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## SENATE MEETING MINUTES February 14, 2020

The 609<sup>th</sup> Meeting of the Senate of Saint Mary's University was held on Friday, February 14, 2020, at 2:00 PM, in the Secunda Marine Boardroom. Dr Takseva Chairperson, presided.

**PRESENT:** Dr Summerby-Murray, Dr Butler, Dr Francis, Dr MacDonald, Dr Sarty, Dr Brosseau, Dr Collins, Dr De Fuentes, Dr Doucet, Dr Grandy, Dr Grek-Martin, Dr Khokhar, Dr McKee, Dr Panasian, Dr Power, Dr Stinson, Dr Takseva, Dr Twohig, Mr Brophy, Ms van den Hoogen, Ms Navas, Ms Nankani, Ms Witter, Dr Smith, Ms Milton, Ms Anderson, and Ms Bell, Secretary to the Office of Senate.

**REGRETS:** Dr Bhabra, Dr Bannerjee, Dr Hanley, Ms Killam, Mr de Chastelain, and Ms Klajman.

Meeting commenced at 2:02 P.M with the territorial acknowledgement.

**20062**

### **REPORT OF AGENDA COMMITTEE**

The Senate Agenda was approved as posted. The Chair noted that the term "Lnu" (or "L'nu"; the plural is Lnúk, Lnu'k, Lnu'g, or Lnùg) is the term the Mi'kmaq use for themselves.

**20063**

### **PRESIDENT'S REPORT**

Posted as *Appendix A* for this meeting (10 min).

#### **Key Discussion Points:**

##### **Discovery and Innovation in a learning-centred environment.**

- Minister of Fisheries and Oceans, Bernadette Jordan, on campus this week to learn more about CLARI and research being done. Research in the area of environment was funded by DFO. This work was highlighted in the One Nova Scotia Report.

##### **Intercultural Learning**

- A meeting is scheduled for the first week of March for the University Committee on Racism.

##### **Institutional Sustainability**

- Council of Nova Scotia University Presidents workshop on institutional and sectoral sustainability. Discussion revolved around ways to collaborate. An example is our individualized application processes (student applications).
- Board of Governors meetings and retreat, focused on strategic enrolment management (SEM) and student success.
- Development of budget for fiscal year 2021.

- Participated in the Universities Canada ‘Day on the Hill’, meeting with MPs, parliamentary secretaries, deputy ministers.
- Thanked faculty for their support during the first semester.
- Appointment of Ms. Jo-Anne Peckham as executive assistant in the President’s Office.
- Members congratulated the President on his renewal for a second term.
- Question: There was a request for more student representatives on the Racism Committee. Student feedback has indicated that they would like to see more student representation on these types of committees. Answer: That is a question that the student representative should bring forward at the first meeting. This is a Presidential Committee.
- The SMUSA representatives were advised that If SMUSA prepares a proposal in relation to other Senate Committees, Senate will consider it.

20064

**VICE-PRESIDENT ACADEMIC AND RESEARCH REPORT**

Posted as *Appendix B* for this meeting (10 min).

**Key Discussion Points:**

- The university is merging three distinct recommendations/requirements on advisory committee structures into a single committee. The three distinct structures were:
  - The recommendation from the Senate Ad-Hoc Committee on Accessibility in the Academic Environment. (joint Senate/BOG steering committee).
  - The recommendation from the External Review of the Fred Smithers Centre (Accessibility Advisory Committee struck).
  - The requirement under the Nova Scotia Accessibility Act that every public body shall establish an Accessibility Advisory Committee.
- In addition, legislation requires “at least one half of the members of an Accessibility Advisory Committee must be persons with disabilities or representatives from organizations representing persons with disabilities.” The proposed structure is as follows:
  - Assistant Director of Accessibility, Health and Wellness (Chair)
  - Manager of the Fred Smithers Centre
  - Diversity and Inclusion Advisor
  - Studio representative
  - Library representative
  - Facilities Management representative
  - Financial Services representative
  - Human Resources representative
  - Senate representative from Standing Committee on Accessibility
  - Faculty member from the Faculty of Arts
  - Faculty member from the Faculty of Science
  - Faculty member from the Sobey School of Business
  - SMUSA representative
  - Student Self-Advocate (Engage with students self-identified to FSC)
  - Community representative (person or representative of persons with disabilities)
- The Diversity and Inclusion Advisor, Deborah Brothers-Scott, provided two possible mechanisms to populate the committee. That process will begin shortly.

- If we see something that other universities are doing, and that makes sense for application at SMU, we will consider incorporating that item.
- We are also establishing a working group to create an Accessibility Plan, as per the Act.
- Data sets showing the current state of applications, and sample data from a national survey of first-year students from this past year were discussed. We are seeing improvements in retention rates of first-year students. Overall, working groups are forming to tackle various aspects of developing the SEM plan. Faculty are/will be engaged around a number of themes.
- There are increases regionally in terms of enrolments. The situation is worsening in regard to international enrolments. This is also impacted by the Coronavirus outbreak.
- This year there is a 6% increase in applications over last year. When choosing an institution, students are looking for both experience and career benefits.
- We are looking at student survey results to draw information from those.
- Ms Charisma Grace Walker has accepted the position of African Nova Scotian/Black Student and Community Liaison.
- Question: Will an announcement be made on the new positions? Answer: Yes. Next week.
- Initiative with the Confederacy of Mainland Mi'kmaq - A meeting has held between a small group of faculty and representatives from the Confederacy of Mainland Mi'kmaq (CMM) who are developing plans for the Mi'kmawey Debert Cultural Centre, including Don Julien the Executive Director. This is a follow-up to the discussions of which Senate was informed in October. One outcome is that CMM will be identifying a number of topic areas that could be developed into video modules that can be placed on Brightspace for use in courses. Once this information is received back from CMM, we will engage a broader community of faculty who might be interested in this initiative.
- Currently, there is a plan to improve available information so that people can more easily locate the existing policies and procedures. The goal is to make it easy to navigate in terms of locating information on subjects like campus culture and respect.
- It was suggested that ITSS remove all out of date documents from the website prior to implementation of the above plan. Alex Beckett of ITSS has been working to clean up this situation. The challenge is related to search efforts originating from outside of the university environment. These use various search engines that can locate archived/older information from other searches.
- Members were advised that there is mandated legislation in Western Canada that requires universities to have a code of conduct. This is a fairly new requirement. In Alberta, it is the Conflicts of Interest Act (COIA). This Alberta legislation made it mandatory for all Alberta universities to adopt a code of conduct that applies to all members of the university community – staff, faculty, volunteers, etc.

**20065**

**SMUSA PRESIDENT'S REPORT**

Posted as *Appendix C* for this meeting (5 min).

**Key Discussion Points:**

- The President elect for the 2020-2021 Academic year is Bryn de Chastelain. Bryn is in Ottawa attending a meeting of the Canadian Alliance of Student Associations (CASA).
- Course Syllabus - A syllabus is the student's guidebook on what the course will entail and includes important course due dates that students must meet. They are supposed to protect the students, university and faculty. On occasion, they do not protect students. Some course syllabi request students to present a medical note or formal medical document to be exempted from an exam or quiz. Doctors stopped supplying these two years ago.
- Members were advised that the Curriculum Committee is aware of this issue and has a meeting scheduled on March 4th to review and consider revisions to the Senate Policy on Course Outlines. In addition, Academic Regulations will review the language of Academic Regulation #10b at their meeting on February 28.
- SMUSA applauds the suggestion to revise the Senate Policy on Course Syllabi. From faculty to faculty, there are variable practices related to requiring medical documentation. This is a larger issue that involves more than course syllabi. Saint Mary's needs to review and agree on, as a community, what we expect students to provide in regard to medical documentation.
- Senate was asked to considering the creation of a template for course syllabi. This template would then be used by all Faculties. Individual faculty members could access the template and build their own course syllabus on that basis.
- Members were advised that the Deans collect the syllabi but do not have the time to review these individually or completely. Medical documentation is generally not required anymore.
- It was suggested that if a student sees this in a course syllabus, they should approach the Department Chair or Program Coordinator.
- Members were advised that some universities have centralized units that review this type of thing. Their decisions are binding on the student, faculty and department. Some universities charge for this service but it was noticed that the payment of that fee seemed to give the perception of the entitlement to a positive outcome.
- Saint Mary's needs to encourage learners to be responsible for their learning. If a class is missed, whose responsibility is that? It is certainly not the institutions or the faculty member's.
- Caution was expressed that if there are particular cases where the medical information is required, SMU needs to understand how that documentation should be handled and that it must be kept completely confidential.
- It was suggested that the current student extenuating circumstances form from the Faculty of Science is an excellent tool for all faculties to use. The other faculties were encouraged to look at incorporating this into their practices.
- Student Code of Conduct – The scope of the document before Senate needs to be expanded to be a University Code of Conduct and also encompass staff and faculty.

**20066**

**QUESTION PERIOD** (length at discretion of chair based on business volume)

**Key Discussion Points:**

- Addressed in each section above.

20067

**MINUTES OF THE PREVIOUS MEETING**

Minutes of the meeting of January 17, 2020, were *circulated* as *Appendix D*. Page 4, fifth bullet point – “Language on academic integrity needs to be in place that tells people what is being expected.” change to “Language on **respectful behavior** academic integrity needs to be in place that tells people what is being expected.”

Moved by Panasian, and seconded, “**that the minutes of the meeting of January 17, 2020 are approved as revised.**” Motion carried.

20068

**BUSINESS ARISING FROM PREVIOUS MINUTES**

.01 Subsequent to presentation of the 2019 Report on Positive Action, report on consultation on retention and inform Senate on the related issues.

**Key Discussion Points:**

- Butler reported that a draft equity policy is almost ready, and it might make sense to time a presentation to coincide with the submission of that draft. It may be timely for an April presentation in Senate. Brothers Scott will attend.

20069

**OUTSTANDING ITEMS FROM PREVIOUS AGENDAS**

.01 Academic Regulation 20 - Letters of Permission (LoP) - Coordination of a report covering LoPs that is bi-directional to facilitate an informed discussion in Senate. (Dr Smith– forward from Oct 2019)

**Key Discussion Points:**

- This hinges on data being generated. There have been delays in terms of the priority of workflow and that has been due to lack of available resources.
- **Action Item: Bell** to defer this item to the April Agenda.

20070

**REPORTS OF STANDING COMMITTEES** (only list items submitted)

a) Academic Planning Committee  
Gorsebrook Self-Study, *Appendix E1* – APC Notice of Motion, *E2* – GRI Self Study, & *E3* GRI Appendices.

**Key Discussion Points:**

- GRI is going through reorganization and restructuring. APC was pleased with their progress in this regard. As a result, APC felt that a three-year renewal would be a better approach.
- Question: Does a research institute go through the same process as a program? Answer: No. There is a specific policy and process stipulated for this.

Moved by Butler and seconded, “**that the Senate accept the self-study Report of the Gorsebrook Research Institute (GRI) as meeting the requirement of section 3.3 of the Senate Policy 8-1009, Senate By-Laws Governing the Establishment, Reporting and Review of Research Institutes and Centres at Saint Mary’s, with the stipulation that the next self-study review be scheduled no later than three years from the date of Senate Approval.**” Motion carried.

b) Ad Hoc Committee to Review Section 13 of the SMU Act - Report, *Appendix F1* – Notice of Motion, *Appendix F2* – Revisions to Section 13, SMU Act, and *Appendix F3* – Rationale for revisions.

**Key Discussion Points:**

- The committee conducted campus-wide consultations. The outcomes are reflected in the rationale document. Some revisions were made to the composition that incorporated some EDI concerns. Section 13.2 was not revised.
- The additional recommendations arose during the consultation process. The feedback applies to the Act as a whole and are provided for the consideration of the Board of Governors.
- There are challenges related to the language in Acts. It was suggested that Senate members consider removing the detailed composition listing from the Act and, as an alternative, enshrine it in the Senate Bylaws.
- Question: Would the committee consider a framework similar to that used by other institutions? The following example was given: “The membership of the University Senate shall be constituted in such manner as is determined from time to time by the University Senate and approved by the Board.”
- The committee chair advised Senate that the Committee did not consider this option. The committee thought it was important to preserve a clear vision of the existing structure of Senate.
- Question: Could language be included in the Act that would preserve the existing faculty complement on Senate?
- The committee worked very hard on the language to provide the greatest flexibility. Question: How much flexibility is required? Concern was expressed relative to the potential, future number of members on the Senate.
- Support was expressed for the language of a simpler statement such as the one that Dalhousie uses. Senate should articulate their vision of what the composition of Senate should be within the Senate Bylaws.
- It was noted that the position title for Dr Smith has changed again. The proposal does not have his current title. <<This was a misunderstanding. The proposed position marker was to provide flexibility and cover AVP positions in Enrolment, Research and Teaching.>> Members were advised that the statement is indicating the types of roles that should be reflected on Senate.
- It was suggested that the definition of “full-time academic faculty” is too restrictive and excludes part-time faculty and professional librarians.
- Concern was expressed relative to the section on Eligibility to Vote. Question: Why does this section exclude students from being eligible to vote? Answer: Because this is the section where the Bylaws are specifically addressing members elected to Senate by the academic staff which does not include students.
- Question: What does “may be given academic status by the By-Laws” mean? Answer:
- Question: How do we define academic staff? Answer: In the Senate By-laws, (Section 1.4.2) academic staff is defined this way: *for the purposes of nominations and elections to and for Senate, academic staff, means the full-time faculty members employed by the University to carry out teaching or research responsibilities (or both), and such other employees of the University as may be given academic status by the By-Laws. This does not include part-time faculty or students*

*employed as teaching or research assistants or otherwise. But our Bylaws are problematic in terms of the definition of Academic Staff. There is a discrepancy between the Bylaws and the Act in this regard. The Act (Section 2a) defines Academic Staff as the persons employed by the University to carry out teaching or research responsibilities (or both), and such other employees of the University as may be given academic status by the by-laws, but does not include students employed as teaching or research assistants or otherwise.*

- It was noted that lecturers, professional librarians, etc. have academic standing based on that broader definition in the Act.
- By defining the composition of Senate in the legislation, that is giving the Government a lot of power. It was noted that the Act already has this level of specificity.
- Members were advised that in some Boards, ex-officio could mean voting or non-voting. When you state seats by a title, you do not need to include this term. The only reason it would be included would be to specify voting rights. Response: In the current Bylaws, Senate can exercise control over elected members but has no control over ex officio members in terms of their attendance at Senate meetings which was why this distinction was proposed.
- The ad-hoc committee attempted to balance flexibility versus security with this proposal. The concern was related to ensuring a simple majority of elected faculty members on Senate.
- Question: What timelines are the Board of Governors looking at for opening the SMU Act? Answer: There is no current set deadline. The Board will be happy to move forward when it has a draft Act to submit.

The following motion was withdrawn by Grek-Martin, **“that members of Senate consider, for approval at the next Senate meeting, the Proposed Revisions to Section 13(1) of the Saint Mary’s University Act attached.”**

- **Action Item: Bell** to defer this item to the March Senate Agenda.
- The second motion refers to how Academic Staff is defined in the Act. Part-time faculty and professional librarians have asked if the Board would consider revising how the Board defines this.
- Question: In terms of the upcoming elections, how would you approach this challenge of part-time faculty voting and running for Senate? Answer: The Committee started the discussion in this regard but there is more work to be done. More consultation is necessary related to the specifics.
- Support was submitted for part-time faculty representation on Senate. Concern was expressed related to who would be eligible to serve. It was suggested that elected part-time faculty members would need to hold a current appointment, regardless of whether or not they are teaching.
- Members were advised that neither the part-time faculty nor the professional librarians are advocating for their own seats on Senate. They just want to be recognized as academic staff and be eligible to serve on Senate.
- Concern was expressed related to the number of part-time versus full time faculty that could be serving on Senate at any time.

- Members were advised that in legislative terms, generality is your friend. Definitions only assist in interpretation of items in the act. The definition of Academic Staff could be readdressed in the Bylaws.
- Point number two – The Committee thought it was important to highlight research as warranting recognition in the Act. We also thought to resolve the issue related to the language on responsibility for student discipline.
- In relation to removing clause 14 referring to “Assembly of Faculty” – there are a couple of ways to interpret this. At some Canadian and US institutions, this may enshrine the right of faculty to come together on matters of concern. Faculty were concerned about removing this general language because of the potential for removing the right of SMUFU to meet on matters of concern.
- At the time this was included in the Act, it likely preceded SMUFU being on campus. It was suggested that this was in the Act has a place holder to provide flexibility for future developments. This was simply a housekeeping issue for the Board of Governors. If Senate feels strongly on this, the Board would not have an issue with leaving it in the Act.
- SMUFU’s right is covered under the Labour Act. There is no current purpose for this in the Act.

Moved by Stinson and seconded, **“that the Senate recommends that the Board keep article 14.” Motion carried.**

Moved by Grek-Martin and seconded, **“that members of Senate consider, for approval at the next Senate meeting, the Additional Recommendations Pertaining to the Proposed Changes to the Saint Mary’s University Act attached.” Motion carried.**

- c) Bylaws Committee, *Appendix G1* - Notice of Motion, *Appendix G2* – Revisions to sections 2.5, 5.2.2.2, 5.2.4.6, 5.2.5.2, 5.2.6.6, and 5.2.12.7

**Key Discussion Points:**

- The first motion is related to the Senate Standing Committee on Scholarship. This committee has not been active for the past three years. The regulations and responsibility around scholarships have changed.
- The Terms of Reference for this committee were read.
- Smith advised that he was tasked to create a university scholarship committee to review this area of responsibility related to the impact of scholarships on admissions, and to identify areas of greatest need. Scholarships are a functional area.
- Butler advised that he chaired this committee in the late 90s and early 2000s. At that time, there was little engagement between this committee and the university.
- It was suggested that this may be an area where faculty should have input. Some of the recent gifts we have received have had a scholarship component. Faculty should have some involvement in that regard.

- Members were advised that every faculty have their own scholarship committee. The vast majority of scholarships are automatic based on grades. There are special scholarships that are assessed by other groups. We are trying to move away from this because that would have to be tracked to ensure that the scholarships actually get awarded.
- Members were advised that at the level of FGSR, the work of reviewing scholarships is complex and involves faculty members at all levels.
- Question: Is there a policy on awards? Should Senate be involved in reviewing that if it did exist? Answer: This falls under Academic Regulations. The policies that we have are around administrative and process issues. Every scholarship has different procedures. There is no role for a Senate Committee.
- **Action Item: Bell** – In 5.2.5.2 the correct title is Director of Admissions. There are no changes necessary to this section of the Bylaws.

Moved by Grek-Martin and seconded, **“that the Senate terminate the Senate Standing Committee on Scholarship.” Motion carried.**

Moved by Grek-Martin and seconded, **“that if approved the revision of section 2.5 Senate Order of Business to remove the Scholarship Committee”. Motion carried.**

Moved by Grek-Martin and seconded, **“that the Senate approve the revisions to sections 2.5, 5.2.2.2, 5.2.4.6, 5.2.6.6, and 5.2.12.7 as documented in the attached document designated Appendix B2.” Motion carried.**

Moved by Butler and seconded, **“that Senate approve an extension of 10 minutes to allow the completion of the business of Senate.” Motion carried.**

d) Student Discipline Committee, Draft Code of Student Conduct, **Appendix H1** – Notice of Motion, **Appendix H2** - Draft Code of Student Conduct, and **Appendix H3** – Current Code of Student Conduct.

**Key Discussion Points:**

- Ms Lyndsay Anderson was introduced as the new Assistant Director, Student Culture and Experience with Student Services.
- The first instance of inclusion in the Academic Calendar was in 1993. The code was revised in 2006, this is a completely revised code. It is also a revision to the name - Code of Student Conduct.
- There were a couple of appeals that brought to attention the issues with the Code and the outdated nature of the language.
- Two documents have been provided: The revised code and the old code. The changes were so substantive that it was decided not to provide a document with track changes because it would be too confusing.
- Significant consultations were done during the development of this draft. SMUSA and student input were included. This is a work in progress and further work is needed.
- The existing code does not work. Senate feedback is invited of the draft that has been submitted.

- There was a tremendous amount of interpretation related to the existing policy. A policy should be clear and transparent for all parties involved. This draft is a significant improvement of the current document.
- Dr Stinson's was applauded for her leadership in this regard. Senate also applauded the work of the members of this group.
- The perception of the word 'discipline' was considered to be negative in terms of the application of the policy and has been removed from the title and text.
- The timelines in the existing policy were just not manageable. If litigation were ever to occur, this would be problematic. There are clear values addressing racism.
- A section on interim measures was added. This puts safety measures in place when needed. These are meant to be minimally invasive.
- An important change was to allow for a single decision maker to make decisions up to suspension or expulsion.
- There is an adjudication panel for when decisions require suspension or expulsion. All decisions need to be able to be appealed and the existing policy did not have an appeal process.
- A person designated as a gatekeeper for appeals was also necessary.
- Concern was expressed in regard to the inclusion of Indigenous forms of justice. Making sure the wording is right will take time. With the right consultation the committee would like to be more explicit in this regard.
- Concern was expressed in regard to non-academic offenses with academic discipline attached to them. We need to note that violations of this code may have academic impact. That may need to be added to Academic Regulations.
- Question: Is the committee recommending a regular review of the code? Answer: We are saying that this document must not remain static for a lengthy period of time as it has done in the past. We are proposing implementing the revisions now, and then revisit it after a few months or a year to determine if additional revisions are needed.
- Members were advised that the code is not an academic regulation.
- F. Remedies and Sanctions: i. Probation, j. Suspension, and k. Expulsion – there are Academic Regulations to deal with all of these things. **Action Item: Bell** to add this to the Academic Regulations Agenda for Feb 28.

Moved by Butler and seconded, **“that Senate approve another 10 minute extension for the Senate meeting to complete Senate business.” Motion carried.**

- The statement on confidentiality needs to say “requires” rather than “expects” – This was accepted as a friendly amendment.
- Question: Why is this called the Code of “Student” Conduct? Answer: The name was revised to remove the word “Discipline” as an improvement.
- It was noted that there are places where this document comes up against other policies.
- Question: There was a concern that this code had to be included in the Academic Calendar which had to be published on March 1<sup>st</sup> and

there was still more work that needed to be done. This is not an academic regulation and was only included in Regulation 18 for information purposes. The Committee is not asking Senate to approve where the Code should live as a document.

- The University Secretary reminded Senators that this Code of Student Conduct would also have to be approved by the Board.

The following motion was withdrawn by Stinson, **“that the Senate approve the Student Discipline Committee’s revised draft of the Student Code of Conduct.”**

- Urgency was expressed in regard to Senators engaging with the document between now and the next Senate meeting and to provide feedback to Stinson no later than February 28.

Moved by Stinson and seconded **“that Senate approve the removal of the existing Code of Conduct section out of Academic Regulation 18 in the Academic Calendar”**. Motion carried.

**20071**            **NEW BUSINESS FROM**  
None

**20072**            **ADJOURNMENT**  
The meeting adjourned at 4:44 P.M.

Barb Bell,  
Secretary of Senate