MINUTES OF THE MEETING OF SENATE

NOVEMBER 16, 2018

The meeting was held at 1:30 p.m. in Room 1R40, Arts and Humanities Building.

SENATORS: 74

R. Andersen
S. Barghi
G. Belfry
A. Bowlus
D. Brou
S. Burke
J. Capone
A. Chakma
E. Chamberlain
A. Chant
D. Cheng
K. Clark
R. Collins
J. Corrigan
J. Cuciurean
V. Dalal
S. Datars Bere
C. Davies-Chalmers
M. Davison
C. Dick
L. Federking
L. Ghattas
A. Grzyb
J. Hatch
M. Heath
A. Holm
A. Hrymak
L. Jiang
P. Jones
A. Kanji
J. Kim
K. Kirkwood
P. Klein
S. Knabe
K. Kwan
D. Laird
K. Lawless
A. Leguard
D. Macpherson
J. Malcolm
J. Matthews
M. McDayter
A. Meyer
J. Michalski
M. Milde
L. Miller
O. Nadler
M. Novello
D. Olteanu
G. Parraga
I. Paul
W. Pearson
P. Peddle
T. Percival-Smith
M. Perruzza
A. Ray
G. Rezai-Rashti
C. Roulston
J. Rylett
P. Schmidt
J. Shapiro
N. Shuva
Z. Sinel
W. Siqueira
V. Smye
D. Sowinski
C. Steeves
M. Strong
P. Thomlinson
G. Tigert
S. Trosow
M. Vandenbosch
K. Yeung
B.A.Younker

Observers: D. Belliveau, R. Chelladurai, J. Doerksen, L. Gribbon, J. McMullin, M. Pratt, M.B. Rose

By Invitation: P. Eluchok

Land Acknowledgement

A. Leguard read the Land Acknowledgement.

S.18-167 **MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting of October 19, 2018 were approved as circulated.

S.18-168 **REPORT OF THE PRESIDENT**

The report of the President, detailed in Exhibit I, contained information about the following items:

- Provost's *ad hoc* Committee on Freedom of Expression update
- 90+ projects supported by NSERC
- Second town hall meeting scheduled for 2019-20 budget cycle
- Campaign impact more than doubles Western's endowment
- Western leadership update

In addition to his written report, the President also provided an economic update related to the new provincial government and ongoing financial uncertainties for the post-secondary sector. He suggested that budget contingency plans must be devised in order to maintain current programs. The Progressive Conservative government recently rolled back many of the Liberal government's initiatives including the cancellation of four satellite campuses.

S.18-169 **UNANIMOUS CONSENT AGENDA** [Exhibit II]

It was moved by M. Perruzza, seconded by R. Collins,

> That the items listed in the Unanimous Consent Agenda, Exhibit II, except item 2: Senate ad hoc Committee on Renewal – Report on Implementation of Recommendations, item 7: Policy Revision: Scheduling of Examinations and Responsibility for Printing, item 10: Undergraduate Sessional Dates: Faculty-specific Sessional Dates for 2019 and 2020 and item 12: Faculty Planning Guidelines be approved or received for information by Senate by unanimous consent.
>
> CARRIED

REPORT OF THE OPERATIONS/AGENDA COMMITTEE [Exhibit III]

S.18-170 **Revisions to the Senate Election Procedures**

It was moved by M. Milde, seconded by J. Hatch,

> That effective December 1, 2018 the Senate Election Procedures be revised as shown in Exhibit III, Appendix 1 (excluding *Section 7. Administrative Staff.)*

A Senator asked that *Section 7. Administrative Staff* be revised to specify from which staff groups the five members of the administrative staff will be selected when an *ad hoc* Nominating Subcommittee is struck. The President asked that the Senator provide the University Secretary with the details regarding this request and received Senate's agreement that Section 7. *Administrative Staff* be referred back to the Operations/Agenda Committee for further consultation.

The main motion, amended as noted, was called and CARRIED

S.18-171 **Notice of Motion regarding Senate Approval of the Freedom of Expression Policy**

Senate, at its meeting on October 19, 2018 received a Notice of Motion regarding Senate approval of the Freedom of Expression policy.

It was moved by A. Grzyb, seconded by M. McDayter,

> Whereas in response to a mandate from the Province, The University of Western Ontario, through a special task force appointed by the President and Provost, is currently drafting a Freedom of Expression policy, a draft copy of which has been forwarded to the University Senate; and
>
> Whereas Section 29 of the *University of Western Ontario Act* (the "Act") provides "The Senate is responsible for the academic policy of the University" and
>
> Whereas Section 30(e) of the Act provides that the Senate may "inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University;" and
>
> Whereas Section 30(f) of the Act provides that the Senate may "pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs"; and
>
> Whereas the Freedom of Expression policy pertains to the academic policies of the University, it affects the academic reputation or effectiveness of the University, and it is a matter connected with the administration of the University and the promotion of its affairs.
>
> Therefore be it resolved that it is the sense of the University Senate that the matter of the approval of the Freedom of Expression policy is within the jurisdiction of the Senate within the meaning of Sections 29, 30(e) and 30(f) of the Act.
>
> Be it further resolved that The University Senate will deliberate on the policy at its November meeting and convey the results to the Board of Governors.
>
> Be it further resolved as this matter falls within the concurrent jurisdiction of both the University Senate and the Board of Governors, in the event that the Board and Senate adopt different policies it is the sense of the Senate that a joint committee should be established which will seek to reconcile the positions for adoption of a unified policy

Speaking in support of the motion, A. Grzyb commended the Provost and his *ad hoc* Committee for their work on the policy and for the degree of consultation done during the process. She contended that the motion is not a power grab, that Senate has rights over academic policy. She stated it is within Senate's purview to approve the Policy on Freedom of Expression as it affects teaching, research and academic freedom. She raised concerns that the Board of Governors could revise the policy and wished to have a method in place to address such an occurrence. The government mandated that the speech policies must also bind student governments. This policy does not stipulate that.

A Senator said that the Act is clear about a number of grounds that fall within the jurisdiction of Senate and there is an implied obligation that the two bodies will act in good faith to reconcile their differences. A Senator suggested that there appears to be a gradual creep of the Board's power, given the recent matters considered by Senate, i.e., the library issue and the Intellectual Property policy. A Senator said this is a jurisdictional issue and the motion recognizes the issue of a collegial relationship between the two governing bodies.

A Senator raised a question about the scope of the freedom of expression policy in terms of its

integration with other policies and it was advised that staff of the University are included in this policy.

One Senator spoke against the motion raising a number of concerns, including that it pre-supposed that there would be opposition from the Board. The Senator also noted that Senate could not itself decide its jurisdiction by a vote, ultimately that could only be decided by a court. The Senator stated, that prior advice to Senate had been that the policy fell within the jurisdiction of the Board.

Senators asked if the Board makes changes to the policy at its November meeting, how would Senate be given an opportunity to address any changes. The Chair advised that Senate could consider any revisions to the policy at its December 7 meeting. The motion puts into place a potential resolution mechanism should one be needed.

The question was called and CARRIED.

S.18-172 **Report of the Provost's *ad hoc* Committee for Freedom of Expression**

As a result of Senate's approval of the Notice of Motion (above), the motion regarding the Policy on Freedom of Expression was revised (shown in italics).

It was moved by M. Milde, seconded by A. Grzyb,

> That Senate *approve* the Policy on Freedom of Expression, as shown in Exhibit III, Appendix 2, and recommend approval of the Policy on Freedom of Expression by the Board of Governors.
>
> CARRIED (Unanimously)

S.18-173 **Senate *ad hoc* Committee on Renewal – Report on Implementation of Recommendations**

Senate received for information the Senate ad hoc Committee on Renewal – Report on Implementation of Recommendation, detailed in Exhibit III, Appendix 5. Senators raised questions regarding Section II. *Representation on Senate, items i. and ii*., that is, increasing representation on Senate. M. Milde, Chair of the Operations/Agenda Committee reiterated that opening the UWO Act such that the minimum rank of "academic staff" eligible for Senate membership be broadened to include lecturers, assistant, associate and full librarians was not advisable at this time.

To respond to a question about increasing the number of seats for administrative staff, Senate granted speaking privileges to P. Eluchok, University Legal Counsel, who advised that upon an application by the Senate approved by at least two-thirds of the members of Senate, the Lieutenant Governor in Council may make regulations varying the number of administrative staff seats. Counsel has contacted the Lieutenant Governor's office about process but has not had a response.

S.18-174 **Information Items Reported by the Senate Operations/Agenda Committee**

Exhibit III, Report of the Senate Operations/Agenda Committee, contained the following items that were received for information by unanimous consent:

- Senate Discussion Session and Social Event
- Senate Election Schedule for Spring 2019

REPORT OF THE SENATE COMMITTEE ON ACADEMIC POLICY AND AWARDS [Exhibit IV]

S.18-175 **School of Graduate and Postdoctoral Studies: Revisions to the MESc and PhD Graduate Programs in Mechanical and Materials Engineering**

It was moved by M. Perruzza, seconded by R. Collins,

That the Mechanical and Materials Engineering MESc and PhD Graduate Programs be revised as shown in Exhibit IV, item 1, effective September 1, 2019.

CARRIED (By Unanimous Consent)

S.18-176 **Affiliated University Colleges: Introduction of the BMOS Internship Program**

It was moved by M. Perruzza, seconded by R. Collins,

That effective September 1, 2018, the BMOS Internship program be introduced in Brescia, Huron and King's University Colleges as shown in Exhibit IV, Appendix 1.

CARRIED (By Unanimous Consent)

S.18-177 **Introduction of New Subject Areas: "Biomedical Engineering" and "Information and Media Studies"**

It was moved by M. Perruzza, seconded by R. Collins,

That the new subject area "Biomedical Engineering" be introduced into the undergraduate offerings of the Faculty of Engineering, and included in Category C for Breadth Requirements for Graduation, effective September 1, 2018, as shown in Exhibit IV**,** Appendix 2, and

That the new subject area "Information and Media Studies" be introduced into the undergraduate offerings of the Faculty of Information and Media Studies, and included in Category A for Breadth Requirements for Graduation, effective September 1, 2018, as shown in Exhibit IV, Appendix 2.

CARRIED (By Unanimous Consent)

S.18-178 **Scheduling of Examinations and Responsibility for Printing**

It was moved by J. Hatch, seconded by A. Chant,

That the "Scheduling of Examinations and Responsibility for Printing" policy be revised effective January 1, 2019 as shown Exhibit IV, Appendix 3.

Given the concerns raised by Senators about scheduling Sunday exams the Chair of SCAPA referred the recommendation back to SCAPA for further consideration.

S.18-179 **Faculty-Specific Undergraduate Sessional Dates for 2019 and 2020**

Responding to a Senator's question about incorporating the Fall Reading week into the faculty-specific undergraduate sessional dates, J. Hatch, Chair of SCAPA, replied that SCAPA and Senate do not have jurisdiction over professional faculty sessional dates and recommended that the Senator contact the faculty with concerns.

S.18-180 **Information Items Reported by the Senate Committee on Academic Policy and Awards**

Exhibit V, Report of the Senate Committee on Academic Policy and Awards, contained the following items that were received for information by unanimous consent:

- Structure of the Academic Year Policy – Scheduling Spring Convocation
- Revised Undergraduate Sessional Dates for 2019
- New Scholarships and Awards

REPORT OF THE SENATE COMMITTEE ON UNIVERSITY PLANNING [Exhibit V]

S.18-181 **Faculty Planning Guidelines**

Senate received for information the Faculty Planning Guidelines detailed in Exhibit V.

An Official Observer drew Senate's attention to the statement contained at the bottom of page 2 of the guidelines: "the initial 3% annual budget reduction – required to cover the costs of negotiated employee compensation increases, which are funded centrally" and noted that this could be perceived as covering salary increases. The Provost said that the initial budget reduction is a planning/strategy tool that is used to cover a number of inflationary costs and is not linked with remuneration. In addition, R. Chelladurai, Associate Vice-President (Planning, Budget & Information Technology), provided brief remarks regarding the budget planning process noting the uncertainties associated with external funding.

Given the concerns raised, the Provost agreed to reword that statement in future planning documents.

S.18-182 **REPORT OF THE ACADEMIC COLLEAGUE** [Exhibit VI]

The Report of the Academic Colleague, detailed in Exhibit VI, was received for information.

S.18-183 **ANNOUNCEMENTS AND COMMUNICATIONS** [Exhibit VII]

Announcements and Communications, detailed in Exhibit VII, was received for information.

S.18-184 **New Canada Research Chairs**

Responding to a Senator's concern regarding the gender inequity of the recent announcement of the new and renewed Canada Research Chairs, J. Capone, Vice-President (Research) said that the Minister established an action plan in May 2017 to increase equity, diversity and inclusion. The Ministry responsible for the CRC program is committed to research excellence and equity. J. Capone said that the results of the competition are related to the pool of applicants and that it takes time for long term changes.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

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A. Chakma
Chair

K. Kwan
Secretary