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SENATE MEETING MINUTES January 16, 2015

The 562nd Meeting of the Senate of Saint Mary's University was held on Friday, January 16, 2015, at 2:30 PM, in the Secunda Marine Boardroom. Dr D. Naulls, Chairperson, presided.

PRESENT: Dr Gauthier, Dr Dixon, Dr Bradshaw, Dr MacDonald, Dr Smith, Dr Vessey, Dr Naulls, Dr Power, Dr Bjornson, Dr Campbell, Dr Francis, Dr Gilin-Oore, Dr Grek-Martin, Dr Secord, Dr Short, Dr VanderPlaat, Dr Warner, Mr Michael, Mr Patriquin, Mr Feehan, Mr. Hamilton, Mr Dhaduk, Dr Cameron, Dr MacLeod, Dr Vance, Dr Thacker and Ms Bell, Secretary to the Office of Senate.

REGRETS: Dr Dodds, Dr Austin, Dr Kozloski, Dr Stinson, Dr Takseva, Ms DeYoung, Mr Hotchkiss, and Mr Rice

Meeting commenced at 2:34 P.M.

14039 **REPORT OF THE AGENDA COMMITTEE**
The report of the Agenda Committee was accepted.

14040 **MINUTES OF THE PREVIOUS MEETING**
Minutes of the meeting of December 12, 2014, were *circulated* as **Appendix A**.
The following revisions were noted:

- Page 6 top – “There will be a compensating decrease in the size of the B.Sc. program to off-set the resource demand.” This should say “There will be a compensating decrease in the size of the M.Sc. program to off-set the resource demand.”
- Dr Francis attended this meeting.

Moved by Hamilton, and seconded, “**that the minutes of the meeting of December 12, 2014 are approved as revised.**” Motion carried.

14041 **WINTER GRADUATION LIST**
Documentation circulated as **Appendix B**.

- There are 260 credentials being conferred on 248 graduates.
- There are 19 Distinctions.
- There are two ceremonies scheduled on Saturday, January 24th; one at 10 AM for Arts and Science and the other at 2 PM for the Sobey School of Business.

Moved by Dr. Dixon, and seconded, **“to confer degrees and distinctions on those represented on the list (circulated as Appendix B) at the Winter Convocation”**. Motion carried unanimously.

Moved by Dr. Dixon, and seconded, **“to enable the Registrar to add such graduates to this list as may be identified subsequent to this meeting.”** Motion carried unanimously.

14042

EMERITUS RECOMMENDATIONS

Documentation circulated as *Appendix C1, C2, C3 & C4*.

.01 Recommendation for Dr. P Fitzgerald, Department of Management

Key discussion points:

- The President would normally present these, however he is away on university business.
- Dr Fitzgerald was the first woman appointed to a full-time position in the Faculty of Commerce, the first to receive tenure, the first to be promoted to associate professor and to full professor. She has a distinguished record of service to Saint Mary’s University and the Sobey School of Business. Pat is a long time contributing member with high levels of scholarship.

Moved by Bradshaw, and seconded, **“that the Academic Senate supports the recommendation for the distinction of professor emeritus to Dr. P. Fitzgerald from the Department of Management, for forwarding to the next meeting of the Board of Governors for awarding.”** Motion carried.

.02 Recommendation for Dr. S Pendse, Department of Management

Key discussion points:

- Dr Pendse was first appointed at Saint Mary’s in 1966. He received the President’s Award for Exemplary Service in 2012 for four decades of diverse contributions to the university.
- The Students in the Sobey School of Business nominated Dr Pendse as Professor of the Year in 2005. He was also nominated in 2013 for the Stewart Medal for Excellence in Teaching.
- Dr Pendse was instrumental in assisting to broaden the Commerce program beyond its accounting focus. In 1975, Dr Pendse participated in developing the structure of the new MBA program. In addition he donated funds in the 1980s to create a scholarship for MBA students and has topped that donation up in recent years.
- He is a long serving, contributing member of the faculty with high levels of scholarship.

Moved by Secord and seconded that **the Academic Senate supports the recommendation for the distinction of professor emeritus to Dr. S. Pendse, from the Department of Management, for forwarding to the next meeting of the Board of Governors for awarding.”** Motion carried.

14043

BUSINESS ARISING FROM PREVIOUS MINUTES

.01 Research Ethics Board

- i. Revised Senate Policy on Ethical Conduct for Research involving Humans, circulated as *Appendix D* (Dr Cameron attending)

Key discussion points:

- The revisions are more a consolidation of a couple of different documents. The bulk of the material incorporates the terms of reference.
- The changes will have a significant impact to the process for pursuing outside funding.
- There also was an addition for member training in ethics in article 3.09.
- Question: Who was responsible for making these revisions? Answer: Dr Cameron did the revisions with feedback from the REB.
- The following friendly amendment was made.
 - The language in article 2.01 is correct and quotes the TCPS definition of research <<is any activity “intended to extend knowledge through a disciplined inquiry or systematic investigation.”>> It ends there. The next statement in the TCPS should be added after that –
 - The addition would be: The term “disciplined inquiry” refers to an inquiry that is conducted with the expectation that the method, results, and conclusions will be able to withstand the scrutiny of the relevant research community.
- Without this statement being added, there could be confusion regarding what needed approval. This friendly amendment was accepted by the mover. **Action Item: Vessey** to supply to Bell.
- The following friendly amendment was made:
 - Article 2.03 should not be in the policy because Senate has no purview over budgets. This friendly amendment was accepted by the mover.
- Article 3.08 states that the Vice-Chair may sometimes serve as Chair. This would be normal procedure and does not need to be stated. It can be removed. The friendly amendment was accepted by the mover.
- Article 4.01 states “shall consider all major matters in face-to-face meetings”. Question: What constitutes a ‘Major’ matter? Answer: This would be higher risk or exceeding minimal risk situations. It was suggested to put in a couple of examples.
 - The first sentence states that the REB shall meet regularly. What is regularly? Is there a requirement? Answer: Members were advised that the REB was established as a Standing Committee of Senate. Article 5.1.13 of the Senate Bylaws states the following: The Chairperson of each committee shall call meetings of his/her committee at least once in each semester. This is the minimum for any Senate Standing Committee. Delete first sentence.
- Article 5.12 states that the REB shall report violations of the TCPS to the Dean of the Faculty of Graduate Studies. Currently the way the policy is being applied – if a person forgets to file a form on time, it falls into the same category as a more significant issue. It was suggested that the REB should review this practice. Perhaps there should be a less serious action in place to handle the minor issues? Answer: The University must be seen as being at arms-length to the operations of the REB. If someone does not submit a form on time, that is in violation of the policy. This comes down to an issue of research integrity. The Research Ethics Officer sends multiple notices out on some of these projects and the Dean is notified very often as the last resort to get a response from the researcher. This was acknowledged but it was noted that it could also cause bad feelings.
- Question: Article 2.02 had a sentence about students. Is it now the student’s responsibility to be aware of the requirements of the TCPS? Is there any onus on the instructor to make sure the research and/or study is being

ethically conducted? Answer: Originally this covered student activity within courses and that is where this sentence came from. Student doing their Honours Thesis and Independent Studies will complete the required form. If the research/study is done within a course, the completion of the form is the responsibility of the instructor.

- Question: Was there an audit done on our processes? Answer: There was an informal assessment done a year or more ago.
- Question: Has there been any problems? Answer: Most issues have been handled at the informal level. There have been situations where sections of research had to be removed from a Thesis because the process had not been followed and there was no REB Certificate. Students should always consult with the REB Office to see if there is a requirement.
- Question: Where is the supervisor involved in this process? The opinion was expressed that if there is any penalty it should be going to the instructor and not the student. Answer: Whenever a student is doing research it is within a course and both the instructor and student are responsible for the research that is being done.
- Concern was expressed that there was no systematic process to cover research within a course. It was suggested that since this is a Senate Policy on how ethical conduct in research, we should send it back to be revised to include the agreed to revisions and the process to be followed in a course.
- Members were reminded that any research involving human subjects needs to be reviewed by the REB. Most classroom research does not meet this definition of research.
- It was noted that challenges are also experienced during the communication of issues. A suggestion was to add a phrase that stated: "If your class has any research dealing with human subjects, the instructor should contact the REB."
- A student senator noted that the student REB member serves for a two year term renewable.... This is the only committee that a student serves on for more than one year. There was a request for that to be changed to one year.
- The student senator also noted that the Student Association is supposed to have the authority to appoint a representative and that did not appear to be the process here. Answer: There are external bodies and corresponding regulations with which the REB must comply. In the past, the REB has recruited their own student representative because of the background and educational requirement necessary for their involvement, however, the REB would consider any recommendation from the SA of a student with the appropriate background.
- There is a general assumption that there are not many student projects in-class that would meet the criteria for REB involvement. The Dean, Sobey School of Business (SSB) noted that SSB has numerous projects that do include this component.
- To remain compliant with the TCPS, a huge area of focus is on how we manage education. If the Dean's want to get involved to facilitate that education, the REB would be happy for their assistance.
- The consensus was that this document needs more work and is referred back to the REB for revisions.

14044

REPORTS OF STANDING COMMITTEES

.01 Curriculum Committee Semi-Annual Report attached as *Appendix E*

Key discussion points:

- This is the remainder of the Faculty of Science, FGSR and Education. There are significant changes in the Biology and Chemistry programs.
- Action Item: Dr Warner will send the typographical errors found to Bell.
- Question: Is there a net increase in courses? Answer: EGSL courses are being relocated to EDUC for a net gain of zero. There are a few six credit hour courses being split into two three credit hour courses. We also have some new courses that have resulted from ERC recommendations and a number of courses that are being archived or deleted.
- Question: RELS 3351 on page 8 – the department has changed the language of “appropriate tools” to qualitative versus quantitative tools. Why? Answer: The Curriculum Committee are not subject matter experts and reviews the submissions from an editorial and program impact perspective. It was noted that it would be difficult to teach both qualitative and quantitative methods/tools in one course.
- Page 114 – This is the addition of a Major program in Computing and Data Analytics. When this was submitted in October, they identified a minimum English language requirement greater than that required by FGSR Admission Regulation 1 c. We have been receiving applications to this program and have identified that the minimum language requirements are unnecessarily high. The program would like to adhere to the FGSR requirements as cited in Admission Regulation 1 c. The Science Executive passed this change earlier today. See below:
The minimum Admission Requirements 1.a through 1.e (inclusive) as listed in the Academic Regulations section of this Faculty of Graduate Studies and Research (FGSR) Academic Calendar apply, with the following additional requirements:
 - a four-year Bachelor of Science in Computing Science degree (or equivalent) with a minimum cumulative GPA of 3.0/4.3 (B).
 - a minimum score of 70% on a programming test* administered by Saint Mary’s University;
- Question: Whose responsibility is it to oversee the number of courses that could be offered in any discipline? Answer: The Registrar goes through the calendar annually. Programs and Departments are notified that any course that has not been offered for four years will be archived.
- We are no longer printing the academic calendar. It will be in electronic form only from this point on.
- Question: How much would this save the university? Answer: \$35,000 and substantial mailing costs. Approximately \$50,000 in total.

Moved by Dixon and seconded, **“that the report of the Curriculum Committee is approved for insertion into the 2015-2016 Academic Calendar.” Motion carried.**

.02 Academic Planning

- i. Atlantic Canada Studies program review documentation, attached as **Appendix F**– APC Recommendation Memo, **Appendix G** - Recommendation-Comparison summary, **Appendix H** - Self Study Report, **Appendix I** - Self Study appendices (1-32), **Appendix J1 & J2** - Deans Response to Self Study UG & Grad, **Appendix K** - External Review Committee’s (ERC) Final Report, **Appendix L**- Department Response to ERC Report, **Appendix M** - Dean’s Response to ERC report. (Drs Alexander MacLeod and Michael Vance attending)

Key Discussion Points:

- The summary report is now being included in the Program Review documentation to clarify for Senators which recommendations are being supported by the Academic Planning Committee. There are seven recommendations that are being submitted for this review.
- The motion memo was reviewed. It was noted that all 29 recommendations were considered to be of value to the program. A number of those recommendation were considered to be outside of the purview of the Senate. Those not brought forward to Senate have been referred back to the Dean and the Program.
- It was noted that the summary report should show the Faculty of Arts and the Faculty of Graduate Studies and Research. Some of the recommendations were for the Undergrad only, some for the Graduate program only and then some recommendations were for both.
- Dr MacLeod advised that the program was very grateful to the reviewers who understood the challenges of this type of program in smaller Atlantic Canada Universities. The recommendations related to the communications issues are already being implemented by the program. Some successes have already been experienced.
- Members were advised that ACST was chosen to do the first four public lectures in the library. The program has a good working relationship with the library and will continue to work to improve all relationships.
- The Dean of Arts noted that recommendation 12 talks about a heightened sense of interdisciplinary identity within the student body and looks forward to working with the program on this.
- The review raised some points regarding inter-disciplinary programs. Is something being done to improve this area? Answer: APC has conveyed to the Deans that all the recommendations are valuable and should be addressed. They have also been asked to report back to the APC through the Office of the AVP on those recommendations not brought forward by APC.
- It was noted that there were some recommendations that referred to issues covered under the collective agreement. These issues are beyond the scope of Senate or any other group outside of the Collective Bargaining process.

Moved by Gauthier, and seconded, **“that the Atlantic Canada Studies Program respond to the recommendations of the external reviewers as articulated in the APC Memo to Senate dated January 8, 2015. APC specifically recommends that the Department implement recommendations 7, 12, 16, 18, 20, 22, and 29”.** Motion carried

Moved by Gauthier and seconded, **“that the Atlantic Canada Studies Program submit an action plan to APC in April 2015.”** Motion carried

Moved by Gauthier and seconded, **“that in January, 2016, the Atlantic Canada Studies Program submit a one-year report to the Academic Planning Committee on the progress made during the year on the Action Plan according to Section 5 of the Senate Policy on the Review of Programs at Saint Mary’s University.”** Motion carried.

- ii. APC Notice of Motion attached as Appendix N, Institute for Computational Astrophysics 2013-2014 Annual report, attached as *Appendix O1 & O2*. (Dr Thacker attending)

Key Discussion Points:

- No questions.

Moved by and seconded, “**that the Senate accept the 2013-2014 Annual Report of the Institute for Computational Astrophysics as meeting the requirement of section 3.2 of the Senate Policy 8-1009, Senate By-Laws Governing the Establishment, Reporting and Review of Research Institutes and Centres at Saint Mary’s.**” Motion carried.

.03 Academic Regulations

- i) Revised Senate Policy on Re-Scheduling Final Examinations as a Result of a Disruption in University Business, attached as **Appendix P1 and P2**.

Key Discussion Points

- This policy was sent to Senate previously and sent back for revisions.
- We have a previous policy that is being incorporated into this document. Previous objections were regarding language; for example to the use of “Must”. Softer language has been incorporated into this document so that the revisions read more like recommendations.
- There was also a request to sync this policy with the emergency management procedures and that has also been incorporated.
- Question: Where is the budget coming from for the extra invigilators? Answer: This is only a recommendation and the Deans are currently covering this expense within their budgets.
- Question: In the section covering use of washroom facilities it states that students may be escorted. Students could have a cell-phone in their pocket. One could also argue that the washroom is not the examination venue. This section of the policy does not go far enough. How is escorting a student to the washroom going to help? Answer: There have been a number of issues noted around this item. If the instructor feels that this is necessary, this gives them the authority to do it. An exam has a start time and an end time and that defines when use of a cell phone is restricted.
- **Question:** Point 1 on page 3 – If two or more exams are in one room, the appointment of invigilators must be clear. Answer: The registrar’s office has tried not to schedule such examination situations.
- **Question:** Is there anything in the policy about how late a student can show up to an exam and still be allowed to write? The following friendly amendment was accepted: Students will not be allowed to write the exam after 30 minutes have elapsed in the exam time.
- It was suggested that someone should also go around to check IDs to ensure that those in the exam are registered in the class.
- **Question:** Can we schedule two exams in one room on purpose? Answer: We can accommodate many different preferences.
- **Recommendation:** That a sign-up sheet is utilized.
- Someone is identified as the Chief invigilator. They pick up a package of instructions and they are the only ones that are allowed to speak with authority in the room.

- Question: Can something be put in to the policy about communicating clearly to students about the length of the exam? There have been a number of situations where the instructor has changed the time allocation on the day of the exam. Response: The instructor is responsible to communicate this to the student.

Moved by Dixon and seconded, **“that the Senate Policy on Final Examinations is approved as circulated.” Motion carried**

ii) Revised Senate Policy on the Academic Implications of Disruptions, attached as **Appendix Q1 and Q2**

Key Discussion Points

- This was sent to the Senate and returned for further revision. There was a particular request to deal with subsequent storms that impacted a specific course and to develop a process to deal with such situations.
- As requested, we have inserted a definition of short-term and long-term issues as well as a definition of what constitutes ‘contact hours’.
- Question: If there was a short disruption at the end of the term or some other critical phase, could the faculty member in cooperation with the Dean arrange a remedial action? Answer: As things are currently, the answer is no. Students have to have notification in advance.
- Question: Should we make these make-up classes mandatory? If this was a class where students were making their final presentations which constitute a large percentage of their final mark, there would have to be remedial action. Answer: The policy states that you as a faculty member have the authority to schedule a make-up class. Members were reminded that the Academic Regulations require that we accommodate students that cannot make those classes. You can tell the students when the make-up class is, but some students will not be able to attend at that time.
- Article 3.2.2 – States that remedial action ought to include rescheduling in order to preserve course integrity. Question: Is this a responsibility of Senate or of the Faculty? Answer: Senate Executive has authority over it all.
- This could be applied on a course by course basis given the unique nature of the disruption.

Moved by Dixon, and seconded, **“that the Senate Policy on Academic Implications of Disruptions of University Business is approved as circulated.” Motion carried**

Moved by Vessey, and seconded, **“that the Senate meeting be continued for an additional fifteen (15) minutes.” Motion carried.**

iii) Revisions to Academic Regulation 19, attached as **Appendix R1 and R2**
Key Discussion Points

- There was a case this past year where legal representation was brought in by both sides of the case. The University Legal Counsel identified gaps in the process and provided suggestions for revisions. These suggestions have been incorporated.
- The University lawyer represents the faculty member. The student had their own lawyer. The hearing panel did not have legal representation. Even the university lawyer challenged the panel decisions. That made the process difficult for the panel.
- It was noted that this revision would also apply to graduate regulation 33.
- Can we foresee a situation when the faculty member might want to push this through to the panel? Answer: Yes. These issues are forwarded to the Committee for a determination.
- Question: In case of a documented case, if the faculty member decides that this process does not apply, would the case go forward? Answer: The process is initiated by the documentation filed with the Registrar's office.
- A friendly amendment was suggested and accepted for point one, Procedures for Formal Complaints...
 - 1. For those cases that cannot be resolved informally, and the student **or instructor** wishes to appeal a decision, the Respondent (i.e. the student) **or the Complainant (i.e. the instructor)** shall file a written notice seeking access to the formal resolution process within five (5) working days of receiving notification from the Registrar that there has been **have received** a penalty due to a plagiarism incident or allegation, but in no case later than 10 days following the end of the term in which the penalty was applied.
- Question: In points 4 and 5 – if the respondent has made a request but doesn't explicitly ask for a hearing what would happen? Answer: The committee would review documentation at hand and render a decision based on that.
- Question: Where a hearing is requested – is a hearing set or held within 30 calendar days. The hearing has to be held within 30 calendar days of the filing of the formal resolution. Friendly amendment. The hearing will occur within 30 days.
 - 5. The Chair of the Hearing Panel shall request the parties to provide the Hearing Panel with written submissions as set out in paragraph 6 below. Where a Hearing in person is requested, the Chair **will schedule** ~~shall set a date for~~ a Hearing within thirty (30) calendar days of the filing of the formal resolution request and shall notify both parties of the date. The parties shall provide the information requested by the Chair.
- Evidence will be kept strictly confidential.
- Question: At the appeal stage it is not clear who the appellant is? Answer: That depends what the case is?
- Deferred to the next Senate meeting.

.04 Senate Executive Committee
Proposed revision/clarification to Article 1.4 of the Senate Bylaws. **Appendix S**

Deferred to the next Senate meeting.

14045

NEW BUSINESS FROM

None

14046

PRESIDENT'S REPORT

Dr Dodds is travelling and not in attendance.

14047

QUESTION PERIOD

➤ None.

14048

ADJOURNMENT

The meeting adjourned at 4:45 P.M.

Barb Bell,
Secretary to the Office of Senate