

Senate Minutes

October 21, 2022
CE339 / MS Teams

The Vice Chair, E. Robertson, called the meeting to order at 1:30 pm.

1. Roll Call and Declaration of Quorum and Land Acknowledgement

The Vice Chair 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.

Present:

Sahand Ashtab, Carol Beaton, Tanya Brann-Barrett, Nofisat Banjo-Saibu, Danielle Boudreau, David Dingwall, Mary Beth Doucette, Philip Eappen, Ayse Ersoy, David Gerbasi, Jan Hancock, Michael Henick, Samantha Hodder, Jasmine Hoover, Patrick Howard, Himali Kadam, Harkanwal Kaur, Mary Keating, Karen Kennedy, Janet Kuhnke, Carolin Kreber, Doug Lionais, Gordon MacInnis, Richard MacKinnon, John MacMillan, John Nadeau, Mandy Nguyen, Felix Odarety-Wellington, Peter Oyedijo, Natalia Parsons, Andy Parnaby, Rick Pierrynowski, Michelle Prendergast, Erin Robertson, Karen Rowe, Damanpreet Singh, Samarjeet Singh, Chloe Stewart, Laurianne Sylvester, J. Tunnicliff, É. Thériault, B. Whiting, T. MacDonald, J. Mayich

Regrets:

Catherine Arseneau, Katherine Jones, Kimberley Lamarche, Jason Loxton, Marcia Ostashewski, Ann Sylliboy, T. Urbaniak

2. Consent Agenda – N/A

3. Matters to be Considered in Closed Session/Confidential Business

It was moved by M. Henick, seconded by P. Oyedijo, **to move into Closed Session for the purpose of conducting confidential business. Motion carried.**

Following a closed session, **it was moved** by D. Lionais, seconded by C. Stewart, **to move to Open Session. Motion carried.**

4. Reports and Items for Information

4.1 President

President Dingwall reported on the following:

- On October 7th Dr. Andy Parnaby and Kerri Fernandez made a presentation to 3 Provincial Ministers as it pertains to our social work program.
- Separate meetings with the Dean of Nursing and the Dean of the Shannon School of Business on a number of supporting initiatives that they needed for their respective schools.
- Some movement has been made as it relates to CBU's medical school and healthcare initiative The Student Leaders Edge conference took place the previous weekend and it was a resounding success.
- At a future date information will be shared on the Center of Excellence and Healthy Aging.
- An arrangement has been made with the Cape Breton Victoria Regional Center for Education as it relates to domestic recruitment.
- The Sisters of St. Martha gave a contribution of \$250,000 to CBU and \$250,000 to St. FX.
- Many research fundings had been awarded and CBU continues to have a good track record in that regard.
- A five-year MOU has been signed between CBU and the Canadian Coast Guard College.
- Todd Hiscock has produced an annual report on the promotion of our creative arts on campus.

4.2 Vice President Academic and Provost

R. MacKinnon reported on the following:

- A delegation from CBU attended the CIC convocation in Cairo and various QA meetings were also held while on their campus.
- As previously mentioned, he attended the meeting with the three Provincial ministers here on campus.
- He has met several times on various MPHEC meetings.
- Referring to the email circulated the previous day, he congratulated Mary Keating on the creation of the Dr. Mary Keating Medal for Academic Integrity.

4.2 Unama'ki College

L. Sylvester provided updates on the following:

- She acknowledged that October is Mi'kmaq History Month and that theme is the art of beadwork.
- They are in the process of getting approval for the name of the wellness space: Maw'iomi Room.
- On October 7th they welcomed the Ministers of Education, Health and Mental Health.
- The annual Maw'iomi was held and was very well attended.
- The Bachelor of Science is in its 6th of 10 courses completed. The first cohort will enter Nursing in 2023 and the second in 2024.
- A career fair will be held on campus on October 26th.

4.3 Students' Union

P. Oyedijo provided updates on the following:

- The Women's Center is offering crisis management help and started on women's support group The Indigenous center has many event planned for October.
- The Pride and Ally Centre also has many events and workshops planned.
- The Multicultural Center has also hosted a lot of successful events demonstrating the multiculturalism on the CBU campus.
- The student engagement coordinator and the job housing and information office have held sessions on taxes, community involvement, and more are in the planning stages.
- The SU continues to advocate for MSI insurance and an announcement from the Provincial Government will see the elimination of the 31-day out of Province restriction.
- They collaborated and used its food bank services and van to offer assistance to students affected by Hurricane Fiona.
- The recent bi-election saw eight students elected to the SRC.
- The various upcoming events and projects were detailed.

A question was posed from the SU President, D. Singh, on the in-course scholarships for international students, and why these are not available to the May-intake students. G. MacInnis identified the opportunities for the Students' Union to provide input for the development of next year's operating budget; through the Planning and Review committee'd pre-budget exercise and through the Budget Advisory Committee. He noted that their input with regards scholarships, would be very much welcomed through these avenues.

4.4 Executive Committee

J. Hoover reported that the Executive Committee met on October 12th to set the agenda for this meeting. The Committee also discussed the posed question on masking. They also decided that the Planning and Review committee will not require a Take Note Debate this year. The Committee also discussed the secretariat support, the mandate of committees and SEM reporting.

With additional members joining Senate, **it was moved by**, J. Hoover, seconded by L. Sylvester, that Philip Eappen and Chad Hillier, be added to the TLEC committee. **Motion carried.**

4.5 Board of Governors

M. Henick reported that the Board of Governors met earlier in the day. He noted was there was a report from Senate Student Union and a President's report; similar to what Senate receives. G. MacInnis discussed of current financial statements, and some measures being looked at for the future. A presentation was received in terms of the capital plan and campus infrastructure.

5. Special Presentations - L. Sylvester: Truth and Reconciliation, Calls to Action – Implications for CBU

In a PowerPoint presentation L. Sylvester, Dean of Unama'ki College, provided Senators an overview of the Truth and Reconciliation, calls to action in an attempt to bring awareness to the

continuous action that must be taken as an institution and to communicate the shared responsibility so that we know that it is everyone's responsibility. She noted that in total there are 94 calls to action in the report falling in to one of the following six categories: health, education, justice, culture, language, and child welfare. Those listed 1-42 surround the topic of legacy which were established because of the insecure inequities, structural inequities that marginalized indigenous people. The listed 43-94 surround reconciliation and are divided in to 17 subcategories. For the purposes of this presentation at Senate, she highlighted the post secondary calls to action. She provided a visual of the calls to action that were achieved, and not achieved, from 2015-2020 and the changed since 2021 when the unmarked graves of indigenous children were found. The difference between the symbolic and structural changes with the calls to action were identified and it was noted how important it is to put emphasis on the structural changes. She also shared the ten guiding principles of the Truth and Reconciliation to assist in moving forward with achieving the calls to action:

1. Adopt UNDRIP framework
2. Recognize/respect rights
3. Public truth sharing-healing
4. Constructive Action- address colonialism
5. More equitable & inclusive society
6. Shared responsibility
7. Maintain relationships-Elders & Knowledge Keepers
8. Support cultural revitalization and knowledge systems
9. Political will, joint leadership, trust building, accountability, transparency
10. Sustained public education & dialogue

In conclusion she posed the following questions for Senators to be reminded of, how do we at CBU commit and do more? how do we at CBU continue to take more action and? how do we at CBU make meaningful, lasting, and structural changes?

6. Question Period - What are the rules or processes that would limit or govern the ability of faculty to institute a mask policy within their own classroom or lab?

T. Brann-Barrett began with some further context/examples she was provided with in advance of the meeting for clarification: "if a faculty member believes that their or a student's specific medical needs necessitate a mask policy within their specific class or lab to ensure safety? Is this an accommodation that they can grant? If so, what processes should or must faculty members follow in instituting and enforcing this protocol? In discussion, the precedent was raised of students with rare allergies, which have in the past required modifying whole class or lab behavior protocols to ensure individual students had access to a safe learning environment."

To the question and additional context she provided the following responses. The rules that limit or govern an individual faculty members ability to institute their own masking policy in one or more of their classes or labs are the existing accommodation processes in place at CBU. Individuals with a medical condition cannot determine on their own what their accommodation

will be. In addition, a faculty member or a manager should not be reviewing medical information or determining an operationalizing formal accommodations for their students or staff. Medical needs need to be reviewed and filed with human resources, for faculty, and to the Jennifer Keeping Center (JKC), for students, to review the processes.

For CBU employees who have a specific medical needs that requires an accommodation, the individual would work with Human Resources. HR in the majority of cases would require medical documentation from an employee's physician indicating that an accommodation is required. HR guided by the information provided by the physician works directly with the employee and their supervisor to determine what that accommodation will be. Their physician does not determine what the accommodation will look like. However, they may have valuable input. Accommodations look different from person to person and from situation to situation.

For CBU students she noted that students do not ever have to disclose their medical information to a faculty member, nor can faculty members ask students if they have a medical condition to determine if an accommodation is required. If a student chooses to disclose confidential medical information to their faculty instructor, that is their decision, but that does not give the faculty the authority to determine a formal mandatory accommodation, such as a mask mandate for all students and the faculty member. It is recommended that faculty members direct the student to the JKC. If a student does have a medical condition, or there could be any number of other circumstances that require a formal accommodation, they follow a process similar to the process available to employees. In the case of a medical condition, such as a chronic illness that can be classified as a disability, the student provides the JKC with documentation from a qualified health practitioner. With that information trained staff in the center work with the student to develop a plan. In the example provided a precedent was raised in the case of students who disclosed severe allergies and requested accommodations. In these instances, all involved fellow students and employees were eager to do all they could to accommodate the needs of those students. It should be clarified, however, that the protocols put in place were not mandatory.

In conclusion she noted that given these processes and the information provided, individual faculty members cannot institute a mask policy in their own classes and thanked the Human Resources department, Student Affairs, legal counsel and CBU's human rights officer for assisting in the preparation of this response.

M. Keating asked, to what degree would CBU be liable for an individual contracting COVID if there is no making policy in place, to which is was responded that through legal counsel and human rights, the answer is that at this point in time CBU has to work with the policies and mechanisms, like HR for staff and JKC for students, to address situations as they are identified.

With regards to students who have a medical condition as apposed to a disability, J. Mayich responded that accommodations can be made for individuals with a short-term diagnosis.

7. Take Note Debate – N/A

8. Approval of the Minutes: June 20, 2022 & September 16, 2022

It was moved by G. MacInnis, seconded by H. Kadam, the **approval of the minutes of June 20, 2022. Motion carried. Abstentions: 2**

It was moved by P. Oyedijo, seconded by D. Lionais, the **approval of the minutes of September 16, 2022. Motion carried. Abstentions: 3**

9. Business Arising from the Minutes – N/A

10. Report of Other Committees of Senate:

i) Academic

M. Keating referred to the report circulated with the meeting material. She noted that the Committee continues to work on the Appeals Policy language and hopes to have it ready for the November meeting.

1. Approval of the Bachelor of Social Work Program

It was moved, by M. Keating, seconded by A. Parnaby, that Senate approve the Bachelor of Social Work program as presented. A. Parnaby detailed the internal and external process the proposal has endured prior to coming to Senate, and the remaining approvals necessary before the program can be offered at CBU.

On the question of how the proposal addresses indigenous issues and connects with the calls to action for Truth and Reconciliation, A. Parnaby responded that the Committee met with Dean Sylvester, Unama'ki College, Marie Battiste, Special Advisor on Decolonization to the Provost, Ann Sylliboy, a registered social worker with the MK Educational Authority, Kristin Basque, a supervisor with Mi'kmaw Family and Children's Services and held consultations in Eskasoni with with nine Social Work workers from the same same agency. He noted that based on their feedback, adjustments were made to core social work courses and standalone courses on decolonize social work through a two eyes to seeing perspective were added. Through incremental change, the medium to long-term objective is a standing decolonizing Social Work advisory body with an indigenous cohort beginning with land based learning.

Motion carried.

2. Approval of the changes to the Academic Performance Policy

It was moved, by M. Keating, seconded by M. Henick, that Senate approve the changes to the Academic Performance Policy. The changes include removing the less desirable term of "at-risk" as it is deemed to be a negative term and off-putting the students and instead use the terms "stage one, two and three", and remove the ability to take 6-credits while under suspension. **Motion carried.**

ii) By-Laws and Procedures

The committee has not yet met but Ayse Ersoy was appointed as the new chair for the committee. They are currently reviewing their mandate letters and the status of the bylaws that were under consideration for the upcoming year.

iii) Planning and Review

J. MacMillan referred to the report posted to the Senate SharePoint. He noted that the Committee has begun consultative efforts for 2023-24 Pre Budget-Recommendation brief for Senate and will be holding an Open House on Tuesday, November 1st from 11:45 am - 12:45 pm via MS Teams. All Senators are welcomed and encouraged to attend. The Committee's areas of focus may include the implementation of the CBU Strategic Plan, Academic Plan, Strategic Research Plan and the Strategic Enrollment Management Plan. Senators were provided with a template to provide their submissions while considering the following question: When Senate members reflect on the objectives and goals identified within the CBU Strategic Plan, Academic Plan, Strategic Research Plan and Strategic Enrollment Management Plan, what do they consider to be some of the top priorities for investment and financial commitment in the 2023 Budget.

iv) Quality Assurance

No report.

v) Research

On behalf of the Chair, D. Lionais reported that the Committee has met to establish priorities for the year. They will begin work on updating the language of the Research Groups, Institutes and Centres policy and the language of the Commercialization of Intellectual Property Policy. Minor revisions may be made to the President's Research Awards and the Committee plans to deliver a report to Senate examining the progress of the Strategic Research Plan. The Committee will also look at some of the policies of the Finance Department with respect to research.

vi) Teaching, Learning and Evaluation

No report.

11. Adjournment

There being no further business, **it was moved by**, L. Sylvester, seconded by J. Nadeau, to adjourn the meeting at 3:20 pm. **Motion carried.**

**Jasmine Hoover
Secretary to Senate**