

Senate Minutes

October 20, 2023
CE339

The Chair, C. Kreber, called the meeting to order at 1:30 pm.

1. Roll Call and Declaration of Quorum and Land Acknowledgement

The 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:

Hamid Andishan, Catherine Arseneau, Sahand Ashtab, Tammy Bernasky, Tanya Brann-Barrett, Melissa Bishop, Danielle Boudreau, Martin Chandler, Paula Condon, David Dingwall, Mary Beth Doucette, Phillip Eappen, Ayse Ersoy, Kylie Ewing, Virginia Gunn, Jan Hancock, Michael Henick, Carrie Karsgaard, Karen Kennedy, Carolin Kreber, Doug Lionais, Ellyn Lyle, Jason Loxton, Stephanie McQuarrie, Gordon MacInnis, Richard MacKinnon, John Mayich, John Nadeau, Felix Odartey-Wellington, Folorunsho Oduloye, Andy Parnaby, Rick Pierrynowski, Erin Robertson, Karen Rowe, Juveriya Samreen, Nancy Spina, Laurianne Sylvester, Jamie Tunnicliff, Viviana Paz Contreras Venegas, Bilynda Whiting

Regrets:

Colton Burke, Sean Campbell, Sahilpreet Singh Chatha, Harmanjot Singh Ghuman, Samantha Hodder, Harkanwal Kaur, Janet Kuhnke, Kimberley Lamarche, Hannah Lewis, Tracy Lillington, Brandi Jean Lind, Gideon Otoibhi, Joe Parish, Michelle Prendergast, Éric Thériault, Terry MacDonald

C. Kreber mentioned that there were two (2) items for information. She advised that the Board of Governors representative will be announced at the November meeting of Senate and also that Michael Henick renewed his term for the Senate member who will represent Senate on the Board of Governors'.

2. Consent Agenda – N/A

3. Matters to be Considered in Closed Session

It was moved by C. Arseneau, seconded by E. Lyle, to move into Closed Session for the purpose of conducting confidential business. **Motion carried.**

Following a closed session, it was moved by C. Arseneau, seconded by T. Brann-Barrett, to move to Open Session. **Motion carried.**

4. Reports and Items for Information

4a) President

President Dingwall, provided the following updates:

- On Friday October 13, 2023, the Atlantic Association of Universities (AAU) released its post-secondary enrolment numbers and CBU leads the way in terms of growth with approximately 9,100 students. CBU continues to work hard on the Strategic Enrolment Management Plan and are working to stabilize our enrolment at 7,000 students by 2027.
- Housing remains a priority and it is understood that the students are facing many housing challenges. In addition to the renovations to the MacDonald Residence new kitchen facilities are being added, further food options are also being looked into and there is also a contract awarded for the development of a new on-campus residence.
- Work is ongoing with all levels of government on the Tartan Down's Housing Development and he had hoped to be in a position to make an announcement today. He advised that the Municipal and Provincial Governments have been cooperative and helpful however he shared his frustration with the Federal Government. President Dingwall explained that he met with the federal minister 10 days ago where he expressed his frustration with the Minister and his Department for the hold up of federal funding. He added that their forgivable portion is quite insignificant in terms of the overall project. The project is 600 units plus. First phase is 146 before the sale. So, when in fact you're in the financing factor in the forgivable portion. It's roughly a \$57 million project. Not all from the federal government
- He noted the new construction on the Canada Games Complex, land cleared for medical school, design work for the Centre for Discovery and Innovation, new comer clinic has begun and referrals to the clinic by reaching out to several community partners.
- Cairo Graduation for 240 CBU graduates.
- He advised that Gordon MacInnis will lead the budget process and in addition, sessions will be held with the different schools' strategic consultations regarding school's best practice.

Mr. Dingwall advised that under the Act, the university, and the government of Nova Scotia through the Executive Council, appoints members to the BOG. He acknowledged that a problem exists with getting the government of Nova Scotia to announce the names of their appointees in a timely manner which makes it challenging for quorum and other Committee items. Mr. Dingwall announced the 5 new members as follows:

- Dr. PJ Devereaux
- Brett MacDougall
- Lillian Marsman
- Ian Parker
- Sarah Hines

Over the last couple of months CBU has given serious consideration to the work with agents as it relates to international students in particular. So, the CBU Agent Code of Conduct was formulated which all agents and all agencies will have to sign.

- Hosted a Q&A with John Bragg
- The Forever CBU campaign fundraiser
- Forum at Membertou with regards to the future of hockey. CBU colleagues participated
- Thanked Richard Mackinnon who will be departing CBU in November, thanks for his contribution. Great service to CBU over 40 years.
- Friday December 1 congratulatory event. They will make an announced on a replacement, something in place and then they will back to senate.

One question was raised on a timeline for input from faculty on the design of the CDI Project, President Dingwall explained that time was running out and that suggestions should be submitted to himself or the VPA in the Presidents office.

In response to the question regarding succession planning taking place for senior managers, President Dingwall advised that this will be an important topic at the December BOG meeting.

4b) Vice President Academic and Provost

R. MacKinnon provided updates on the following:

- Celebratory reception and dinner were held for former and current Executive Committee members on Sept 18th
- Canadian Networks for the Advancement of Research Industry and Education (CANARIE)'s 31st Annual General Meeting on September 19th
- Attended CBU/Acadia meetings in regards to the Nursing program
- Provost meetings
- Canadian Council on Animal Care (CCAC) visit
- Budget Meetings beginning
- Planning and Review Committee meetings
- BOG Meeting executive yesterday evening and Board meeting this morning
- The continuation and allotment of space for the Bras d'Or Institute

i) **VPA Response to Bachelor of Business Administration Quality Assurance Review**

It was moved by R. MacKinnon, seconded by J. Nadeau, to approve the final report of the Bachelor of Business Administration Quality Assurance Review.

Motion carried.

On the question related to a new Director for the Bras d'Or Institute, Dr. MacKinnon advised that it is still under consideration.

4c) Unama'ki College

L. Sylvester provided updates on the following:

- **Student Employment** - We have 2 at Unama'ki College and one student at the L'nu Resource Center (LRC).
- **Unama'ki College Staff** - Mental Health First Aid during November Reading Week.
- **In-Business Opening Conference**- November 21-23. This is also the beginning of a Mentorship Program for youth in the program. This event will be held here on campus and in Membertou.
- **Sister Dorothy Moore L'nu Resource Center** - has been officially named. Successful event. The documentary showed at two times on October 10. It will also be shown during the Film Festival at the Boardmore at the end of October.
- **Every Child Learning Space** - On TRC Day, this space was introduced to students, faculty, staff, and community members. It was held on October 4 and the story was covered by the CB Post.
- **DACT (Digital Analysis of Chant) Research Project** - with Dalhousie on Mi'kmaw Chant and chants around the world. We've met with community elders in 2022 and now approved to continue work with Membertou and community members throughout Mi'kma'ki. Members of the Research team will be participating in an OCAP (Ownership, Control, Access, Possession) training session through First Nation Governance.
- **Study Space in Eskasoni** - We are still working with Eskasoni School Board to set up a "study space" in the building where students have classes (TEC Training Education Center). Students who need to print or work quietly need a space rather than travel to campus to get work done.
- **Comfort/Sharing Circles** - UC is holding comfort/sharing circles in the Mawio'mi Room facilitated by Elder Lawrence Wells and supported by Lydia.
- **Positions/New Hires:**
 - We have posted Ann Denny's position- New title Community Engagement Lead. Ann will retire officially in December.
 - We have challenges filling the Comms/Branding position and looking at ways to help attract strong candidates.

- **Upcoming events:** a calendar was circulated with all the events for Mi'kmaw History Month.
- **Reminders:**
 - **October 24 - Indigenizing the Academy-** hosted by CBUFA but sharing the information. David Newcombe, Six Nations professor from Trent University will be a guest speaker, here on campus
 - **October 26** - Mawio'mi (Gathering/Powwow) will be hosted by Unama'ki College and will be held at the Field house.
 - **November 13-15- Two Eyed Seeing Conference- Etuaptumumk** - Note: The first day of the conference falls on a holiday and conference opens in the evening with Former Senator Dan Christmas as the keynote.

4d) Students' Union

The Chair advised that Juverya Samreen would provide the report on behalf of the Students' Union which was outlined in detail in the Senate Meeting Package. She highlighted the following:

- Events
 - Onam social at the Pit
 - Teej celebrations
 - Mid-Autumn festival
 - Multimedia artwork exhibitions on Truth and Reconciliation Day and bead-wrapped keychain workshops
 - Paint nights and the PAC (Pride and Ally Centre) initiative
 - The CBUSU 2023 by-election
- The CBUSU Drive Home Program (DHP)
- Medical Services Insurance (MSI)
- The 13th golf tournament was a tremendous success that raised \$10,000 for "Capers Helping Capers"
- The Students' Union staff and council members will actively participate in the Leaders Edge program
- Upcoming Projects/Event
- Cultural Fest:
 - The CBUSU has successfully finalised the event outline for the upcoming cultural festival
- Advocacy Week:
 - In the following month, the CBUSU is set to embark on an advocacy week in partnership with Students Nova Scotia in Halifax

Juverya acknowledged the conflict in Israel and Palestine that is affecting many people around the world including those at CBU. She asked that Senate observe two minutes of silence to reflect on the lives impacted by this conflict and to stand in solidarity with CBU students and staff. She further proposed that a statement be drafted expressing our condolences and support which can be disseminated widely within our society and our university.

Following the moment of silence, the Vice-President Academic advised that he believed something was being drafted and that a statement would be going out shortly. It was also suggested to include the types of supports that may be available and how to obtain them.

4e) Board of Governors

M. Henick provided an update from the Board of Governors and advised that they will be welcoming new board members at their next meeting. He also noted that the Gordon MacInnis, Vice-President of Finance, provided a current financial standing of the University and provided an update on the 2023 major capital projects.

4f) Executive Committee

E. Roberson provided the update on behalf of the Chair of the Executive Committee and reported that the Executive Committee met on October 6th to set the agenda for this meeting. The Committee discussed and agreed upon the proposed terms of reference for the Senate SEM subcommittee of the Executive Committee of Senate.

A question was brought forward for Question Period on the microcredential initiative and it was agreed that Dr. Rod Nicholls would speak to this question. Additionally, the executive agreed to reach out to the university parliamentarian for their advice on the issue of microcredentials and how and if it fits within the mandate and role of Senate.

There was a discussion on the lack of an attendance policy and how to best handle this - The development of an ad-hoc committee was proposed.

Chairs of the Senate standing committees provided updates and discussed their mandated for the upcoming year.

4g) Senate SEM Advisory Working Group

E. Roberson advised that the Senate Executive is proposing that a Senate SEM subcommittee of the Senate Executive Committee be established. She provided a background of the SEM Plan and the SEM subcommittee terms of reference as outlined in the Senate Meeting package. She also asked that anyone interested in being part of the subcommittee to contact her.

Following discussion, **it was moved** by E. Robertson, seconded by L. Sylvester, that the Senate SEM working group become a formal subcommittee of the Senate Executive Committee and adopt the terms of reference written for the sub-committee. **Motion Carried**

It was moved by M. Doucette, seconded by M. Henick, that the Co-Chair of the SEM subcommittee submit a formal report to Senate within 18 months on the success and any changes required of the SEM Subcommittee. **Motion Carried.**

5) Question Period – Follow up on CBU Microcredentials (Dr Rod Nicholls, Chair, Presidential 2021 Task Force on “Microcredentials at CBU” - Member, Nova Scotia Microcredentials Working Group, 2021-2023)

Without any objection to allow speaking rights at the meeting, Dr. Rod Nicholls provided clarity on the questions regarding Microcredentials listed below:

- **Why is CBU not interested in Senate and its relevant committees approve or not approve micro-credentials?**

Dr. Nicholls advised that for decades many universities including CBU have had non-credit learning experiences that were not approved by Senates. Microcredentials are the latest in this line. He explained that a microcredential is the acquisition of a particular skill and competency opened to persons who do not have to be admitted to the university nor meet any prerequisites. They are different from an academic course. Most obviously, learners are assessed on their ability to perform a specific skill or competency by experts or professionals (not necessarily academics). Moreover, the need for a microcredential and its credibility is determined by external partners (such as non-profit or private sector corporations, community groups, labor organizations, government departments, etc.) He added that Maritime Provinces Higher Education Commission (MPHEC) has expressly stated that it has no interest in governing microcredentials and that Nova Scotia Universities do not require Senate approval for microcredentials.

- **Why has CBU not considered for-credit microcredential programs delivered by CBU faculty?**

Dr. Nicholls advised that a microcredential is not a mini or micro version of an academic course. And if a faculty member or Department wanted to propose a for-credit, academic micro course (1-credit courses have previously been approved by Senate, for example) or programs composed on such courses, they would do so by following the normal Senate processes and procedures.

- **Has CBU consulted CBU's academic departments on microcredentials which are seemingly premised on someone taking part of a credit course for non-credit?**

Dr. Nicholls explained that the NS Microcredential framework (and MPHEC) requires a university to have a quality assurance body to assess microcredentials which CBU does. The latter requires each proposal to be sponsored by a CBU unit, for example, a Centre, the Library, Athletics, the Art Gallery to give only a few examples. This obviously includes academic departments. He indicated that it is presently possible for a faculty member in such a department to provide an opportunity for someone in a credit course to acquire a microcredential without consulting with the Department because they were also a member of a sponsoring research centre, for example. Nevertheless, he acknowledged that as a matter of collegiality such a faculty *ought* to do so with the knowledge and preferably support of fellow department members. Dr. Nicholls stated that the new microcredential project manager (on a 2-year secondment) is presently working with the quality assurance committee (MEAC) to formalize such matters

Intellectual property and the question of an “unintentional similarity” between a microcredential noncredit course and for-credit courses were discussed. Dr. Nicholls encouraged Senators to bring questions about perceived similarity or intellectual property to either the project manager or the VP Academic’s attention to be addressed. Answers in both cases will be premised on full respect to both the authority of Senate and contractual rights defined by collective agreements.

Questions were raised in regards to the Composition of the Committee for Microcredentials and how the Committee members were chosen. Dr. Rod Nicholls briefly discussed the issue and advised that while members were appointed by the VP Academic, a membership list should be available and easily accessible. He also said that any person interested in microcredentials and eager to participate in the work of MEAC should contact the project manager or the VP Academic.

C. Kreber advised that they also are awaiting a response from the University Parliamentarian on the question of whether Senate has some an oversight role on aspects of the Microcredential process, which will be discussed at the November meeting.

6. Class Attendance

C. Kreber advised that the topic of class attendance came from discussion at a Senate Executive Meeting sparked by an email sent to the University employees advising that children are not permitted in classrooms due to the potential risks. She explained that some found that the message was contrary to CBU’s commitment to be inclusive and culturally sensitive and created some confusion as it relates to the syllabus policy. She added that CBU currently does not have an attendance policy. She explained that the duties of the Senate Executive Committee include establishing ad hoc committees to fulfill Senate duties. Senate Executive is proposing the establishment of an Ad Hoc Committee and that the mandate and composition be discussed at the meeting today.

It was moved by E. Robertson, seconded by K. Rowe, that CBU establish an ad hoc committee to carry out an analysis of the scope of the problem of class attendance, including children and others who are not registered in the classes, clarify instructor rights and responsibilities on classroom guests and student conduct, do an environmental scan of resources available for childcare, do a scan of how other universities are addressing these issues, and bring recommendations to senate by May 2024. The committee may consider other related matters as they arise.

During discussion on the motion, the following issues were discussed:

- Children being left unattended on Campus when not allowed in class.
- Responsibility of Staff
- The childcare facility at CBU and other availability
- Education on intercultural competence and appropriate measures
- Affordable after hours alternative childcare services
- To consider other related matters as they arise
- How to address students livestreaming in the classroom
- Consider in-community classes
- Student responsibility to secure childcare
- Rights, responsibility and autonomy of the instructor in the classroom
- Conduct an environmental scan based on location
- Legal implications
- Developing an attendance policy

A **Point of Order** was raised that the discussion and amendments to the motion should be at the Committee level but senate agreed that discussion should continue.

After a suggestion to table the motion it was agreed to proceed to vote.

Motion Carried.

It was **agreed** that the meeting time be extended. After discussion and suggested amendments, the following motion was introduced:

It was moved by E. Robertson, seconded by F. Odarety-Wellington, that an Ad hoc Committee membership comprise 10-15 people and be representative of diverse perspectives within Schools, including: instructors of large classes from various schools, someone designated by Unama'ki College to appoint an in-community instructor, legal counsel, at least 2 lab instructors, 2 student reps, the human rights officer, reps from QA, TLEC, AC and By-laws committees, the SU, the Director of Student Affairs, and the Registrar, and be co-chaired with one co-chair being an instructor". The senate executive will populate the committee. **Motion Carried.**

It was asked that those interested in joining the Committee would contact the senate Executive.

7. Approval of the (unconfidential) minutes from September 15, 2023

It was moved by C. Arseneau, seconded by J. Hancock, that Senate approve the minutes from the June 16th Senate meeting.

Motion Carried. 2 abstentions.

8. Business Arising from Minutes – N/A

9. Report from Senate Committees

a) Planning and Review

K. Rowe advised that the Planning and Review Committee are currently focused on pre-budget recommendations which should be completed by November or December.

b) Teaching, Learning, and Evaluation

J. Loxton advised that a meeting was had with Erin to discuss the off-campus exam policy, and also explained that issues are arising with Moodle. He explained that he has been the Chair of the Committee for some time and feels he can no longer fulfill the position and would like to stop down as of January. He is asking for others to volunteer to take over the position.

c) Academic

A. Parnaby provided the update on behalf of the Chair of the Academic and advised that they have met 3 times so far and have been working on courses, process changes, appeals and new policy consideration such as external academic agreements.

d) By-Laws and Procedures

A. Ersoy advised that they By-Laws and Procedures Committee have met recently and are waiting on the new By-Laws for the new Departments that were formed.

e) Quality Assurance

S. Ashtab provided an update on behalf of the Quality Assurance Committee and highlighted the following: MPHEC external Reviewers recommendations and have started working on CBU's Quality Assurance framework.

f) Research

J. Hancock advised that the Research Committee last met on October 11th and discussed the following:

- An ongoing issue regarding an application to serve on the Research Ethics Board that was problematic because the position of the applicant was deemed to be a conflict of interest according to TCPS2 guidelines from the tri-council (which preclude 'senior administration' from sitting on REBs)
- Finalizing revisions to update the Commercialization of Intellectual Property (CIP) Policy

- Working to repopulate the Research Assistance Committee currently at 8 to its full contingent of 12 members.

The Research Committee has also reviewed the current policy concerning eligibility for awards and explained that a blanket ban on nominations of members of the Research Committee for the two Presidents awards appears excessive and arbitrary as well as unnecessary and punitive. He added that the Research Committee proposes the following motions as outlined in the Committee Report included with the Senate meeting package:

It was moved by J. Hancock that Senate approve the adoption of the following revisions to the President's award for excellence in Research:

- Nominee must be a tenured faculty member with a record of publications and/or intellectual property development and a current research program that demonstrate leadership in the research and wider academic community. Members of the research committee and senior administration (e.g., Associate Deans, Deans, VPs) are ineligible.'

Be changed to;

- Nominee must be a tenured faculty member with a record of publications and/or intellectual property development and a current research program that demonstrate leadership in the research and wider academic community. Senior administration (e.g., Associate Deans, Deans, VPs) are ineligible.

Motion Carried.

It was moved by J. Hancock, that Senate approve the adoption of the following revisions to the President's award for a Rising Researcher:

- Nominees must show significant development of excellence in publications and/or intellectual property development and/or research-creation; that is the nominees must have current research program that demonstrates emerging leadership in research. Members of the research committee and senior administration (Deans, VPs) are ineligible.

Be changed to;

- Nominees must show significant development of excellence in publications and/or intellectual property development and/or research-creation; that is the nominees must have current research program that demonstrates emerging leadership in research. Senior administration (Deans, VPs) are ineligible.

Motion Carried.

In response to a question, Jan clarified that the Research Committee is advisory to the President and also that the member would have to recuse themselves from all deliberations of the particular award they were nominated for.

10. Adjournment

There being no further business, the meeting was adjourned at 4:38 p.m.

Éric Thériault
Secretary to Senate