saint Mary's University placed these data holdings with a Toronto Service Provider.
- The Library is currently looking at all data files in relation to this act and assessing how data is managed at Saint Mary's University. The Library is also collaborating with ITSS to ensure that personal information is not accessible from outside the country.
- A service provider is an individual or a company that is retained under a contract to perform services for a public body, and in performing those services, uses, discloses, manages, stores or accesses personal information in the custody or under the control of that public body.
- The Act came into effect on Wednesday, November 15, 2006, and prohibits public sector organizations, like universities and their service providers from allowing foreign storage, disclosure, or access to their personal information except to meet the "necessary requirements" of a public body's or municipality's operation. It also requires any individual in these organizations to report any demand by a foreign court for disclosure of personal information on any resident of Nova Scotia. If a violation occurs, the head of the organization must immediately notify the Minister of Justice. The Minister of Justice must also be notified immediately if there is a foreign request for information.
- The Act provides substantial fines. Any individual employee who violates the provisions of this law is liable on conviction to a fine of up to \$2,000. For a business that is not a corporation, the penalty would be a fine of up to \$25,000 and for any corporation a fine of up to \$500,000.
- The regulations surrounding this Act have not come out at this time. FOIPOP believe that these regulations will clarify some of the issues of concern. One such issue is the personal information held by public bodies that may be transported temporarily on, or accessed from the laptop computers, cell phones, and other electronic devices outside Canada. This may be done if the head of the organization determines it is necessary to meet the operational requirements of the organization, or is necessary for the work of its employees. Data storage outside of the country must

be reported to the Justice Minister and may be allowed if the head of the organization determines it is necessary to meet the operational requirements of the organization, or is necessary for the work of its employees.

- The law has other protections as well. Under PIIDPA, public bodies and municipalities are required to ensure that any personal information held by them (or any service provider acting on their behalf), remains in Canada, is accessed, and is disclosed only in Canada, unless certain circumstances exist. These protections will be in place immediately for contracts of public bodies that come into effect on, or after, December 15, 2006, and one year after that date in the case of municipalities.
- Members inquired about personal observations about another individual, such as in letters of reference that might be sent outside of the county and were advised that this would also be subject to the patriot act. Scientists that develop their own portfolio on the web will also come under this legislation.
- Dr. Dodds advised that, for the past year, the university has been under consultation with the province on this issue. Dalhousie's legal services were also accessed on this issue. This is a work in progress.
- For further information on Bill No. 19 - Personal Information International Disclosure Protection Act please use the following URL:
www.gov.ns.ca/just/Divisions/IM/FOIPOP/PIIDPA.asp

06034

PRESIDENT'S REPORT

Dr. Dodds advised members of the following:

- On November 10th, Dr. Lawrence Edward Carter Sr., who is from Georgia, USA and is a prominent follower of U.S. Civil Rights leader Dr. Martin Luther King, spoke at Saint Mary's. His talk drew a large crowd. The organizers did a fine job on this event.
- On November 15th, Muhammad Yunus gave a presentation in the McNally Theatre world poverty. There was an overwhelming turn out for this event. Muhammad Yunus is the recipient of the 2006 Nobel Peace Prize. During the evening the University also announced that it will award Yunus with an Honorary Doctorate Degree.
- Saint Mary's University submitted four nominations for Rhodes Scholarships. One, Mr. Olivier Jarda, has been successful in moving on to the next stage. Significant effort went into bringing the Saint Mary's candidates to the attention of the selection committee.
- The University was successful with some CFI applications. The ACENET proposal has received conditional approval. The Saint Mary's part of the ACENET proposal is a small part of a much wider proposal. Dr. Vessey advised that this is a consortium in high performance computing. Saint Mary's University will apply to the Nova Scotia Research and Innovation Trust to provide matching funds for this project.

- Student Senator Olivier Jarda suggested that students with potential to receive these more prestigious scholarships be approached early to allow them adequate time to prepare. He advised that two faculty approached him early last year and that this was very beneficial in helping him prepare. Faculty was encouraged to adopt an early approach policy.
- Dr. Dodds advised that the Rhodes Scholarship is a well known and very prestigious one. Faculty colleges should start the identification process early. Information interviews should quickly follow with the final stage being the formal application process.

06035

QUESTION PERIOD

- An inquiry was made about a request Dr. J. Young submitted to the Senate Chair for guidance on developing a process for selecting the Convocation Award at the graduate level. Members were advised that the Committee has faced significant challenges in bringing one student forward from each of the faculties for this award because of some discrepancy in the way a Masters versus a PhD thesis is judged. It was suggested that the Deans meet to review and formulate some suggestions to bring forward to the Senate. Senators were asked if there was any objection to including a graduate student and faculty representative on this review group. There were no objections. The Senate Chair will advise of these representatives.
- Olivier suggested that a separate room with a live feed should be arranged when a high profile leader is presenting at Saint Mary's so that people need not be turned away when it turns out to attract more attendance than the facility will hold. Dr. Murphy advised that there are technical challenges in the McNally building that do not provide a simple solution.
- Dr. Dodds advised that there have not been many occasions in the past where the facilities on campus could not meet the demand. The University investigated the possibility of a live feed situation but it was not an easily resolved problem.

06036

ADJOURNMENT

The meeting adjourned at 4:30 P.M.

Barb Bell,
Secretary to the Office of Senate