



The UNIVERSITY of WESTERN ONTARIO

MINUTES OF THE MEETING OF SENATE

June 20, 2003

The meeting was held at 1:30 p.m. in Room 1R40, Richard Ivey School of Business.

SENATORS: 59

T Adams	J. Haywood-Farmer	S. Osborn
C. Antolak	C. Herbert	R. Parks
M. Bartlett	V. Hollick	A. Pearson
C. Beynon	R. Howse	A. Percival-Smith
S. Brennan	I. Hramiak	C. Piper
E. Cairns	M. Huston	A. Pitman
T. Carmichael	D. Kneale	S. Radcliffe
M. Carroll	K. Kuo	C. Seto
R. Darnell	F. Longstaffe	S. Singh
P. Davenport	R. Lumpkin	E. Skarakis-Doyle
P. Dean	S. Majhanovich	P. Skidmore
J. Doerksen	A. Margaritis	C. Smart
J. Etherington	R. Martin	M. Speechley
C. Farber	D. McCarthy	B. Timney
W. Flintoff	G Moran	S. Usprich
M. Fong	G. Nakhla	J. Van Fleet
T. Fulton	J. Nash	L. Vaughan
J. Garland	M. Ninness	J. White
C. Hall	J. Nisker	L. Williams
J. Harrington	K. Okruhlik	

Observers: L. Gribbon, D. Jameson, K. McQuillan, A. Weedon

S.03-111 Minutes of the Previous Meeting

The minutes of the meeting of May 16, 2003, were approved with the inclusion of P. Yeoman in the list of Observers in attendance.

S.03-112 REPORT OF THE PRESIDENT

The President reported on preliminary enrolment figures for Western and all Ontario universities, the Quality Assurance Fund and mandatory retirement. Slides used to highlight his presentation are attached as [Appendix 1](#).

Dr. Davenport agreed to present the admission average data relative to Ontario universities when available.

S.03-112a Mandatory Retirement

Dr. Davenport provided his view on mandatory retirement. He stated that he agrees with the position taken by the Supreme Court in the Dickson case at the University of Alberta and the MacKinnon Case at the University of Guelph. The Court found, given the special labor relations situation at universities, given the importance of tenure to university teaching and research, and endorsement of tenure, that mandatory retirement is reasonable and justifiable in that context. The Court's decision examined in depth the importance of tenure in a research university. Tenure transforms itself into a special kind of labor relations at universities which leads to a special kind of evaluation each year, done by peers. Tenure provides job stability that is seen as important for individuals on life-time research programs in areas that may not be of great interest to the society around them or that may be of very uncertain outcome.

Dr. Davenport informed Senate that he will urge leaders of all three political parties to find a way to either exempt universities from the legislation or delay its application to universities. In the United States the application of the legislation to universities was delayed for seven years. Faculty renewal plans would be reduced if the policies on mandatory retirement are abolished.

Professor Carroll stated that Bill 68 does not exempt universities. Section 4 of the Bill states that the Bill will not apply to collective agreements in force on May 29th. The Board ratified UWOPA's collective agreement on May 23rd. He sought clarification on the following issues: (1) Given the implementation date of the Bill in its current form which is January 2005, has Western made contingency plans for the possibility that the Bill will pass in its current form and if so what are the plans? (2) Will the administration seek legal advice as to whether or not the Bill, should it pass in its current form, will or will not apply to faculty at Western who plan to retire in 2005-06?

Dr. Weedon stated that if Bill 68 passes in its current form through the Legislature it is understood that the collective agreement which lasts until June 30, 2006, trumps the Bill until that point. At that point, on July 1, 2006, Bill 68's terms would come into effect. Dr. Weedon explained that it is difficult to make contingency plans regarding Bill 68 because the impact of the Bill will be on plans made for faculty renewal which in turn assumes that mandatory retirement remains in effect. The tenure system results in long serving employees. After retirement at age 65, a professor can remain employed by mutual agreement. If mandatory retirement at universities is abolished, a significant number of faculty could stay on for many years after age 65. If their salary on average is 50% more than the starting salary of a young professor, then for every two professors who stay on after age 65, three young professors cannot be hired.

OPERATIONS/AGENDA COMMITTEE [Exhibit I]

S.03-113 **Senate Membership: Faculty Constituencies**

On behalf of the Operations/Agenda Committee, it was moved by A. Pearson, seconded by C. Seto,

- (1) That the Senate seat held by Rod Beaujot, elected representative to Senate for the Faculty of Social Science constituency, be declared vacant as a result of his resignation, and,

That Nancy Rhoden (History) be elected to complete Professor Beaujot's term (July 1 to October 31, 2003).

- (2) That the Senate seats held by Carroll Iwasiw and Craig Hall, elected representatives to Senate for the Faculty of Health Sciences constituency, be declared vacant as a result of their resignations, and,

That Cathy Ward-Griffin (Nursing) and Karen Danylchuk (Kinesiology) be elected to complete the terms of Professors Iwasiw and Hall (July 1 to October 31, 2003).

CARRIED

S.03-114 **Nominating Committee Membership**

The following were elected to the Senate Nominating Committee: S. Singh (term to November 2004) and K. Robineau (Alternate) (term to November 2003).

S.03-115 **Undergraduate Program Reform: Approval Authority for Transition of Programs**

It was moved by A. Pearson, seconded by J. White,

That Senate approve that the transition from Honors and General program offerings to Honors Specialization, Specialization, Major and Minor modules (which come into effect September 1, 2004), be approved by the Subcommittee on Undergraduate Program Reform (SUPR) for recommendation to and approval by the Senate Committee on Academic Policy and Awards (SCAPA) and that Senate be informed of the changes.

Dean Timney explained that while the roles of SCAPA and DAP are clear the transition of the undergraduate programs from Honors and General to Honors Specialization, Specialization, Major and Minor modules appeared to fall between the two committees. SCAPA considered this and on November 16, 2001, reported to Senate the process to be used by the Subcommittee on Undergraduate Program Reform (SUPR) in its reports to SCAPA (details of new modules for approval) and Senate (a list of approved modules, for information, the details of which would be available on the web) ; this process was not challenged by Senate at the time.

Dean Timney stated that the last SUPR meeting is planned for July 8th. Afterwards SCAPA will approve any remaining submissions for program changes which are regarded as transitional. He clarified that SCAPA approves, for recommendation to Senate, “the establishment of new programs and the discontinuation of existing programs” but changes to courses and programs are handled by the Deans: Academic Programs (DAP).

The question was called and CARRIED

S.03-116 **Candidates for Degrees and Diplomas**

On behalf of the Senate (S.96-124), the Provost approved the list of Candidates for degrees and diplomas to be awarded at Spring Convocation 2003, as recommended by the Registrar. The list of candidates is appended to the Official Minutes of this Senate meeting.

S.03-117 **Order of Convocation for Fall 2003**

The Order of Convocation for Fall 2003, detailed in Exhibit I, information item 2, was received for information.

COMMITTEE MEMBERSHIP [Exhibit II]

S.03-118 **Electoral Board for Chancellor**

The following were elected to the Electoral Board for Chancellor: T. Garrard, I. Holloway, M. Lennon, S. Singh, L. Williams.

S.03-119 **Operations/Agenda Committee (OAC)**

Professor R. Corless was elected to the Operations/Agenda Committee to complete the term of I. Brodie who has resigned (term to November 2004).

S.03-120 **Senate Committee on Academic Policy and Awards (SCAPA)**

The following were elected to SCAPA: P. Dean (term to December 31, 2003), G. Leckie (Alternate/term July 1, 2003, to June 30, 2004) and C. Chapman (term to December 31, 2003).

S.03-121 **Senate Committee on Information Technology and Services (SCITS)**

The following were elected to SCITS: S. Brennan, L. Kari,(terms July 1, 2003, to June 30, 2006), M. Katchebaw (Alternate/term July 1 to December 31, 2003) and J. Foster (term July 1, 2003, to June 30, 2004).

S.03-122 **University Research Board**

The following were elected to the University Research Board: E. Stewart (term July 1, 2003, to June 30, 2004), D. Laird and J. White (terms July 1, 2003, to June 30, 2006).

S.03-123 **Subcommittee on Research Ethics Policy (SUREP)**

The following were elected to SUREP: B. Hoffmaster (term to June 30, 2004), J. Nisker (term July 1, 2003, to June 30, 2005), and L. Williams (term to June 30, 2004).

S.03-124 **McIntosh Gallery Committee**

C. Nolan was elected to the McIntosh Gallery Committee to complete the term of Professor A. Lee who has resigned (term July 1, 2003 - May 2004).

S.03-125 **University Planning (SCUP)**

The following were elected to SCUP: J-L Suarez (term July 1, 2003, to June 30, 2006) and D. White (term July 1, 2003, to June 30, 2004).

S.03-126 **Teacher Education Advisory Committee**

M. Lennon was elected to serve on the Teacher Education Advisory Committee for a three-year term (June 2003 - June 2006).

S.03-127 **Council of the Faculty of Information and Media Studies: Representative from the General Community**

J. Etherington was elected to represent the general community on the Council of the Faculty of Information and Media Studies (term to June 30, 2005).

ACADEMIC POLICY AND AWARDS [Exhibit III]

S.03-128 **Renaming The University of Western Ontario Award for Excellence in Teaching by Part-Time Faculty**

On behalf of SCAPA, it was moved by B. Timney, seconded by C. Farber,

That The University of Western Ontario Award for Excellence in Teaching by Part-Time Faculty be renamed, the “Angela Armitt Award for Excellence in Teaching”, and that the Guidelines for the Award be revised as highlighted below:

The Angela Armitt Award for Excellence in Teaching

In 1989-90, the award for excellence in teaching by part-time faculty was established at Western, to be awarded based on evidence of continued outstanding contributions to the academic development of students.

All part-time* members of faculty of the University and its Affiliated Colleges are eligible for nomination for the award.

No more than one award will be made annually. The award recipient will receive a medal and commemorative scroll which will normally be presented at the appropriate Spring Convocation. In addition, his/her name will be inscribed on a plaque which will be displayed in a prominent location in the University.

In 2003, the award was renamed in honor of Angela Mary Armitt (BA ‘36, MA ‘67, LLD ‘87), a champion of life-long learning and Western’s first Dean of the Faculty of Part-Time and Continuing Education. In addition to her honorary degree from Western in 1987, York University had also conferred a Doctor of Laws upon her in 1975 as “one of education’s best ambassadors.” A much loved administrator, she was dedicated to helping others achieve their university degrees and she travelled to the many extension centres where adult students were able to work towards a university degree on a part-time basis. She described herself as, “the first travelling saleswoman extolling the virtues of a degree from Western.”

* For the purposes of this award a part-time faculty member is one who held an academic appointment to teach at least one degree-credit course offered by Western or an Affiliated College during the academic year (September 1 through August 31) preceding nomination and was not a regular full-time faculty member, visiting faculty member, graduate teaching assistant or previous award recipient.

CARRIED

S.03-129 **MSc(OT) to Replace the MCISc for Occupational Therapy Students**

It was moved by B. Timney, seconded by E. Skarakis-Doyle,

That effective September 1, 2003, the degree designation “Master of Science (Occupational Therapy)” be introduced by the Faculty of Graduate Studies, and that the use of the Master of Clinical Science designation be discontinued for all Occupational Therapy degrees.

CARRIED

S.03-130 **Terminology/Description of Academic Performance**

It was moved by B. Timney, seconded by E. Cairns,

That the term “PWD”, meaning “pass with distinction, for courses designated as “pwd/pass/fail” be included in the Policy on Terminology/Descriptions of Academic Performance for use in Marks/Grades for Undergraduate Students.

TERMINOLOGY/DESCRIPTIONS OF ACADEMIC PERFORMANCE (S.1575, S.1718.2)

The following terminology will be used for undergraduate courses in Arts, Business, Education, Engineering, Science, Health Sciences, Information and Media Studies, Music, Science, Social Science, and the Affiliated Colleges: Brescia, Huron, King's. Instructors shall enter one of the following on the official record of final student evaluation for each student:

specific mark or grade
INC incomplete
IPR in progress, applicable only to graduate studies

and one of the following shall be entered on the Student Report for each course:

specific mark (if above 49%) and grade
AUD audit
INC incomplete
SPC special exam
SUP supplemental exam, in faculties that offer supplemental privileges
WDN withdrawn, if withdrawal is without academic penalty
PAS pass, for course designated as pass/fail
FAI fail, for course designated pass/fail
PWD pass with distinction, for courses designated as pwd/pass/fail in Faculties that offer this designation

This regulation applies also to the mid-year examination period.

CARRIED

S.03-131 **Report on Scholarships and Awards**

SCAPA has approved on behalf of the Senate the terms of reference for the following new scholarships and awards for recommendation to the Board of Governors through the Vice-Chancellor:

Chisholm Doctoral Scholarship (Faculty of Graduate Studies, Business Administration)
Merrill Lynch Canada HBA Award (Richard Ivey School of Business)
Merrill Lynch Canada MBA Award (Faculty of Graduate Studies, Business Administration)
Dan Family BACS Scholarship (Faculty of Social Science, Administrative and Commercial Studies)
Dr. Cindy M. Hutnik Award (Faculty of Medicine & Dentistry, Medicine)
Torys LLP Award in Business Law (Faculty of Law)

Marguerite Torney Scholarship (Faculty of Arts, English)
HBA 2003 IPO Award (Richard Ivey School of Business)
Senior Award in Paediatrics (Faculty of Medicine & Dentistry, Dentistry)
SWORM Award for Excellence in Rural Medicine (Faculty of Medicine & Dentistry, Medicine)
Osler, Hoskin & Harcourt Award in Tax Law (Faculty of Law)
Osler, Hoskin & Harcourt Award in Corporate Finance (Faculty of Law)
Norshield Financial Group Scholarship (Faculty of Social Science, Administrative and Commercial Studies)
Wildeboer Rand Thomson Apps & Dellece Award in Business Law (Faculty of Law)
HBA '77 Continuing Scholarship (Richard Ivey School of Business)
USC Assistance Bursaries (Any Undergraduate Faculty)
Starcan Doctoral Scholarship (Faculty of Graduate Studies, Business Administration)
Warner Home Video Film Studies Award (Faculty of Arts, English)
Manjunath and Roja Pendakur South Asian Student Scholarship in Library and Information Science (Faculty of Graduate Studies, Library & Information Science)
Manjunath and Roja Pendakur South Asian Student Scholarship in Journalism (Faculty of Graduate Studies, Journalism)
Manjunath and Roja Pendakur South Asian Student Scholarship in Media, Information and Technoculture (Faculty of Information and Media Studies)
Society of Graduate Students Bursaries (Faculty of Graduate Studies)
Thomas F. McCracken Scholarship (Faculty of Arts, English)
Tom Bailey MBA Award (Faculty of Graduate Studies, Business Administration)
The Carruthers Foundation Accessibility Award (Faculty of Medicine & Dentistry, Medicine)
HBA '87 Awards (Richard Ivey School of Business)
Dr. Alexander Graham Accessibility Award (Faculty of Medicine & Dentistry, Medicine)
Teranet/Bar-eX Scholarship (Faculty of Law)
Canadian Institute of Steel Construction Award (Faculty of Engineering)

Professor Timney provided the following amendment (shown in italics) to the description of the Osler, Hoskin & Harcourt Award in Tax Law (Faculty of Law): “Awarded annually to a full-time second year Law *student in the Area of Concentration: Taxation* based on”

S.03-132

Undergraduate Program Reform: Programs Approved

SCAPA has approved on behalf of Senate, the transition of Honors and General program offerings to Honors Specialization, Specialization, Major and Minor programs, effective September 1, 2004, as listed below:

Faculty of Arts

Minor in Greek and Roman Archeology
Minor in Ethics
Minor in Philosophy of Science
Minor in Museology

Faculty of Arts, Brescia University College, King's College

Minor in English for Teachers

Faculty of Arts, King's College

Minor in Dramatic Literature

Faculty of Arts, Faculty of Social Science

Minor in Linguistics
Minor in Latin American Studies

Faculty of Science

Honors Specialization in Environmental Science
Major in Environmental Science
Specialization in Environmental Science
Minor in Environmental Science

Faculty of Science, Faculty of Medicine & Dentistry

Honors Specialization in Biochemistry
Specialization in Biochemistry
Minor in Biochemistry

Faculty of Social Science

Honors Specialization in Psychology - BA

Honors Specialization in Psychology - BSc
Major in Psychology
Minor in Psychology

Huron University College

Honors Specialization in Psychology - BA
Major in Psychology
Minor in Psychology

Brescia University College

Major in Psychology
Specialization in Psychology
Minor in Psychology
Minor in Foundations of Psychology

For Senate Members, detailed information is available on the University Secretariat Website:
<http://www.uwo.ca/univsec/SUPR>

UNIVERSITY PLANNING [Exhibit IV]

S.03-133 **King's University College at The University of Western Ontario**

On behalf of SCUP, it was moved by B. Skarakis-Doyle, seconded by R. Lumpkin,

That the Senate approve and recommend to the Board of Governors, through the Vice-Chancellor, that the Board of Governors of the University advise the Principal and Board of Governors of King's College that the University has no objection to the College adopting the name "King's University College at The University of Western Ontario" on the understanding that King's College/King's University College at The University of Western Ontario not seek to acquire the power to grant degrees.

CARRIED

Dr. Davenport clarified that the phrase "not seek to acquire the power to grant degrees" is included in the motion to parallel the resolutions used by Brescia College and Huron College when their names changed to Brescia University College and Huron University College, respectively. The name change reflects the need to resolve a communications challenge associated with the term "college", particularly after Brescia and Huron added "university" to their names.

S.03-134 **Report of the Task Force on Student Inter-University Athletics**

It was moved by B. Skarakis-Doyle, seconded by K. Okruhlik,

That Senate endorse and recommend to the Board of Governors, through the Vice-Chancellor, endorsement of the Report of the Task Force on Student Inter-University Athletics, May 2003, as accepted by the Council of Ontario Universities (Exhibit IV, Appendix 2).

CARRIED

Dr. Moran explained that Ontario universities wish to continue participating within the Canadian Interuniversity Sport (CIS) competitive structure, however, CIS rules and regulations permit scholarships linked to athletic ability alone, which Ontario universities oppose. Ontario universities

believe their primary role is education and that athletic awards should be granted on the basis of academic merit. Some CIS members support the idea of awarding scholarships based primarily on athletic performance. The Task Force on Student Inter-University Athletics reviewed the role and state of inter-university sport in Ontario with the objective of building and reaffirming majority consensus among OUA schools on common sport issues, including athletic awards for students.

The question was called and CARRIED.

ANNUAL REPORT

S.03-135 **Senate Committee on Information Technology and Services Annual Report 2002-2003**

Senate received for information the Annual Report of the Senate Committee on Information Technology and Services for 2002-2003, detailed in Exhibit V.

S.03-136 **REPORT OF THE ACADEMIC COLLEAGUE** [Exhibit VI]

The report of the Academic Colleague on the 266th meeting of the Council of Ontario Universities, detailed in Exhibit VI, was received for information. Topics discussed included the issue of diversity amongst universities and relations between universities and colleges given that colleges now offer associate/applied degrees and are becoming more involved in research. COU believes there is a need to differentiate universities from colleges.

S.03-137 **ANNOUNCEMENTS AND COMMUNICATIONS** [Exhibit VII]

Senate received for information the Announcements and Communications detailed in Exhibit VII.

ENQUIRIES AND NEW BUSINESS

S.03-138 **Faculty Dependent Scholarship Plan**

Professor Carroll stated that Canada Customs and Revenue Agency (CCRA) audited the Faculty Dependent Scholarship Plan in the tax years 2001 and 2002 and found the plan is in violation of tax laws. CCRA claims that the plan is a taxable benefit because entitlement is based on group membership. Western believes the plan is selective and involves a scholarship, therefore cannot be a taxable benefit. In early June, CCRA issued Western a letter about this matter with a request that a response be received in 30 days. He asked what the administration's response will be to CCRA.

Dr. Weedon reported that the University has yet to write the response regarding CCRA's audit but has retained the counsel of a tax lawyer to assist in its drafting. An extension to the 30 day deadline will be sought. The response will be written in collaboration with UWOFA and other employee groups affected by the audit which should be regarded as a proposition by the local tax office.

S.03-139 **UWOFA Collective Agreement - Insurance Provision**

Professor Carroll stated that the change in the Collective Agreement regarding out-of-country coverage to the insurance provisions is controversial. Out-of-country coverage which was previously unlimited is now restricted to \$200,000. Although Liberty Health is the carrier, ultimately Western is responsible should there be a significant judgement since the University is self-insured. In any given year Western can either make a profit or loss from the insurance if the payouts and administration charged by Liberty Health are less than the amount received in benefits. Professor Carroll asked, for each of the last five years, if the plan made a profit or loss.

Dr. Weedon explained that in order to show profit one needs revenue as well as expenses. Benefits are pure cost. Western's benefits, such as out-of-country extended health coverage, vision care, dental benefits, are costs covered by the University's operating budget. The benefit providers provide the benefit to employees of the University and bill for monies spent. That means that each year the University budget contains a projection of expenses of the benefits plans. This year the cost of benefits at Western is about 28.5% of the cost of salaries. The cost is calculated as a projection of what the benefits cost in the current year. If the benefit claims are less or more than that number an adjustment will be made in an expense line. There is no profit to be made. Out-of-country coverage is capped at \$200,000 per trip in an attempt to control that otherwise unlimited liability in the expense line of the benefits budget. The limit makes the out-of-country coverage benefit a less open-ended cost item. At other universities the out-of-country coverage applies only to faculty who are still employees, not retirees, as is the case at Western, and often the out-of-country coverage only applies to work related travel. At many other universities the cost of the benefit comes from employee contributions. The costs of extended health care coverage, dental and vision care, including out-of-country coverage in the last five years have varied from about \$9 million to close to \$15 million. In each of those years the projections have been within \$1 million of the total cost above or below the actual cost.

S.03-140 **Privacy of University E-Mail**

Mr. Etherington observed that recent legal proceedings have shown that electronic mail messages can be retrieved from the hard drives of personal computers, even though the sender deleted the message from the e-mail folders. He asked a number of questions concerning protocols in the University's server system. Can messages be retrieved after deletion? What guarantees of security does a user have that confidential information, such as exchanges about research, cannot be intercepted or retrieved by others after deletion? Are there techniques available to ensure final deletion of messages? Are e-mail messages in the UWO system being monitored, or can they be, and if so, by whom and for what purposes?

Dr. Davenport agreed to take these questions under advisement and to ensure an answer is provided to Senate at the September meeting.

ADJOURNMENT

The meeting adjourned at 2:55 p.m.

P. Davenport
Chair

J.K. Van Fleet
Secretary

President's Report to Senate

- Preliminary enrolment figures for Western and all Ontario universities
- Quality Assurance Fund

Dr. Paul Davenport June 20, 2003

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Total First-Year Enrolments at Western

	SUEPP Target	Projected Nov. 1	Projected - SUEPP
Main Campus	4,925	4,945	+20
Total UWO	6,595	6,685	+90

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Confirmations in Ontario on June 16, 2003

- Target set at May 2, 2003 Ministry – COU press conference: 70,000
- Confirmations on June 16: 71,913
- Expected registrants at official count in November, 2003: 70,000
- Percent of confirmations accepting an offer of admission from a first choice university: 46% in 2003, 49% in 2002.

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Quality Assurance Fund

- Announced in Ontario Budget:
 - \$75 million total in Ontario in 2003-04
 - To \$200 million in 2006-07
- Administration will seek Board approval to allocate \$3 million of the funds in 2003-04
 - \$1 million each to Faculties, Support Units, and Research support.
- Allocations conditional on Provincial approval of the expenditure of the Quality Assurance Fund.

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President's Report to Senate

- Preliminary enrolment figures for Western and all Ontario universities
- Quality Assurance Fund

Dr. Paul Davenport June 20, 2003

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