

ACADEMIC POLICY COMMITTEE (APC)
Minutes of Meeting

Date: Friday, September 28, 2012
Time: 10:32-12:00
Room: 215 Toldo

Committee Members: Dr. Rick Caron (Chair), Dr. Lorna deWitt, Dr. Ed King, Dr. Erika Kustra, Dr. Anna Lanoszka, Dr. Derek Northwood, Dr. Victoria Paraschak, Ms. Nadia Timperio, Dr. Bruce Tucker, Prof. Larry Wilson, Dr. Shuzhen Zhao.

Absent: Ms. Sandra Aversa, Dr. Marcello Guarini, Ms. Hagar Elsayed, Mr. Stephan Pigeon, Dr. Martha Reavley, Dr. Geri Salintri.

In Attendance: Ms. Renée Wintermute and Ms. Alison Zilli (University Secretariat).

Although items were not discussed in sequential order they do reflect the agenda order of business.

Formal Business

1 Approval of Agenda

Add: Item 6.2, *Acceptance of Exceptional Secondary Students in University Classes*

MOTION: That the agenda be approved.

Paraschak/Tucker
CARRIED, as amended

2 Approval of Minutes

MOTION: That the minutes of the meeting of May 10, 2012 be approved.

An editorial correction was made.

King/ Lanoszka
CARRIED, as amended

3 Business arising from the minutes

Nothing to report.

4 Outstanding business

Nothing to report.

Items for Information

5 Reports/New Business

5.1 Academic Policy Committee Mandate and Meeting Schedule

(See document APC110908-5.1 for more details.)

NOTED:

- Academic Policy Committee (APC) is charged with receiving and reviewing annual status reports from a number of academic areas and academic service areas on campus.
- Given that reports forwarded to Senate by APC serve to keep the University community informed on the issues and activities of numerous areas on campus, it is important for APC to have input into the information that is included in the report.
- Moving forward, presenters will be invited to attend APC, prior to the completion of their report so that members can provide suggestions, feedback and identify key issues to be incorporated in the various reports.
- A preliminary conversation between the presenters and APC will provide greater relevancy for Senate.

AGREED:

- That APC develop a series of needs-based questions that can be provided in advance to presenters while in the process of drafting their annual reports.

- That the annual reports from the 2011-2012 academic year be circulated to members for review. Leaders will be identified for each of the various reports and their task will be to review the report and provide feedback on information that should be included in future reports.
- The Chair will invite the presenters to attend the preliminary meetings on behalf of APC.

Items for Approval

5.2 Issues for Consideration

(See document APC120928-5.2 for more details.)

NOTED:

- Members were provided with an overview of the mandate of Academic Policy Committee (APC) as outlined in Senate Bylaw 3. Academic Policy Committee was created in 1998.
- Starred items will not be discussed during a scheduled meeting unless a member specifically requests that a starred agenda item 'unstarred' and therefore open for discussion/debate. Items, which are not 'unstarred' during the meeting, will be deemed received or approved.
- Given the importance of having full discussion at the APC level, the practice of not starring items will continue.
- The document was received for information.

5.2.1 Merging Student Committee and Academic Policy Committee (Background Information)

(See document APC120928-5.2.1 for more details.)

NOTED:

- Members were informed that Senate Steering Committee has charged the Bylaw Review Committee with reviewing the mandates and composition of the APC and the Student Committee with a view to finding efficiencies. Soliciting feedback on the question of whether it would be sensible to merge the two committees is part of the broad consultation process.
- The terms of reference and mandate for Student Committee and Academic Policy Committee overlap. The difference in terms of membership is that Student Committee has an additional student representative.
- Reviewing and revising the mandate of the Committee, coupled with being pro-active may be enough to shift the focus and to provide a new perspective that will revitalize the Committee.

MOTION: That the a Subcommittee, with the membership defined below, be struck to review the mandate and composition of the APC, including considering the question of merging with the Student Committee, and provide feedback to the Bylaw Review Committee for consideration.

Dr. Derek Northwood
 Dr. Rick Caron
 Dr. Anna Lanoszka
 Ms. Nadia Timperio
 Ms. Hagar Elsayed

Wilson/ Paraschak
CARRIED

5.3 Policy on University Access to Student Emails and Disclosure (Bylaw 33)

(See document APC120928-5.3 for more details.)

NOTED:

- The proposed *Policy on University Access to Student Emails and Disclosure* is modeled in part after the Lakehead Email Policy, with permission. (<http://policies.lakeheadu.ca/>).
- The University of Windsor has an informal practice in place where student emails are accessed only in circumstances deemed absolutely necessary. The authorization for this used to be through the Dean of Students, but is now through the Provost's office. Each request is reviewed on a case-by-case basis.
- Removing the Dean of Students from the process removes the conflict that he has had when people who report directly to him put forward a request to access emails.
- The intent of the policy is to ensure that reasonable measures are being taken to prevent unwarranted access to email records and to act in accordance with FIPPA.
- Given that there has been a growing increase in requests to access student emails, it was deemed

- appropriate to create a policy, particularly if questions of privacy and authority arise.
- The proposed policy will only pertain to student emails as Faculty/Staff issues are dealt with separately.
- Concern was raised regarding the issue that if authorization is given to open a student's email (student A), and this implicates another student or private information about another student is uncovered (student B), then how does the university address this in terms of legal ramifications and responsibility? In response, it was noted that a separate request would need to be authorized in order to view the email of student B. Authorization is not automatic and may not be granted. However, this would not negate the fact that the information has already been gleaned from student A.
- The phrase "*the University seeks to ensure that the content of accounts that are accessed for such purposes will not be opened during this process*" pertains to instances when Information Technology (IT) Services needs to access electronic holders accounts to maintain and improve the function of the system for maintenance purposes. For example, an email log could be viewed by IT, but not the actual contents of an email.
- A question was raised as to whether the University would report an act of criminal behaviour to the police if they discovered potential evidence while accessing a student's email. In response, it was noted that this issue has not arisen. However, if the police came to the University and requested that email access be provided for a particular student, then this would be dealt with in accordance with provincial law and with appropriate legal documentation from the police.
- In response to a question raised as to when the student would be notified under the proposed policy, it was noted that they would be notified after the email has been opened.
- Given that the University's underlying responsibility should be to protect the rights, personal information and privacy of students, it may be more appropriate to have the initial authorizer be a person who is looking out for the interest of students and/or who is unbiased (*i.e.*, judge). By having senior administrators be the primary authorizers, it may put them in a vulnerable situation leading to potential lawsuits. The question of whether anyone at the University has the legal authority to grant access to student emails was raised. This is a judicial power, which generally rests with the courts.
- In response to a question raised as to why the policy needs to include sections (b) and (c), it was noted that it is important to have a mechanism to view email in critical circumstances where there is probability that failure to act could result in bodily harm. The intent is to help protect students by intervening in extremely vulnerable or life threatening situations.
- The policy needs to be viewed alongside any legislation that may pertain to it.
- Currently the perspective of the University is that it owns the email system. The policy seeks to address the question of the University's right to access information stored in student emails in certain circumstances. The main objective is to put a policy in place that will protect students' rights.

MOTION: That the proposed policy on university access to Student emails be tabled.

King/Paraschak

CARRIED

AGREED:

- Members expressed concern about the authority of the University to access student emails, the broad provisions in the policy that would allow requests for access, the need for greater clarification regarding authorization/authorizing parties, and the importance of respecting and protecting privacy and personal information.
- Members are invited to provide written feedback to the University Secretariat. The Chair, together with the University Secretary, will meet with the Director of Legal Services/FIPPA Coordinator, the Associate Vice-President, Academic, and the Academic Integrity Officer who drafted the policy, to present APC's concerns and identify next steps.

5.4 Student Medical Certificate – Nurse Practitioner

(See document APC120928-5.4 for more details.)

MOTION: That medical notes or certificates be accepted if signed by a physician or a Nurse Practitioner.

Tucker/de Witt

NOTED:

- Given the new role of NPs providing primary care in Ontario, it is being proposed that medical notes be accepted if signed by a physician or Nurse Practitioner.
- This is in-line with policies at other universities.
- The scope of the practice of NPs includes prescribing and dispensing drugs, ordering x-rays and casting a fracture or dislocation of a joint.
- In some communities, NPs (not MDs) are the primary care providers.
- In response to a question raised as to whether a fee would be charged for the medical note by the Nurse Practitioner, it was noted that since they are salaried they would generally not charge fees, unless they are working under an organization that requires this.

CARRIED

5.5 New Beginning Policy – Revision

(See document APC120928-5.6 for more details.)

This item was deferred to the next meeting.

5.6 Undergraduate Calendar Policy - Revisions

(See document APC120928-5.6 for more details.)

This item was deferred to the next meeting.

5.7 Examination Booklets – Revision

(See document APC120928-5.6 for more details.)

This item was deferred to the next meeting.

Additional Business

6 Question period/Other Business

6.1 Class Size and Enrolment Management

NOTED

- A concern was raised pertaining to the issue that students are not being able enroll in courses even where there are enough seats in the classroom. The reason is that instructors put enrolment caps on the number of students that they want to teach.
- Students should be able to access necessary resources, including being able to get into courses that are not “technically” full.

AGREED

- This item will be placed on the upcoming agenda for discussion.

6.2 Acceptance of Exceptional Secondary Students in University Courses

MOTION: That a Subcommittee be struck, with membership defined below, to consider developing a policy accepting exceptional secondary school student into university courses.

Ms Charlene Yates
Dr. Phil Graniero
Dr. Ed King
Dr. Rick Caron
Ms. Nadia Timperio

Paraschak/Lanoszka
CARRIED

7 Adjournment

MOTION: That the meeting be adjourned.

Tucker/Kustra
CARRIED