

Senate Minutes

October 15, 2021
MS Teams

The Chair, T. Urbaniak, called the meeting to order at 1:30 pm.

He began with the acknowledgement that Cape Breton University is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. This territory is covered by the "Treaties of Peace and Friendship" which Mi'kmaq and Wolastoqiyik (Maliseet) people first signed with the British Crown in 1726. The treaties did not deal with surrender of lands and resources but in fact recognized Mi'kmaq and Wolastoqiyik (Maliseet) title and established the rules for what was to be an ongoing relationship between nations.

1. Roll Call and Declaration of Quorum

Present:

Faustina Amoako, Catherine Arseneau, Sahand Ashtab, Stephen Augustine, Carol Beaton, Tanya Brann-Barrett, Bettina Callary, Mark Campbell, Simon Chen, Logan Collins, David Dingwall, Mary Beth Doucette, Ayse Ersoy, Terry Gibbs, Ava Graham, Michael Henick, Jasmine Hoover, Patrick Howard, Katherine Jones, George Karaphillis, Mary Keating, Janet Kuhnke, Doug Lionais, Jason Loxton, Gordon MacInnis, Richard MacKinnon, Bernie MacLennan, John MacMillan, Marjorie McGillivray, Martin Mkandawire, Mandy Nguyen, Madlyn O'Brien, Marcia Ostashewski, Andy Parnaby, Rick Pierrynowski, Michelle Prendergast, Scott Rodney, Karen Rowe, Laurianne Sylvester, Éric Thériault, Tom Urbaniak, Wendy Wadden, Audrey Walsh, Lacie White, Bilynda Whiting, John Mayich, Terry MacDonald

Regrets:

Lloyd Chartrand, Mohammed Faraaz Rahman, Ann Sylliboy, Joe Parish,

2. Consent Agenda – N/A

3. Confidential Business

4. Matters to be Considered in Closed Session

It was moved by É. Thériault, seconded by M. Keating, **to move into Closed Session for the purpose of conducting confidential business. Motion carried.**

It was moved by M. Mkandawire, seconded by L. Sylvester, to move to Open Session following the completion of confidential business. **Motion carried.**

5. Matters Forwarded for Information – N/A

6. Special Presentations – Capital Projects

T. Urbaniak requested the approval for speaking privileges be granted to Donnie MacIsaac and Amy Campbell for the purpose of this presentation as well as Rod Nicholls who will be present to address item 9 (Question Period). With no objections raised these privileges were granted by unanimous consent.

Prior to the presentation, President Dingwall noted that he would like to update Senators of the following during subsequent meetings; the enrolment plan, the wellness plan, the capital campaign to be introduced, CBU's 50th anniversary, the ERP system, the cultural and athletics updates, a possible grand meeting, Unama'ki College's strategic plan, and the status of the carbon reduction plan for CBU. He then invited D. MacIsaac and A. Campbell to provide Senators with the facilities management's completed, current and planned projects.

Through a PowerPoint presentation Senators were provided with a detailed list and photos of the project facilities has been working on and completed during the last 18 months. D. MacIsaac noted that while the pandemic had most of CBU teaching/learning/working remotely, the facilities team was very productively working on campus every day. The absence of students, faculty and staff did provide the team with greater flexibility to complete projects, but as in many cases of older infrastructure they were not without unforeseen issues. The linkway accessibility project saw many issues with regard to structure, provincial codes and delays in supplies due to the pandemic. They also provided a list of projects still in progress and those still in design.

On the question of accessibility reports and the timelines for the physical accessibilities within the act, D. MacIsaac noted that a study was in progress but unfortunately the consultant was injured which of course, will result in the report not being filed until the end of the year.

Many comments were offered on the work that has been done and look forward to seeing future improvements and D. MacIsaac and A. Campbell were thanked for a thorough presentation.

7. Report of the President and of the Vice-President, Academic & Provost

President Dingwall noted he has nothing further to add to his earlier comments.

R. MacKinnon provided an updated on the activities of the Vice President Academic's activities including meetings with DLAE Minister Wong and Deputy Minister Deanne MacLellan, the Canadian Coast Guard, and one on a workplace assessment of the Nursing Department. On September 28th CBU recognized the National Day for Truth and Reconciliation with a memorial

service and November 1st CBU held a conference on the Cape Breton Highlanders 150th anniversary and a special Honorary Degree Presentation. Members from CBU met with partner MSM to look at how to further develop relationships. Finally, he noted that MPHEC has approved the Post-baccalaureate Diploma in Occupational Health and Safety Management proposal.

On the topic of vaccination requirements for students in vulnerable situations, J. Loxton asked if information has been gathered on the demographic of students yet to meet the deadline, specifically students who may be at risk of academic failure as a result of being excluded from campus and the steps being taken to ensure these students do not fall through the cracks. T. Brann-Barrett responded that students who are not able to be vaccinated are reaching to know what they can do and that the academic standing of these individual is not being tracked. Students do have the right to work with their faculty members for accommodations, much the same as the would pre-COVID. She noted that CBU does not feel they have the prerogative to instruct faculty members to respond in any particular way is most certainly willing to help in any way as long as the policy is adhered to. J. Loxton responded that he is concerned that this small population of students are at academic risk and about faculty not being able to ask the student for their vaccination status in efforts to assist if possible. T. Brann-Barrett responded that every effort is being made to assist each and every student. The Max Bell Centre has been working tirelessly to assist with everything from providing access to the vaccination, taking phone calls for the students, driving them to appointments to get their vaccinations and now, assisting with getting their documentation for proof of vaccination. With regard to not being able to ask about vaccination status, she noted this is private and confidential information. L. Collins added that the Student's Unions continues to advocate for MSI coverage for international students and that without this their only option is to use the hotline number which, of course, results in hours or waiting to speak to an individual. President Dingwall noted this is an issue, unfortunately, is being experienced by many universities in the Province.

8. Take Note Debate: Senate Working Group on Senate Structure & Succession

T. Urbaniak referred to the preliminary report circulated to Senators and that the working group will be requesting an extension on their final report. M. Mkandawire then provided information on the formation, mandate and activities of the working group and issues identified through the circulated surveys. He then detailed the outstanding areas and activities for the group and noted that they are requesting additional time to complete their work. **It was moved** by M. Mkandawire, seconded by W. Wadden, to extend their mandate to present the final report in January 2022. On the question of indigenous consultation, M. Mkandawire noted that the working group has been discussing this and is planning meetings with various individuals. **Motion carried.**

9. Question Period

On September 24th, a document called "Regarding Online Course Exams (or Tests)" from the Center on Teaching and Learning was circulated. This document outlines a change regarding the proctoring of online / distance-based courses. Notably the abolishment of any assistance from CBU's Online Course Manager in the process of pre-approving and procuring in-person proctoring for non-local online students (a service provided for CBU's online instructors for approximately the past 10 years). This document states that "online courses have exams, then the exams ought

to be done online". And, if proctoring needs to be used for the exam/test then a program like Respondus lockdown browser should/could be used as an alternative to exam proctoring. This can create large discrepancies between courses with on-campus in-person sections (for whom CBU has been creating increasing rules and regulations to prevent cheating during final exams), and sections offered by distance (for whom the CTL is cancelling offsite exam proctoring support services that were designed by the Online Course Manager to effectively prevent cheating).

- What consultation was done to develop this document, and to change policy/services?
- Why were departments not involved in this process?
- Why was this decision made partway through a term?
- Why weren't departments and faculty members were given advance notice of this so they can adapt/change their course offerings (or even decide to no longer offer an online section of courses)?
- Considering an emphasis on academic integrity, does this policy change, create increased issues of academic integrity? Most other universities offering distance-based courses have departments dedicated to exam proctoring services, could/should this not be an option for CBU?

R. Nicholls was invited to Senate to provide a response to the posed questions and he welcomed the invitation to respond. He noted that in two of the questions, there is reference to the CTL making change to a policy and he clarified that the original memo emphasised that the CTL does not propose or monitor any academic policy and the primary function of the CTL is to provide professional development support and services to teaching faculty and to promote best practices; this does not mean that CTL is obligated to provide specific administrative supports to individual faculty members or departments. With regard to consultation he referred to the May to August 2020 timeframe when, in addition to extensive CTL consultations with individuals and departments, he also chaired the Faculty Support Working Group, which also met with every department chair to regarding the need to deliver high quality online courses. Some departments chose not to use the CBU provided proctoring service, the one that was requested by faculty, but rather adapting and adjusting the usual means of assessment. He expressed surprise on the question on timing to adapt/and change because members had a year and a half to adapt. He further explained the situation as it developed with the return to campus and how the CTL reacted to the preferred practice of some faculty. On the question of the creation of increased academic integrity, he responded that there are two answers:

- yes, most certainly, if the concerned parties continue to use the same sort of test/exams pre-2020 and, insist on not using electronic proctoring, and
- no, if the concerned parties means of assessment are adjusted to online best practices or the use of electronic proctoring.

In closing, as Academic Director of the TCL he stated that he would be derelict in his duties if he were to agree to the ad-hoc set of procedures preferred by some faculty. He suggested that the over simplification quoted as "the process of pre-approving and procuring in-person proctoring for non-local online students" is quite misleading and would have been an administrative monster that in the end, would have been grossly unfair to students and put undue hardship on staff, who sometimes would have been required to be on call for 24-hour periods and perform in-dept investigations. He offered to provide highlights of what he has termed an academic monster.

É. Thériault thanked R. Nicholls for the detailed response and noted that the memorandum received by his department did not include all the information provided here today and suggested some of the miscommunication may have come from that. He did add however, that the early discussion surrounding online teaching were taken as an emergency-based perspective due to the pandemic and not for the return to campus. R. Nicholls also offered to send the details of the ad-hoc procedure he would be more than happy to share it upon request.

10. Approval of Minutes

10.1 It was moved by M. Keating, seconded by M. Keating, the **approval of the minutes from the September 27, 2021. Motion carried. Abstentions: 5**

11. Business Arising from the Minutes

S. Rodney expressed strongly that the reply given to a previous question was not in line with the questions and suggested the intent of the question was not fully understood. He explained in detail, while providing examples, that his question specifically surrounds the development of human resources policy in terms of hiring; in having a policy that more closely reflects best practices in the industry; how is human resources and senior administration are going to involve faculty in the development of a reasonable policy for hiring faculty; and that the policy needs a severe change that requires planning well in advance. To ensure the answers to his question are clearly articulated and answered he posed a notice of motion for the next meeting of Senate, in that Administration be requested to put forward a plan for faculty and staff hiring procedures and also to update the Senate regularly on process and development of such procedures.

Mr. MacInnis apologized for have to leave the meeting for an urgent call and came back mid-way through S. Rodney's comments. S. Rodney summarized his comments and Mr. MacInnis responded that in the lead up to the budget process the Deans consult with departments and department chairs and then with the Vice President Academic in terms of what faculty positions are needed and these suggestions are fed in to the budget planning process. He noted that there are constraints in terms of the financial capacity and also the prioritization in terms of where funds will be allotted. He agreed, to this point, this process is not ideal and that the missing piece of informed dialogue around prioritization, as called for in the Academic Plan, will make subsequent process run much smoother. A group including the Deans and with the assistance of Rod Nicholls and John MacKinnon are working to provide a gathering of baseline information which will inform decision points around where CBU is going programmatically from an enrollment perspective. In the next phase of this process there will be a need to engage with the academic community, more broadly, on some decisions that do have to be made and this will then drive the budget process and the hope is to have the budget complete in early March rather than the traditional late April date. He was happy to answer any questions but also offer to speak further off-line in the interest of time.

12. Report of the Executive Committee

J. Hoover reported that the Executive Committee met on October 1st to set the agenda for this Senate meeting, including the Capital Project presentation, the Take Note Debate on Senate Working Group, and organizing R. Nicholls to respond to Question Period. The Committee also completed the committee membership and **it was moved** by J. Hoover, seconded by M. Keating, that Bettina Callary be appointed to TLEC and Dawn White to Planning & Review and that Karen Rowe will move to Planning & Review and Ayse Ersoy will move to Academic Committee. **Motion carried.**

13. Students' Union Report

Before beginning his report, L. Collins thanked S. Rodney for his comments and examples lab instructors leaving and that he personally knows students dramatically impacted by the specific instance.

With regard to the Students' Union, they have launched the breakfast program and it serves as a way for the Union to address food insecurity within our students, as well as a way to highlight the food bank so that students know it is available to them. A bi-election was held to fill vacant seats and the results will be available at 10:00 pm October 15th; 837 students voted out of 3458 of eligible electors, which is about 24% turn out and thanks were offered to Chief Returning Officer, and fellow Senator, Mark Campbell. In the next few days the Union will be implementing an email template on their website so that students will be able to express their financial and academic concerns to faculty who are not currently using an open textbook or free course materials. He also reminded faculty that funding is available to them to adapt OERS or create ancillary materials and the deadline to apply is Monday, October 18th. If any Senator is interested they can reach out to L. Collings, J. Loxton, or J. Hoover. In the last month, the Union met Ian Rankin, who is the leader of the opposition in the provincial government, they stated some of the concerns mentioned earlier with regard to international students without MSI and the proof of vaccination, but also looking for long term, more stable funding of OERS and also some environmental concerns as well. Finally, he advised Senator that they now have over 25 societies ratified this year and the Union will be provided support to these societies through funding, event planning and promotions.

14. Reports of Other Committees of Senate

i) Academic

M. Keating referred to the material circulated with the meeting material, and **it was moved** by M. Keating, seconded by A. Walsh, to approve the Diploma in Education Positive School Health and Well Being as presented. **Motion carried.**

ii) Bylaws

MB Doucette referred to the material circulated with the meeting material and drew attention to the bylaws which are up review, noting that each of the Department Chairs has been informed

of this. **It was moved** by MB Doucette, seconded by L. Sylvester, to approve the revised Department of Organizational Management bylaws as presented. **Motion carried.**

iii) Planning and Review

R. MacKinnon reported that the committee did schedule a second meeting but unfortunately quorum was not met and those in attendance were not eligible to be Chair. Another meeting is being planned where the Chair of Senate will attend to assist the group in finding a Chair or Chair/Co-Chair combination.

iv) QA

On behalf of the Chair, R. MacKinnon noted that the committee has provided comments to the VPA on the library review as well as on the Athletics and recreation review and that response is being worked on. The committee will also review the Center for teaching and Learning self-study prior to it going to the external reviewer.

v) Research

Éric Thériault reported that the committee is making working on outdated policies that have been on the on the docket for quite some time and will likely require Senate's assistance in the coming months on what to do with some of them.

vi) TLEC

J. Loxton reported that he has been following up and working with M. Keating and the Academic Committee about some potential changes to the exam policy and expects a survey will be coming forward after a review by the student representative. The survey will be soliciting feedback on specifically, the supplemental exam portion of the exam policy, but also a question there specifically soliciting just general feedback. Otherwise, the committee organized regular meetings.

15. Board of Governors' Report – N/A

16. Adjournment

With no further business to address, **it was moved** C. Arseneau, seconded by M. Henick to adjourn the meeting at 4:00pm. **Motion carried.**

Jasmine Hoover
Secretary to Senate