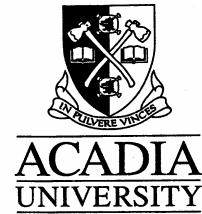


Office of the Senate Secretariat

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25 February 2009

Dear Member of Senate:

I advise you that a meeting of the Senate of Acadia University will occur **at 4:00 p.m., Monday, 9 March 2009** in BAC 132. The AGENDA follows:

- 1) Minutes of the Meeting of 9 February 2009
- 2) Announcements and Communications
- 3) Business Arising from the Minutes
  - a) Censure by Canadian Association of University Teachers (**089-65-MISC**) \*
- 4) New Business
  - a) By-Laws Committee - Terms of Reference of the Academic Integrity Committee & Conflict of Interest Policy (**089-64-LAW**) \*
- 5) Other Business

Yours sincerely,

ORIGINAL SIGNED

Rosemary Jotcham  
Registrar and Secretary of Senate

Items Carried Over/Tabled:

Faculty Development Committee - Endowed Chairs (**078-30-FAC**)

Guidelines for Memoranda of Agreement

Bursary Recommendations

Academic Integrity Committee - Acadia University Calendar Statement on Academic Integrity  
(**089-17-INT**) as per minutes of 14 Oct 08

FOR THE SENATE MEETING OF 9 MARCH 2009  
THE FOLLOWING IS MOVED BY P. Williams:

"Whereas censure by the CAUT will substantially undermine the ability of the Academic sector to fulfill its' mandate, Senate calls upon the Administration and Board of Governors to act with great urgency to resolve the dispute and avoid the imposition of censure."

**By-laws Committee  
March 9, 2009**

**Notice of Motions**

At the November, 2008 Senate meeting, a Conflict of Interest Policy (089-11-INT) was approved. This policy provides that appeals be made to the Academic Integrity Committee. Senate requested that the By-laws Committee expand the terms of reference of the Academic Integrity Committee to accommodate such appeals.

***Discussion***

After examining the membership and current mandate (reviewing, overseeing, and other procedures in respect to cheating and plagiarism) of the Academic Integrity Committee, the By-laws Committee does not believe that this Committee is the appropriate body to deal with appeals.

In the process of researching comparable policies of conflicts of interest at other universities, the Senate By-Laws Committee discovered that, although not perfect, these documents were much more thorough and specific in defining types of conflict of interest and in outlining the different procedures to address a variety of conflicts (please see excerpt from the Policy on Conflict of Interest from Dalhousie University appended to this motion). Our assessment is that other institutional policies have been crafted in a more comprehensive manner so as to protect members of the academic community by providing precise tools of definition and specific processes that respect the members of this community, while insuring the ethical standing of the institution. Our concern is that Acadia's policy lacks scope by concentrating on a narrowly defined scenario, and that it does not provide adequate procedures to address potential or actual conflicts of interest in domains that are not confined to teaching and student evaluations. In addition, the variety of conflicts of interest makes Senate a major partner in policy-making, but not the sole actor.

***Motions***

On this basis, the Senate By-Laws Committee moves

Motion 1:

- That the Conflict of Interest Policy approved at the November meeting of Senate be withdrawn.

Motion 2:

- that an ad-hoc university-wide committee be struck by the Vice President Academic to produce a thorough and specific conflict of interests policy affecting areas as diverse as research activities, financial contracts, business interests, and personal relationships;
- this university-wide committee include experts from different fields, including Senate representatives, to address the variety of conflicts of interest;
- the policy be submitted to Senate for its approval.

Respectfully submitted:

Patricia Corkum, Chair  
William Brackney  
Linda Lubsy  
Anne Quéma

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## **Appendix:**

### **(excerpt from the Policy on Conflict of Interest from Dalhousie University)**

#### **1. PREAMBLE**

To maintain public trust and confidence, Dalhousie University must act and be seen to act in accordance with its mission of serving community and society through education, research and professional service. The activities through which this mission is fulfilled are diverse – and increasingly so. More and more often, they entail interaction between the university’s members and other organizations – public and private; local, regional, national and international.

In this environment, it is inevitable that conflicts of interest will sometimes arise. The purpose of this policy is to set out a mechanism for identifying and addressing potential and actual conflicts of interest, so that the university’s constituencies can be confident that its decisions and actions are untainted by personal interests. It is the ethical and legal responsibility of everyone who acts on behalf of the university to ensure that decisions and actions which affect the university and those it serves are taken in the best interests of the university and are not influenced by personal interests. In this context, “personal interests” mean the personal, private or financial interests of a university member or a closely associated person or related business. A “closely associated person” means a person related by blood, adoption, marriage, or common law marriage (with a person of the same or the opposite sex) to the university member or a person (of the same or the opposite sex) with whom a university member has an intimate personal relationship.

This policy aims to minimize the occurrence of conflicts of interest and to manage them when they do arise. It does not necessarily prohibit activities which involve a conflict of interest, but rather requires full disclosure and attempts to ensure that a person with a conflict of interest does not decide whether the conflict of interest will be permitted to continue. The policy has three components:

##### **1.1 Recognition**

Conflicts of interest must be identified in order to permit their appropriate management. A conflict of interest arises from a particular situation. It does not arise from or reflect upon the character of the individuals involved.

##### **1.2 Disclosure**

Conflicts of interest and potential conflicts of interest shall be disclosed in accordance with this policy. In addition, any person who is aware or has reasonable grounds to believe that an undisclosed conflict of interest exists is required to report it.

##### **1.3 Resolution**

Conflicts of interest shall be resolved within a framework and with a procedure which attempt to ensure that the best interests of the university and its capacity to fulfill its mission are protected.

## 2. DEFINITION OF CONFLICT OF INTEREST

Conflict of interest situations take many forms. Examples include, but are not limited to, cases in which a university member:

- conducts a review, assessment or evaluation of a project or colleague, the outcome of which may affect the university member's personal interests.
- conducts or participates in a research project which may affect his or her financial interests or those of a related business.
- is party to a decision on the part of the university to enter into a contract that may affect a family member's financial interests.
- supervises a graduate or undergraduate student employed by a business in which the university member has a financial interest.
- grades work done by a student to whom the university member is related or with whom he or she has an intimate personal relationship.
- participates in a university recommendation or decision that affects the employment of a partner, spouse or other family member.
- uses university resources for private business purposes.
- uses information acquired in the course of university activities, which is not in the public domain, to advance their personal or financial interests or those of a related business.

In these examples, the personal interests of the university member may diverge or may reasonably be perceived to diverge from his or her obligations to uphold the university's mission and interests.

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