

Senate Minutes

November 18, 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:

Catherine Arseneau, Sahand Ashtab, Tanya Brann-Barrett, Nofisat Banjo-Saibu, Mary Beth Doucette, Ayse Ersoy, David Gerbasi, Michael Henick, Samantha Hodder, Patrick Howard, Katherine Jones, Himali Kadam, Mary Keating, Karen Kennedy, Janet Kuhnke, Carolin Kreber, Kimberley Lamarche, Hannah Lewis, Doug Lionais, Jason Loxton, Gordon MacInnis, Richard MacKinnon, John MacMillan, Felix Odartey-Wellington, Peter Oyedijo, Natalia Parsons, Michelle Prendergast, Erin Robertson, Karen Rowe, Damanpreet Singh, Samarjeet Singh, Chloe Stewart, Ann Sylliboy, Laurianne Sylvester, J. Tunnicliff, É. Thériault, T. Urbaniak, B. Whiting

Regrets:

Carol Beaton, Danielle Boudreau, David Dingwall, Jan Hancock, Jasmine Hoover, Harkanwal Kaur, John Nadeau, Marcia Ostashewski, Andy Parnaby, Rick Pierrynowski, T. MacDonald, J. Mayich

2. Consent Agenda – N/A

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

4. Reports and Items for Information

4.1 President

Interim President MacInnis reported on the following:

- The potential of a CBU medical campus is reaching a critical stage, and work is underway to launch a website section where individuals can provide support.

- A list of the Fall/Winter enrolment was provided with a comparison and detail of the numbers back to 2014.
- He also noted that January classroom configurations are being explored, housing options for students in the community, and a firm has been engaged on a campus planning exercise.

On the question of the campus planning process, Mr. MacInnis responded that the firm would pick up from the previous plan with a focus on one or two buildings and the possibility of the NSCC Marconi campus becoming available. The firm will ensure the plan identifies efficient space while optimizing campus flow. He also responded that the library space would be within this scope.

On the question of the increase in the BSC, Mr. MacInnis responded that through consultation with the Students Union, it is believed this increase a stream of students taking the first year of BSC, hoping to get into the advanced nursing standing. L. Sylvester also added that the Unama'ki College community cohort could also be a contributing factor to the increase.

4.2 Vice President Academic and Provost

R. MacKinnon reported on the following:

- The Bachelor of Social Work Program is before the MPHEC, as well as many CBU QA reviews.
- A lunch and gathering was held to celebrate the retirement of the former Dean of the Shannon School of Business, George Karaphillis.
- The fall Convocation was held at Center 200.
- A Remembrance Day ceremony was held on November 4th.
- A Leadership Forum was held with a particular focus on privacy.
- A celebration of the newly renovated Pit Lounge was held on November 16th.
- He attended the first of three Inaugural Reflections, celebrating faculty who have achieved the rank of Full Professor over the past two years.

4.2 Unama'ki College

L. Sylvester provided updates on the following:

- Some students in the Bachelor of Science cohort are being supported through the Johnsons Family Foundation for their tuition.
- Tara Johnson, the Mi'kmaq Resource Centre (MRC) coordinator, has updated the website and will continue to revamp and make some changes to the MRC through the Advisory Group.
- Through the MRC Advisory Group, a Rankin School of the Narrows student is on a placement who recently received an honours award and will be attending CBU new year.
- A culturally safe course created by Dell through consultation with our First Nation communities is being explored for potential integration within the health programs.
- The opening of the Murdena Marshall room has been postponed until the new year.
- The team is working with other departments within the University for distress activities for students towards the end of November and December going into the end-of-term assignments and exams.

- Discussions have been held with Dean Lamarche on possible pathways for the Bachelor of Science cohort to ensure they are on track and to identify any support they may need.
- Visitors from the Qalipu community in Newfoundland will visit the Unama'ki College on November 23rd.
- The Mi'kmaw Ethics Watch position has been posted internally and will go externally soon.

4.3 Students' Union

P. Oyedijo provided updates on the following:

- Hannah Lewis was introduced as the new Indigenous student representative to Senate.
- All Centers created and organized events specific to their job titles and portfolios, focusing on ensuring a higher student engagement, including weekly presence at the downtown locations.
- A third full-time staff to support our Executive Director, as well as the Director of Finance and Operations, has been hired, and administrative services have been extended to the Cineplex location.
- The Union, in collaboration with the University and the Community, contributed over \$100,000 to support CBU students affected by hurricane Fiona. The CBUSU took the lead with the disbursement of the funds, and tremendous feedback was received from over 2000 students who benefited from the funds.
- Members of the Union attended the CFS National General meeting of the Canadian Federation of Students in Ottawa, where they attended different workshops and plenary meetings and served on the National federation committees such as the budget, policy and operations and service committee.
- In collaboration with Students Nova Scotia and other Maritimes universities, the Union launched a campaign: "More than Tuition." This campaign enables students to highlight the additional costs for post-secondary students in Nova Scotia and will allow them to provide informed recommendations to the Government during advocacy.
- During the SNS Advocacy Week, members of the Union gathered with other student union leaders to advocate on the most critical issues pertaining to students on their campuses and had the chance to meet with several MLAs, stakeholders, and policymakers around the post-secondary sector.
- The Union, for the first time, organized its Academic Integrity Week with the objective of informing students about the academic environment at CBU.
- Upcoming events include the honours banquet on November 30th, a town hall to engage with students to enable them to table their concerns will be brought forth to various stakeholders, events to build more supports in the best interest of CBU Students and advocacy with local politicians.

4.4 Executive Committee

E. Robertson reported that the Executive Committee met on November 10th to set the agenda for this meeting, and MB Doucette joined to prepare for the Take Note Debate to occur later in this meeting. She noted that the current chair of the Quality Assurance committee is on leave, and R. MacKinnon and S. Ashtab have stepped forward as co-Chairs for the committee. Discussions continue on Senate's relationship with the Strategic Enrolment Plan (SEM), and a Take Note Debate on the topic is being planned for December.

4.5 Changes to the Grad List

B. Whiting referred to the list circulated in advance of the meeting on changes to the grad list after Senate's approval. She noted there was nothing further to add and welcomed any comments or questions.

5. Take Note Debate – Senate Composition-Equity, Diversity, Inclusion and Decolonization (EDID)

E. Robertson introduced this item as a follow-up Senate's working group on Structure and Succession, which identified longer-term issues with regard to equity, diversity, inclusion and decolonization and the deficiencies in Senate's structure. These issues were identified by the Working Group on Sentence Structure and Succession and further explored by a Special Advisory panel consisting of Marie Battiste, Mary Beth Doucette, and Tom Urbaniak.

It was moved by E. Robertson, seconded by C. Arseneau, to give Marie Battiste speaking privileges for the purposes of the presentation and the Take Note Debate. **Motion carried.**

In a PowerPoint presentation, Mary Beth Doucette and Marie Battiste provided Senators with what is hoped to be an ongoing conversation with regard to succession and planning. For those not familiar with the topic, MB. Doucette provided members with background information on what prompted the review, specifically discussions around the principles of EDID and the findings of Senate's Working Group on Succession and Structure.

This working group identified the need to support BIPOC personnel within CBU, to endorse interpersonal professional development for all faculty, to support L'nu knowledge revitalization strategies and reconciliation and the need to address the composition and structure of Senate.

With regard to Senate's structure, MB Doucette identified three categories requiring discussion and attention: its composition (membership), specific mechanisms for nominating and preparing members for Senate committee, and changes and updates to committee mandates. For the purposes of this meeting, the focus was on Senate's membership composition guided by the principles of EDID and other pieces that may need to be included. The questions to be asked of Senators following the presentation will be to address the size of Senate and the role Senate should play in supporting EDID.

She then provided details on the role of Senate at CBU and the current guideline of its membership and structure from the CBU Board of Governors' bylaws, noting that any suggested changes to increasing the number of Senators would require a request to the Board of Governors to amend their bylaws. The membership was broken down into four subgroups consisting of administrative staff, students, community appointees, and faculty members. Each subset was detailed, including the changes to administrative staffing, the creation of the new School of Nursing, and the unfilled seat for a faculty member of Unama'ki College.

Marie Battiste then provided Senators with ideas for alternative models with the view of CBU's

strategy of Indigenizing the L'nu Way. She suggested that, as with the University of Saskatchewan, CBU might consider moving to a model that consists of academic members and that administrative positions be non-voting ex-officio. She noted that any changes to the membership must be in with a view of a representative group who have voices from those various units and diversity, not just in terms of a body, but in thought as well. She also suggested that a thoughtful and engaging process should be developed to bring individuals to the table with a self-governing mindset. With regard to teaching and learning, she suggested that academic resources need to be elevated to this same level. By achieving this, she proposed this committee would be able to provide the resources needed for every member of Senate to be educated on EDID, which could then provide advocacy for any voice that might be missing from the table of Senate and its committees.

Referring back to the two questions presented earlier, comments and suggestions were welcomed.

M. Keating suggested that it ought to be presented to the Board of Governors that they revise their bylaws under 11.3 (b) and (c) to include the word 'Academic' in order to have only academic administrative members as part of Senate but to maintain the Vice President Finance and Operations and the Registrar. She also thanked M. Battiste for the suggestion of a self-governing model and appreciated the importance of how this could benefit Senate policies and academic strategies.

D. Lionais cautioned against reducing the number of Senate because it would then cause problems staffing the committees with full representation from all Schools. On his question of the number from each School, M. Keating responded this was decided when Senate was created, and it was because, at the time, they were looking at representation from each School and not each Department.

C. Arseneau suggested the clarification of the meaning ex-officio should be defined. She noted that in some instances the term indicates non-voting but in others indicates voting. In the case of the current membership of Senate the meaning is defined as voting.

L. Sylvester reflected on M. Battiste's comment that if a university body remains the same, the thoughts remain the same and very little change is achieved and how true this statement is. She echoed that achieving the goals of the strategic and academic plans is a shared diversity of thought and responsibility for everyone at CBU.

E. Robertson thanked MB. Doucette and M. Battiste for their presentation and looks forward to furthering the conversation in the new year.

6. Approval of the Minutes: October 21, 2022, & November 1, 2022

It was moved by M. Henick, seconded by C. Arseneau, the **approval of the minutes of October 21, 2022. Motion carried. Abstentions: 1**

It was moved by MB. Doucette, seconded by G. MacInnis, the **approval of the minutes of November 1, 2022. Motion carried. Abstentions: 2**

7. Business Arising from the Minutes

On the question in relation to students requiring an accommodation with regard to writing exams, if they do not have a registered disability with JKC but rather a medical situation does the provincial mandate pose an issue, or is this a more complicated issue than originally anticipated, T. Brann-Barrett responded that a medical condition can be quite broad, but the issue at hand was the documentation that needed to be provided. She noted that as long as the documentation can be provided the situation can be assessed by the JKC.

8. Report of Other Committees of Senate:

i) Academic

M. Keating referred to the report circulated with the meeting material.

Items for Information:

Course changes in GAEL 1101, 1103, 2101, 2103, 3101, 3103 and PSYC 3503.

Items for Approval:

1. New Course Proposal: GAEL 4101: Gaelic Language VII

It was moved, by M. Keating, seconded by T. Brann-Barrett, that Senate approve the new course proposal GAEL4101-Gaelic Language VII as presented. **Motion carried.**

2. New Course Proposal: GAEL 4103: Gaelic Language VIII

It was moved, by M. Keating, seconded by L. Sylvester, that Senate approve the new course proposal GAEL4103-Gaelic Language VIII as presented. **Motion carried.**

3. New Course Proposal: POLS41XX: Advanced Topics, Canadian Gov't

It was moved, by M. Keating, seconded by C. Kreber, that Senate approve the new course proposal POLS41XX: Advanced Topics, Canadian Gov't as presented. **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

A. Ersoy reported that the committee met to review the department/school review schedule and has sent reminders to those whose bylaws are due for review. The Committee will be bringing forward revisions for two departments at a coming meeting of Senate.

iii) Planning and Review

M. Henick reported that the committee is reviewing the current recommendations received and hopes to have a draft of the pre-budget submission for December's meeting.

iv) QA - No report.

v) Research – No report.

vi) Teaching, Learning and Evaluation

J. Loxton referred to the report circulated with the meeting material. He provided a brief presentation of recommendations and additional revisions following the circulation after consultation with the Registrar's Office. He provided the core ideas motivating the suggested changes in that 1) no student should be required to choose between their personal or other people's safety and their studies, 2) that no student should be required to be evaluated in a context where they are not able to perform due to anxiety or other concerns, 3) that members of the academic community should have a firm understanding of both their rights and their responsibilities, 4) that faculty should have an authority to choose examination formats appropriate to their students, and 5) that there should be clarity in terms of what happens in a crisis, and recognition that Senate is the final decision making body for academic matters.

For background context, he provided recommendations the Committee forwarded in April 2022 on suggestions they felt would deal with the ongoing concerns with COVID-19 one of which was that a proctored space, where spaces are available, to accommodate students who do not feel comfortable writing exams in the Fieldhouse, and he then provided examples of other possible scenarios that would not fall within the current mechanisms in place for students to request accommodations.

He then detailed the following changes the Committee is suggesting (changes highlighted in red are in addition to the circulated documents after consultation with the Registrar's Office):

1. Take home examinations cannot be assigned (and distributed) any later than the last day of class inter. They cannot have a due date earlier than the sixth (6th) calendar day of the exam period. This provision does not apply where exams have been cancelled or forced to change format. In these cases, the due date should be no earlier than six days after the cancellation or notice of change, unless fewer than six days remain in the exam period, in which case it should be the remaining number of days. He noted this motivation is for clarification and to ensure faculty have flexibility if exams are disrupted.

2. The second change is to remove verbiage (noted in red), as to how a faculty member can request that a student write in a place other than the Fieldhouse and it replaces it with some clarification (noted in blue), both of the timeline of how this should be done but also specifically have the right, so long as space is available, to be able to request to not write in the Fieldhouse and have access to invigilators.

Remove: Some exams are not suitable for running in the Fieldhouse for various reasons, such as the need to use additional space, the need to communicate during the exam, etc. It is the responsibility of the instructor to inform the Registrar in a timely fashion if they intend to run a final exam in such a way that the exam should not be scheduled in the Fieldhouse.

Replace: An instructor wishing to be assigned to a classroom other than the Fieldhouse may make this request to the Registrar prior to the release of the exam schedule. Where space allows, it will be accommodated, and invigilation provided if required. Under exceptional circumstances, an instructor already assigned to the Fieldhouse may request relocation, which will be provided if space is available. He noted this motivation is to reinforce the faculty member's right to flexibility in the exam venue, while enduring orderly process for the Registrar.

3. A new section suggested to be added, he detailed this as codifying something that largely happens in practice, but adds on consultation with TLEC, and ensures specific items are also part of the recommendations from last year take. **In the week before they start the fall and winter exam periods and an email shall be sent to all faculty and students outlining the following in plain language and or providing hyperlinks to the information: 1) the dates and location of the formerly scheduled exams, 2) the policy governing the conduct of the Fieldhouse, 3) policy regarding take-home and asynchronous exams, 4) policies regarding exam disruption, cancellations and student absences, 5) a student's right to academic appeal and the process to file an appeal, and 6) the process to seek an accommodation to write in a location other than the field house for wellness-related reasons. The email will be sent by the Registrar's Office and drafted in consultation with TLEC.** He noted this motivation is to ensure faculty and students receive clear information about exam responsibilities and rights.

4. A new informational section to be added, **Any large-scale changes, the format or the date of exams will be communicated within 12 hours of the decision to students or faculty using internal email and via notice or link on the homepage of the CBU website.** This motivation is to ensure timely communication of major exam-related decisions.

5. A new section to be added: **A student with wellness-related concerns about writing in the field house including but not limited to anxiety or personal or family health concerns, and who does not already receive these accommodations, the Jennifer Keeping Center may request to write in an alternative location or complete the exam in an alternate format. A student seeking this accommodation should notify their instructor to see if an alternative mode of assessment is appropriate. If not, the instructor will forward the student's name to the Registrar or Registrar's designate at least one week before the beginning of the exam period, and an invigilated space will be provided to allow that student to write their exam in a small group or individual setting.** This motivation is to ensure students are able to write exams in a safe environment that is conducive to performance and for clarification, he noted that the student must speak to their instructor first and that by adding the Registrar's designate, it allows the administration

to determine the best course of action.

6. A new section to be added: Where public health or other safety or access concerns preclude or make unwise the writing of in-person exams, the delivery mode of final exams may be changed to online. This decision shall be made by Senate in consultation with CBU administration, IT services, the Students' Union, faculty unions, and other stakeholders. Synchronous exams will follow the existing exam schedule with the exception of any exams taking place less than 24 hours after the decision is communicated to faculty. Such exams will be rescheduled following the policy and postponement of examinations. Faculty with scheduled exams may use an alternative mode of assessment or change their course weighting in place of an online exam. If this option is chosen, faculty should work to ensure that the change in assessment does not negatively impact students eg substituting an average of a pre-existing exam score eliminates a pathway to improvement. Where the change in assessment is substantially different than that in the syllabus, students should be given an option to provide feedback on a proposed change. This motivation is to clarify decision-making authority/process and to provide flexibility to faculty, while protecting student rights.

It was moved, by J. Loxton, seconded by É. Thériault, to approve the amended recommendations as presented.

R. MacKinnon suggested that the changes to the circulated document are substantial and that more consultation is required before Senate should vote on the recommendations as amended.

F. Odartey-Wellington expressed concerns about the possibility of abuse of the recommendations in that students could use this option only because they do not want to write in the fieldhouse rather than having a health-related issue for not wanting to do so.

M. Keating noted she was in favour of the revised language with regard to clarifying how the Registrar's office would be able to accommodate requests as opposed to the more open-ended language. She did, however, express concern with what might be a short-term fix to address current health-related issues and that more discussion is necessary for the long term with regard to such things as physical versus mental health matters, in particular, undiagnosed anxiety and that a protocol should be put in place that gives a level of consistency with no charges of favoritism.

M. Henick echoed a previous comment on wellness-related concerns being broad and that a clear understanding must be identified, that the issues of timing at this stage would be problematic, and as with a previous discussion over accommodations for students in the classroom which are not available, he questioned the difference for accommodations during an exam time.

In response to these comments, J. Loxton replied that the Committee prepared the

recommendations with great thought and in an effort to balance privacy concerns, compassion and fairness while recognizing the many possible requests for accommodations, that avoiding vague wording would likely be impossible. Secondly, with regard to the policy on exams, concerning emergencies, the Committee expressly made it such that a student with an emergency can appeal to a professor without documentation because, faculty members cannot request such documentation, because if a student comes forward with a situation of trauma, that they ought to be believed. He also added that the possibility of abuse would be very low considering the requirements of the student.

É. Thériault suggested that because the exam schedule is not posted on a specific date, that a date for faculty members to request students write exams outside the Fieldhouse be clearly defined.

MB. Doucette raised a point of order that this item has exceeded its time limit for discussion. The Vice Chair suggested that with no clear view that a vote would be reached today, that the item be tabled until the next meeting of Senate.

It was moved, by MB. Doucette, seconded by C. Arseneau, to table the motion until the next meeting of Senate. **Motion carried.**

9. Adjournment

There being no further business, **it was moved by**, T. Brann-Barrett, seconded by C. Arseneau, to adjourn the meeting at 4:15 pm. **Motion carried.**

**Jasmine Hoover
Secretary to Senate**