



Excellence • Innovation • Discovery

Senate Meeting
Rosaria Boardroom

March 26, 2012
7:30 p.m.

MINUTES

Present: R. Lumpkin (Chair), K. Blotnicky, B. Blenkarn, S. Brigham, E. Church, A. Cole, S. Drain, K. Kienapple, M. Forrest, C. French, J. Hollett, B. Jessop, N. Kayhani, T. Larkin, B. MacInnes, J. MacLeod, G. McGovern, D. McKenna, P. Mombourquette, B. Morse, T. Paris, S. Perrott, I. Pottie, C. Schneider, J. Sharpe, L. Steele, B. Taylor, A. Thurlow, S. Walsh, P. Watts, M. Whalen, R. Zuk

Regrets: R. Farmer, M.J. Harkins, L. Neilsen, D. Norris, R. Richards

Guests: Z. Gallant, M. Chaffey, S. Kerr

1. Approval of Agenda

Moved by M. Whalen, seconded by S. Brigham to approve the agenda as presented.
CARRIED

2. Approval of Minutes of March 5, 2012

Moved by K. Blotnicky, seconded B. Jessop to approve the minutes of March 5, 2012 as amended
CARRIED

3. Business Arising from the Minutes

3.1. Task Force for Revision of the Student Judicial Code and Handbook (J. Hollett)

R. Lumpkin began by outlining a framework for the discussion, pointing out that the University Act assigns the responsibility for student discipline in non-academic matters to the Board, but with the proviso that the Board may delegate this responsibility. She noted that past precedent is that Senate approved matters relating to the Student Judicial Code, but there is no evidence that the Board has ever officially delegated that authority. The two committees (Student Judicial and Discipline Appeals) are set up under the Student Judicial Code, but their membership is managed by the Senate Nominations Committee, and the committees submit annual reports to Senate. She continued by saying that tonight's discussion concerns the proposed changes to the Student Judicial Code, rather than the contextual concerns. She proposed that the matter of the committees be referred to Senate Executive, and noted that a motion is intended to go to the Board's next meeting regarding the delegation of the disciplinary authority in non-academic matters.

J. Hollett spoke in detail about the proposed Non-Academic Discipline Policy, outlining first the Committee's process, including a review of discipline policies at a number of other Canadian and several American and Commonwealth Universities. He went on to say that the committee also reviewed the University Act, conducted two student focus groups last March, and interviewed both Housing and Security Staff. He also noted that the final two drafts were reviewed and critiqued by the Student Experience Committee of Senate as well as the University's Lawyer and their feedback was incorporated into the plan.

J. Hollett then reviewed the need for a revised policy, noting that whole areas of the University's non-academic discipline process were being conducted outside the formal policy framework of the University, and without being underpinned by the relevant sections of the University Act. He reiterated the issues of jurisdiction resulting from the absence of a formal delegation of authority from the Board to the Senate. In combination, these two jurisdictional elements posed significant concerns for the review committee as well as the University's Lawyer. A request that the policy include clearer and more affirming indication of appropriate and inappropriate behaviours resulted in the development of the Student Charter of Rights and Responsibilities. Under the old code students disciplined by either the offices of Housing or Security were not provided with recourse to an appeal process consistent with the principles of natural justice. Under the new policy an appeal mechanism has been provided under the DAC (Discipline Appeals Committee). He summarized students' concerns as a need to "simplify and better explain" policy.

Senators engaged in a discussion of the governance issue regarding non-academic disciplinary policy.

M. Forrest enquired why the administration of non-academic penalties such as fines would fall under the responsibility of Senate.

R. Lumpkin responded that the policy also includes academic penalties for non-academic misbehavior. She also noted that for many, many years the code has been governed by Senate.

J. Hollett remarked that an analogy might be seen in the fact that the Library (an academic unit of the university) administers non-academic penalties (i.e. fines).

B. Blenkarn, P. Mombourquette and M. Forrest raised questions about how the proposed discipline policy would function if the responsibility were transferred to the Board.

R. Lumpkin and J. Hollett replied that Senate and Senate Nominations Committee would have no involvement and that the policy would probably fall under the Human Resources Governance Committee.

The discussion then turned to the proposed policy itself.

J. Hollett noted that most of the non-academic discipline on campus is administered not within the current code but under Housing or Security, and the proposed changes would bring all non-academic discipline under the same policy.

S. Perrott wondered what would happen if a student were to show up with legal counsel.

J. Hollett responded that the appeals stage anticipates this possibility.

S. Perrott questioned J. Hollett regarding incidents that happen off campus.

J. Hollett responded by citing clause 2.0 Non-Academic Discipline Policy – Jurisdiction.

C. Schneider questioned whether students might face double jeopardy in being prosecuted under both the Criminal Code and the University policy.

J. Hollett noted that the intention was to provide flexibility in responding to cases, not to use both systems at once.

In response to a question from S. Perrott, J. Hollett responded that the code would be applied before action were taken under the criminal code in cases of an immediate threat.

Senators discussed the 'Making a Complaint' flowchart (item 3.0) and noted that it lacked a visual representation of students' right to a formal process, should they be dissatisfied with the result of the informal process. S. Brigham provided J. Hollett with a suggestion.

In reply to a question from S. Brigham, J. Hollett replied that the decision to drop representation from the three faculties was deliberate, on the grounds that a faculty member's disciplinary background or faculty allegiance was irrelevant.

B. Blenkarn asked about the definition of "probation"

J. Hollett replied that the term had been carried over from the old code and would carry the same meaning with it.

M. Forrest suggested that the term be added to the list of definitions.

P. Mombourquette asked if the student could have an advocate during the first formal complaint stage.

J. Hollett stated that a student has the right to have an advocate in the formal process and would be encouraged to exercise that right.

D. McKenna pointed out that the students named by the Students' Union to the disciplinary committees could not be members of the executive as they (members of the executive) are student advocates by virtue of their office.

Considerable discussion ensued about the definition of university-sponsored events, programs or activities (2.0 b) especially in the light of Fanshawe College's recent suspension of students for off-campus activities.

M. Forrest enquired whether classroom behavior is to be considered a matter of academic discipline.

S. Drain argued that non-academic misconduct in an academic setting such as a classroom ought to be governed by the non-academic discipline policy.

D. McKenna expressed his support for the proposed policy.

A. Thurlow asked about the application of the policy to student co-op work terms, and noted that co-op work terms include a conduct policy and often an employer's code of conduct. She wondered whether there might be conflict among these codes.

E. Church noted that clause 1.2 c would apply to the question of classroom behavior.

S. Drain suggested that the co-op policy could be added to item 1.2 b [including but not limited to list of policies]

M. Forrest asked that Clause 5.8 be qualified by the addition of a phrase such as "taking into consideration any legal proceedings or codes of professional behavior."

J. Hollett stated that this clause is for emergency use only, and that it might be rendered ineffective by further specification.

S. Perrott commented that because misconduct often falls under a number of jurisdictions, it is dangerous to try to be too specific, as it is impossible to cover all eventualities.

K. Kienapple asked that references to the Undergraduate University Calendar (2.1) be replaced by references to "the University Calendars."

A. Thurlow noted that if the proposed policy is approved, co-op policies might be revised or even superseded.

J. Hollett mentioned that a clause from the old code (4.1 k) will be added to the Student Responsibilities section of the new code.

M. Forrest asked that this clause include the word "appropriately:" failure to comply with the instructions of university of Students' Union officials acting **appropriately** in the performance of their authorized duties."

J. Hollett remarked that such concerns are addressed in item 3.2 of the new policy.

M. Forrest also questioned where and for how long documents regarding these cases are maintained.

J. Hollett responded noting that this is outlined in the policy (8.8).

I. Pottie asked whether it was possible to estimate the number of cases that might be handled under the new code.

J. Hollett replied that at present few cases come to the Discipline Appeals Committee because so many are resolved informally, but that it is possible that the DAC will be busier.

4. President's Announcements

R. Lumpkin gave a brief update of the ongoing discussion with the Provincial Government: in the first round of incentive funding \$1.4 million was awarded and the remaining \$3.6 million will be carried over to future rounds. The sum of \$700K was awarded for feasibility studies, to investigate such possibilities as shared procurement data, collaborative data services and a

regional library repository. MSVU was awarded \$70K for a project for outside LED lighting upgrades and sub-metering project. The first meeting of the full partnership group was to take place on Thursday March 29, 2012.

C. Schneider asked if the Provincial Government was promising funds as an incentive to merger.

R. Lumpkin responded that the government is hoping the Universities will use the funds to form partnerships and to do things more cheaply together than individually.

5. Question Period

N. Kayhani suggested that microphones be used during senate meetings.

B. Jessop responded by saying this issue will be resolved in the next 1-2 months, as IT is currently working on an audio set up for the Board Room (including speakers and wireless microphones).

In response to a question from N. Kayhani regarding revisions to the transfer credit policy, K. Kienapple responded that the Graduate Studies Program and Policy Committee is currently drafting a document which will be brought forward to CAPP and that it included provision for affected departments to be consulted.

6. Committee Reports (Standing and Ad Hoc)

6.1. Academic Policy and Planning

6.1.1. Academic Program Review Schedule (for information)

E. Church brought forward the Academic Program Review Schedule for information.

6.2. Undergraduate Curriculum

6.2.1. Business and Tourism: Changes to Existing Programs (for approval)

6.2.1.1. Bachelor of Tourism and Hospitality management: change to required courses.

Moved by J. Sharpe, seconded by P. Mombourquette, that Senate approve the Change in courses required for the Bachelor of Tourism and Hospitality Management. CARRIED – 1 abstention.

J. Sharpe spoke to the rationale for the changes.

6.2.1.2. Diploma in Tourism and Hospitality Management: change to required courses

Moved by J. Sharpe, seconded by K. Blotnicky, that Senate approve the Diploma in Tourism and Hospitality Management: change to required courses. CARRIED – 1 abstention.

6.2.1.3. Certificate in Tourism and Hospitality Management: change to required courses

Moved by J. Sharpe, seconded by P. Mombourquette, that Senate approve the Change in courses required for the Certificate in Tourism and Hospitality Management. CARRIED

6.2.2 Modern Languages: New Courses (for approval)

6.2.1.4. CHIN 1101 Beginning Mandarin Chinese I

6.2.1.5. CHIN 1102 Beginning Mandarin Chinese II

Moved by J. Sharpe, seconded by L. Steele, that Senate approve the two new courses brought forward in Modern Languages, with amendments. CARRIED

In response to a question from R. Zuk, L. Steele noted that students could continue their studies in Chinese at Saint Mary's.

J. Sharpe pointed out that Saint Mary's has an Asian Studies program.

R. Zuk observed that these courses will always be staffed by part-time labour, and wondered whether qualified faculty would be available. L. Steele confirmed both points.

D. McKenna noted that students who travel to China have requested an introductory course.

Senators discussed the course titles, prompted by a question by M. Whalen curious to the name of the courses. L. Steele agreed to a friendly amendment that the titles add the word *Mandarin* between *Beginning* and *Chinese*.

6.2.2. Policy on Cross-listing of Courses

Moved by J. Sharpe, seconded by B. Taylor that Senate approve the Policy on Cross-listing of Courses. **CARRIED**

B. MacInnes noted that the definition will be added to the University Calendar.

6.3. Research and Publications

6.3.1. Terms of Reference (Notice of Motion)

N. Kayhani asked for the rationale changing the membership to “at least five” from six members. A. Cole responded by saying that there is an on-going challenge in getting enough members to the committee, but that the larger committee is more desirable.

S. Drain pointed out that the Nominations Committee will be revising its procedures so that it will be the responsibility of the committees with a minimum membership to inform the Senate Nominations Committee annually how many members they need.

6.3.2. Changes to Procedures (for information)

- 6.3.2.1. Scope of Committee
- 6.3.2.2. Faculty Eligibility
- 6.3.2.3. Deadlines
- 6.3.2.4. New Scholar Initiative

6.4. Teaching and Learning

P. Watts reported that the work on the Teaching and Learning Plan is still on-going. She reported that there were two meetings this month. She also expressed congratulations to Peter Mombourquette who is this year’s recipient of the Teaching Innovation Award. Senate expressed its congratulations with a round of applause.

6.5. University Research Ethics Board

6.5.1. Research Ethics Policy for Research Involving Human Participants (for approval)

Moved by A. Cole, seconded by E. Church, that Senate approve the Research Ethics Policy for research involving Human Participants. **CARRIED**.

A. Cole reviewed the Research and Ethics Policy for Research Involving Human participants.

6.5.2. Research Ethics Compliance Policy (for approval)

Moved by A. Cole seconded by B. MacInnes, that Senate approve the Research Ethics Compliance Policy. **CARRIED**.

A. Cole brought forward the Research Ethics Compliance Policy as submitted. She also noted commented on the extraordinary work of the UREB Committee members.

6.5.3. Revisions to Policies and Procedures: Ethics Review of Research Involving Humans (for information)

- 6.5.3.1. Scope of Activities
- 6.5.3.2. Research Requiring Review
- 6.5.3.3. Record Keeping

6.5.4. New Procedures (for information)

- 6.5.4.1. Adverse Event
- 6.5.4.2. Unanticipated Research Event
- 6.5.4.3. Sensitive Data

6.5.5. New Forms (for information)

- 6.5.5.1. Confidentiality Agreement
- 6.5.5.2. Confidentiality Agreement 2
- 6.5.5.3. Renewal and Annual Report
- 6.5.5.4. Final Report

7. Other Reports

7.1. Students' Union

D. McKenna reported on a meeting of students regarding the revision of the Strategic Plan and in particular the theme Enhancing Student Engagement and Student Experience. Among students' points were praise for the Business Passport Learning initiative, the need for more Co-op and paid internship opportunities, extended Library hours, and the need for more academic advising. In particular he noted the need for more full-time faculty positions, noting that academic advising is inconsistent when there is a high turnover in faculty. He also noted that there was some discussion on building school spirit beyond the Athletics department.

Students' Union Highlights include the fact that the transit strike was settled shortly after the Students' Union send an open letter and a petition with over 400 signatures, calling both sides to action. Students will be reimbursed approximately \$33.50 for the unused portion of their bus passes. Events of note include spring elections, the A. Garnet Brown Athletics Award Ceremony, the upcoming Academic Awards celebration, and the 3rd Annual Metro Relay for Life. He noted the success of the Mount's sports teams and Human Library Event. T. Larkin also praised this event. D. McKenna noted that residence will close on Saturday, April 21, 2012.

8. New Business

No new business.

9. Items for Communication

- Minutes of March 5th, 2012 posted to the web.
- Revised Academic Program Review Schedule
- Changes to the required courses in the Bachelor, Diploma and Certificate programs in Tourism and Hospitality Management
- New Courses in Modern Languages
 - CHIN 1101 Beginning Mandarin Chinese I
 - CHIN 1102 Beginning Mandarin Chinese II
- Changes to Procedures of the Committee on Research and Publication (received for information)
- Approval of a Research Ethics Policy for Research involving Human Participants
- Approval of a Research Ethics Compliance Policy
- UREB revisions to policies and procedures, new procedures and new forms (received for information)

10. Adjournment

Moved by B. Taylor, seconded by P. Mombourquette that the meeting be adjourned.