



MINUTES OF MEETING #8 (2008-09)

SENATE GOVERNANCE COMMITTEE

WEDNESDAY, MARCH 11, 2009, 3:00 PM

SANKEY CHAMBER, MACKENZIE CHOWN COMPLEX

PRESENT: Professor Rick Cheel (Chair), Professor Tansu Barker,
Mr. Patrick Beard, Professor Irene Blayer, Dean Ian Brindle,
Professor Maureen Connolly, Dr. Greg Finn, Mr. Mike Farrell (Recorder),
Mr. Rob Lanteigne, Dr. Jack Lightstone, Ms. Laurie Morrison,
Professor Stan Sadava, Professor Susan Sydor

ALSO

PRESENT: Professor John Lye (for agenda item #2)

REGRETS: Mr. Joseph Brown, Dean Rosemary Hale, Professor Michael Plyley

1. Approval of Minutes

The minutes of the Senate Governance Committee (2008-09) meetings #6 and #7 held January 28 and February 11, 2009 were circulated prior to the meeting.

MOVED (Sydor/Barker)

That the minutes of the Senate Governance Committee (2008-09) meetings #6 and #7 held January 28 and February 11, 2009 be approved.

CARRIED

4. Honorary Degree Nominations – *in camera*

The Committee agreed to consider Agenda Item #4 at this time.

Professor Cheel noted that a motion was required to move ***in camera***.

MOVED (Brindle/Connolly)

That the Governance Committee move *in camera*.

CARRIED

The Committee moved ***in camera*** at 3:06 p.m.

The Committee resumed **open session** at 4:05 p.m.

[During the *in camera* session, a confidential report regarding Honorary Degree Nominations dated March 11, 2009 was distributed to the Committee. A confidential discussion was held regarding the Honorary Degree nominations received and the Committee approved recommendations to forward to Senate for its consideration. Following the discussion, the confidential reports were returned to Mr. Farrell.]

2. Academic Program Reviews

- a) Great Books/Liberal Studies
- b) Visual Arts
- c) Modern Languages, Literatures and Cultures

Professor John Lye, Associate Dean, Student Affairs and Curriculum, Faculty of Humanities, was in attendance to answer questions and to provide background regarding the Academic Program Reviews.

The responsibilities of the Governance Committee for Academic Program Reviews are outlined in Section III: 20 of the Faculty Handbook. The Committee is to confirm that all review procedures have been followed or identify where they have not.

The Committee agreed that all review procedures had been followed and the following motion was presented.

MOVED (Sydor/Blayer)

That the Governance Committee recommend to Senate that the Academic Program Reviews of the Departments of Great Books/Liberal Studies, Visual Arts, and Modern Languages, Literatures and Cultures be accepted.

CARRIED

Professor Lye retired from the meeting.

3. Confidentiality of Academic Review Documents

The Committee reviewed the memo from Mr. Beard, *Confidentiality of Academic Reviews Documentation*, dated March 5, 2009, which was circulated with the agenda materials. The memo was drafted in response to a request by the Committee during its meeting held January 28, 2009 that Mr. Beard provide advice/guidance as to whether the various documents which come to the Committee as part of the review process should be treated as confidential.

The Committee discussed the confidentiality of the various review documents and the need to protect the information related to any personnel issues or other matters that may identify individuals. Following discussion, Mr. Beard was asked to prepare a report based on the recommendations in the memo that would indicate the appropriate amendments to Faculty Handbook III: 20 required to implement the changes.

The recommendations in the March 5, 2009 memo are as follows:

1. That all future self studies be considered confidential to the Dean, the reviewers and members of the Senate Governance Committee.
2. That, as at Toronto, future reviewers be asked to submit, if warranted, a two-part report. Recommendations and comments relating to personnel issues or other matters specifically involving individuals would be provided on a confidential basis, but all other parts of the reports would be public documents.
3. That unit responses be treated in the same manner as the reviewers' reports – public documents but with allowed confidential sections on any confidential comments or recommendations.
4. That these recommendations, if accepted, be implemented with the reviews commencing in 2009-10.

MOVED (Sydor/Blayer)

That Mr. Beard draft, for review by the Governance Committee, the appropriate amendments to Faculty Handbook III: 20 required to implement the changes recommended in the March 5, 2009 memo to the Committee.

CARRIED

5. Eligibility of Associate Deans to be elected to Senate

Professor Cheel noted that the Committee would continue its discussion from the meeting held on January 28 in which Professor Carol Merriam, President, Brock University Faculty Association, attended to outline the position of BUFA and to answer questions as outlined in her memo of January 22, 2009. In the memo, she requested that the Committee reconsider the position of Associate Deans as elected faculty representatives to the University Senate.

The Committee discussed the eligibility of Associate Deans in the context of clarifying their administrative/academic responsibilities, eligibility as defined by the *Brock University Act* and the arguments presented in a legal opinion. A legal opinion regarding Senate membership was initially received by the Committee in 2005 for a discussion on eligibility and the composition of Senate. On November 16, 2005, on the recommendation of the Governance Committee, Senate approved Associate Deans as eligible to stand and to serve on Senate and amended the Faculty Handbook to be consistent with the *Brock Act*.

The Committee considered the matter with respect to the relevant Articles of the *Brock Act*.

Article 1 g) of the *Brock University Act* states that "teaching staff includes professors, associate professors, assistant professors, lecturers, associates, instructors, demonstrators and all others engaged in the work of teaching or giving instruction or in research;"

Article 12 c) a) of the Act states the composition of Senate to include “such number elected by and from the full time teaching staff as shall always constitute a majority;

Article 12 d) states that the composition of Senate can include “such other persons elected or appointed as the Senate determines.”

Following discussion, the Committee agreed, as bound by congruency with the *Brock Act*, that Associate Deans should remain eligible to be elected to Senate with respect to the definition of full-time teaching staff and being engaged in the work of teaching or giving instruction or in research. The decision is supported by the legal opinion received. The criterion for full-time teaching staff is not linked to being a member of the bargaining unit according to the *Brock Act* and legal opinion. Under the definition of full-time teaching staff within the legal authority of the *Brock Act*, Associate Deans are not excluded from eligibility to be elected to Senate.

The Committee would report on its position during the next meeting of Senate. Professor Cheel and Mr. Farrell would draft a report for Senate as an information item.

6. Organizational nomenclature review

This agenda item would be considered during the next meeting of the Committee.

7. Other business

There was no other business.

8. Adjournment

The meeting adjourned at 5:10 p.m.