

Decisions of an Academic Character made during the COVID-19 pandemic

Submitted to Senate on September 8, 2020

Submitted by Tom Nault, University Registrar and Secretary of Senate

1.0 Introduction:

At the May 12, 2020, meeting of Senate the following motion was passed:

“That the Secretary of Senate review and document the processes for all decisions of an academic character made by the University during the period of the COVID-19 pandemic, and issue a report to Senate that includes recommendations on how to align University emergency response plans with academic governance norms and Section 56 of the Memorial University Act.”

Section 56 of the Memorial University Act outlines various responsibilities of Senate but the two responsibilities most pertinent to this report are subsection f. “to regulate instruction and to determine the method and limits of instruction” and subsection g. “to determine the conditions on which candidates shall be received for examination, to appoint examiners and to determine the conduct of all examinations”.

1.1 Acronyms Used:

EOC-Emergency Operations Centre

EMP-Emergency Management Plan

EPG-Executive Policy Group

PPC-Pandemic Preparedness Committee

SCUGS-Senate Committee on Undergraduate Studies

2.0 Background:

2.1 Chronology

1. March 5, 2020 – University established the Pandemic Preparedness Committee (PPC) with eight committees. See appendix 1 for full listing of committees
2. March 13, 2020 – University established the Emergency Operation Centre (EOC) and ended the PPC
3. March 25, 2020 – EPG recommendation to transition back to normal operations- Meaning decisions of an academic character return to going through existing academic governance processes
4. April 2, 2020 – Formal restructure of EOC with all academic and research decisions outside EOC returning to normal decision-making process. Most administration operations also transition out of EOC. EOC mandate restricted to health and safety issues on MUN properties. Meeting frequency reduced to once per week.
5. May 7, 2020 – University suspends the EOC

On March 5th, 2020, Memorial established a Pandemic Preparedness Committee (PPC) under the direction of the Chief Risk Officer that had overarching responsibility for managing the response to a possible pandemic related to SARS-CoV-2, commonly referred to as COVID-19. Eight committees¹ were established to report to the PPC. This was a similar approach taken in response to the H1N1 pandemic in 2009-2010.

As the situation rapidly evolved around the world, Memorial determined that the threat posed by COVID-19 should be categorized as a level 3 emergency under Memorial’s Emergency Management Plan² and an Emergency Operations Centre was established. A level 3 threat “critically affects life and safety, university infrastructure, academic programs, research, administrative operations, environment and/or reputation.”

¹ For details: <https://www.mun.ca/covid19/news.php?id=13110&type=news>

² Full Emergency Management Plan is available at:

http://www.mun.ca/emergency/emergencyplans/EMP_St_Johns_FINAL_May_2016.pdf

With the establishment of the EOC on March 13th the PPC ceased operations. Where possible, work already completed by the PPC was utilized within the EOC structure. It is also important to note that the structure of the EOC can vary slightly depending on the nature of the emergency and when the EOC is extended the structure and membership may also change. A visualization of the EOC structure used for the pandemic, is provided in appendix 2.

The EOC operated from March 13th – May 7th but may be reactivated if there is a substantive change in the pandemic within the university or the province. This report addresses decisions of an academic character made by the University during this two-month period.

2.2 Emergency Management Plan

Memorial maintains a comprehensive Emergency Management Plan (EMP) for each Memorial campus as required by the Emergency Management Policy approved by the Board of Regents in May 2011. The established EOC for COVID-19 utilized the St. John's campus EMP for institutional and St. John's specific issues. Grenfell Campus and the Marine Institute also activated their EMPs to manage issues local to their environment. The EMP notes the importance of academic continuity as well as continuity of operations and identifies Senate in two locations (6.4.2 Organization Structure -- Executive Policy Group and 7.3 Recovery – Operational Impact). However, both mentions are referenced without consideration for the structure or complexity of Senate, especially in an environment when rapid decision making is necessary.

Academic continuity is framed more within the context of individual faculties/schools and programs maintaining their continuity plans. This may be practical in areas where programs are mostly self-contained like the MD program within the Faculty of Medicine or graduate programs, but it is not practical for undergraduate programs where students may be taking courses across multiple academic units, across campuses (i.e., St. John's, Grenfell) or modalities (in-person and online). Consideration should be given to the development of academic continuity plans at the level of study (i.e., undergraduate, graduate) to ensure appropriate coordination. These would not replace unit level academic continuity plans, but would serve to supplement them. Efforts should be made to ensure academic staff are engaged in academic elements of the continuity plans.

2.3 Academic Subcommittee

An Academic Subcommittee was formed under the EOC and membership details can be found in appendix 3. This group was repurposed from the Academic Subcommittee under the PPC. Initially, there was confusion about the role of the Academic Subcommittee as it did not fit into the EOC structure as defined within the Emergency Management Plan. Some of the issues the Academic Subcommittee focused on spanned the roles of the Planning and Operations groups in the EOC structure. The Academic Subcommittee focused on a range of issues including academic accommodations, absenteeism monitoring, student placements and impacts on student enrolment. The Subcommittee made recommendations that were reported to the EOC, and where applicable recommendations flowed to the EPG, SCUgS or Academic Council of Graduate Studies.

Consideration should be given to how academic recommendations and decisions are made through the EOC. The route for academic decisions should be clearly defined with the Emergency Management Plan, and where possible, existing or modified structures of Senate should be used to make decisions of an academic character. This may include forming an academic group that is comprised of membership from SCUgS, the Senate Committee on Teaching and Learning and the Academic Council of Graduate studies.

The role of the academic group should be clearly understood including where recommendations should go and who should approve recommendations.

2.4 The Role of the Executive Committee of Senate

In the Terms of Reference for the Executive Committee of Senate, this body is provided the responsibility to act on matters delegated to it by Senate, in particular granting approval for the awarding of degrees, diplomas and certificates as recommend by the various faculty/school councils and, on the recommendation on the Senate Committee on Elections, Committees and Bylaws, appointing members to Senate Committees when Senate does not meet. A review of the Senate records included in the Handbook of Decrees and Resolutions does not show that the Executive Committee of Senate has been delegated authority to make decisions on behalf of Senate and under what situations they could act on behalf of Senate other than those already included in the Terms of Reference. With that said, it is my understanding that the Executive Committee of Senate has historically made decisions on behalf of Senate in urgent situations or when Senate is not meeting. In governance structures, it is typical that an executive committee has authority to make decisions when the full governing body cannot meet.

Senate should consider formally granting the Executive Committee of Senate the authority, including limitations of this authority, to make decisions during emergency situations or when Senate is not meeting or cannot reasonably be expected to meet. Consideration must be given to the logistical challenges of holding emergency meetings of Senate given that there are over 80 members of Senate and the need to ensure quorum is met. Further, in periods when rapid decisions are required, Senate is likely not the best body to make these decisions.

The Executive Committee of Senate is a governing body that typically sets the Senate agenda, refers items to other Academic Bodies to expedite the business of Senate, and acts on the delegated authority granted by Senate. In the case of the pandemic and the state of emergency associated with the January blizzard, the Executive Committee of Senate was called on to make critical decisions on the academic mission of the university. In most cases, the issues that the Executive Committee of Senate considered were brought forward by an appropriate Senate Committee and required an immediate decision so the university community could be informed. Given the important role Senate plays in academic governance and the need to clarify the role of the Executive Committee of Senate, consideration should be given to how members of the Executive Committee of Senate are selected. The current procedure has the Executive Committee of Senate members selected from nominations made to the Senate Committee on Elections, Committees and Bylaws; however, Senate may want to directly select members of the Executive Committee of Senate as the Executive Committee of Senate may be called to make decisions on behalf of Senate.

3.0 Decisions of an Academic Character

For the purposes of this report, decisions of an academic character were interpreted as decisions that impacted the academic operations of the institution and decisions that normally would have been made by Senate or a subcommittee of Senate. This report does not consider decisions that were made in academic units or implementation of approved directives within academic units. The chart below lists the decisions of an academic nature that were made between March 13 and May 12.

A total of 18 issues were identified that could be considered of an academic character. These included issues where Senate subcommittees exercised their powers and issued waivers to university regulations. A number of items were identified by Senate subcommittees and raised to the Executive Committee of Senate

for an immediate decision so that communication to the university community could be made. Rapid and timely communication was required during the early days of the pandemic to reduce confusion and uncertainty for students, faculty and staff.

There were some decisions made by the Executive Policy Group (EPG) under the EOC structure. The EPG is comprised of the Vice-President’s Council and chaired by the President. The decision made by the EPG to transition the Winter 2020 semester to remote learning and that the Spring 2020 semester be offered by remote learning was made with extensive input from the Academic Subcommittee and Environmental Health and Safety, with the safety of the Memorial community a top priority³. This would appear to be in conflict of the MUN Act, specifically that Senate is to determine the method and limits of instruction. However, Senate does not approve how individual courses will be offered, and online learning is a recognized method of instruction at Memorial. It is also important to put this decision in the context of the environment in which the decision was made. In mid-March 2020, the pandemic was accelerating; information on the pandemic was evolving on an almost constant basis, and many members of the Memorial community were scared of the virus. For these reasons, I believe there was no deliberate attempt to avoid the collegial governance structure, but actions were taken in an unprecedented emergency situation with the best interests of the institution and the community in mind. This was demonstrated as Senate ultimately decided that the Fall 2020 semester would be offered on a mainly remote basis at its May 2020 meeting. Going forward, an academic disruption policy should be developed and approved by Senate and the Board of Regents, if applicable. This policy should clearly delineate who has the authority to declare an emergency and outline the process for decision making in an emergency situation, including which body shall make decisions.

3.1 Summary of Academic Decisions

Issue	Level of Study	Date	Decision	Made By	Normally Made By
Drop date for Winter 2020 semester	UG	13-Mar	Approval of waiver for undergraduate regulations 6.2.5.2 point 3, allowing undergraduate students to drop a course until the last day of the semester without academic penalty	SCUGS, based on recommendation from Academic Sub-Committee	SCUGS
Submission of documentation of illness	UG	13-Mar	Approval of waiver for undergraduate regulation 6.7.5 #3 - allowing students to not be required to submit medical documentation for illnesses of shorter than 14 days	SCUGS, based on the recommendation of the Academic Sub-Committee	SCUGS

³ Given the context of the pandemic, if Memorial had not made the decision to move to remote learning and limited access to campus building, it is likely an order would have been issued by the medical officer of health for Newfoundland and Labrador to limit access to campus buildings. This was seen in other Canadian jurisdictions.

Issue	Level of Study	Date	Decision	Made By	Normally Made By
Drop date for Winter 2020 semester	GRAD	13-Mar	Approval of waiver for graduate regulation 4.3.4 point 2 - allowing graduate students to drop a course until the last day of the semester without academic penalty	Academic Council of SGS, based on recommendation from Academic Sub-Committee	Academic Council of SGS
Winter 2020 semester	all	14-Mar	Suspend all classes as of end of day March 18, March 19-20 transition to remote learning	EPG	unclear/Senate
Winter 2020 semester	all	17-Mar	End of in-person learning set as end of day March 17	EPG	unclear/Senate
Continuance regulations	UG	18-Mar	Approval of waiver for undergraduate regulation 6.1.1.1 - continuance regulations will not be applied to the Winter 2020 semester, individual faculty/school regulations unless duly waived	SCUGS, based on recommendation from Academic Sub-Committee	SCUGS
Continuance regulations	GRAD	18-Mar	Approval of waiver for graduate regulation 4.13 - termination of a graduate program	Academic Council of SGS	Academic Council of SGS
Final Examinations & Grading	UG	20-Mar	Approval of options for final exams, including changes to grading methods	Senate Executive, based on recommendation from Academic Sub-committee	Senate
Spring 2020 semester	all	20-Mar	Spring semester to be offered remotely	EPG	unclear
Course Evaluation Questionnaires	all	20-Mar	Suspension of CEQs for Winter 2020 semester	Senate Executive, submitted by Academic Sub-committee	Senate
Spring 2020 convocation	all	20-Mar	Postpone Spring 2020 convocation	endorsed by Senate Committee on Honorary Degrees and Ceremonial	convocation dates not approved by Senate
English Proficiency requirements	UG	23-Mar	Allow Duolingo to be used on a pilot basis for applicants required to present	Senate Committee on Admissions	Senate Committee on Admissions/Senate

Issue	Level of Study	Date	Decision	Made By	Normally Made By
Transcript Text for Academic Leniency	all	24-Mar	Academic leniency text for transcript approved	Academic Sub-Committee	unclear
Spring 2020 in-absentia convocation date	all	26-Mar	Approved May 28, 2020 as the in-absentia convocation date	Executive	convocation dates not approved by Senate
2020 admissions requirements	UG	06-Apr	Amendment to Senate agenda to consider changes to undergraduate admissions requirements	Executive	Executive
Scholarship standing	UG	16-Apr	Approved changes to scholarship standing definition	Executive, based on recommendation from Senate Committee on Scholarships, Bursaries and Awards	Senate
Grading for Spring 2020 semester	UG	11-May	Return to normal grading policy for Spring 2020	SCUGS	*did not require Senate approval as no change was made
Fall 2020 semester	All	12-May	Remote delivery of Fall semester with limited exceptions	Senate	Senate

4.0 Recommendations:

1. Development of an Academic Disruption policy that clearly lays out responsibilities during an academic disruption.
 - a. Consideration should be given to what group/person should have authority to make decisions in an emergency.
 - b. Academic units should keep their business continuity plans updated, and engage academic staff in the portions of the plan that apply to the delivery of academic programs.
 - c. The Office of the Provost, in collaboration and coordination with the Senate Committee on Undergraduate Studies and the Academic Council of the School of Graduate Studies, should develop academic continuity plans for undergraduate and graduate studies respectively. These should not replace individual academic unit's continuity plans but should consider issues that impact that level of study.
2. Review and propose changes, as appropriate, to Memorial University's Emergency Management Plan and the campus specific emergency management plans in relation to the delivery of academic programs, being sure to identify how Senate should interact with the Emergency Operations Centre.
3. Review and update the Senate Bylaws to:
 - a. Provide parameters for the Executive Committee of Senate to exercise delegated authority and any limitations to such authority when decisions need to be made on an urgent basis or it is otherwise not possible for Senate to meet.
 - b. Consider how members of the Executive Committee of Senate are selected.
 - c. Consider how Senate and the Executive Committee of Senate interacts with the Emergency Management Plan.
 - d. Identify how the Academic Council of the School of Graduate Studies connects to Senate as this connection is not currently defined.
 - e. Consider the composition of Senate subcommittees generally as many committees do not require a Senator to be a member of the committee.

5.0 Conclusion

The 2020 COVID-19 pandemic and to a lesser extent the January 2020 snow closure provided two unprecedented situations to which the university was required to respond to ensure the safety of students, faculty and staff, and to maintain the academic integrity of the institution. Policies and procedures were prepared and even practiced but limitations or challenges with policies and procedures sometimes only become apparent once an actual event occurs. The two situations faced by Memorial in 2020 tested these policies and procedures, and as a result, improvements have been identified that can help strengthen academic governance and better prepare Memorial for another unexpected event. Throughout the preparation of this report, there was no evidence of intentional attempts to circumvent the collegial governance process of Senate. Given the known information and the need for rapid communication to relevant constituents, individuals made the best decisions that they could make in the circumstances to ensure the safety and security of students, faculty and staff. In most of the decisions, the proper decision-making process was followed, and in cases where it was not followed as exactly prescribed, this was not due to mal intent. Finally, these events have allowed for the identification of assumptions, gaps and weaknesses in the current Senate Bylaws, Policies and Procedures, and the interaction of these with other institutional documents such as the Emergency Management Plan. The lessons learned from these events will allow for the revision of relevant documents and the strengthening of academic governance at Memorial.

Appendix 1

Committees of the Pandemic Preparation Committee

Academic

Continuity Planning

Facilities, Security and Environmental Health and Safety

Human Resources and Faculty Relations

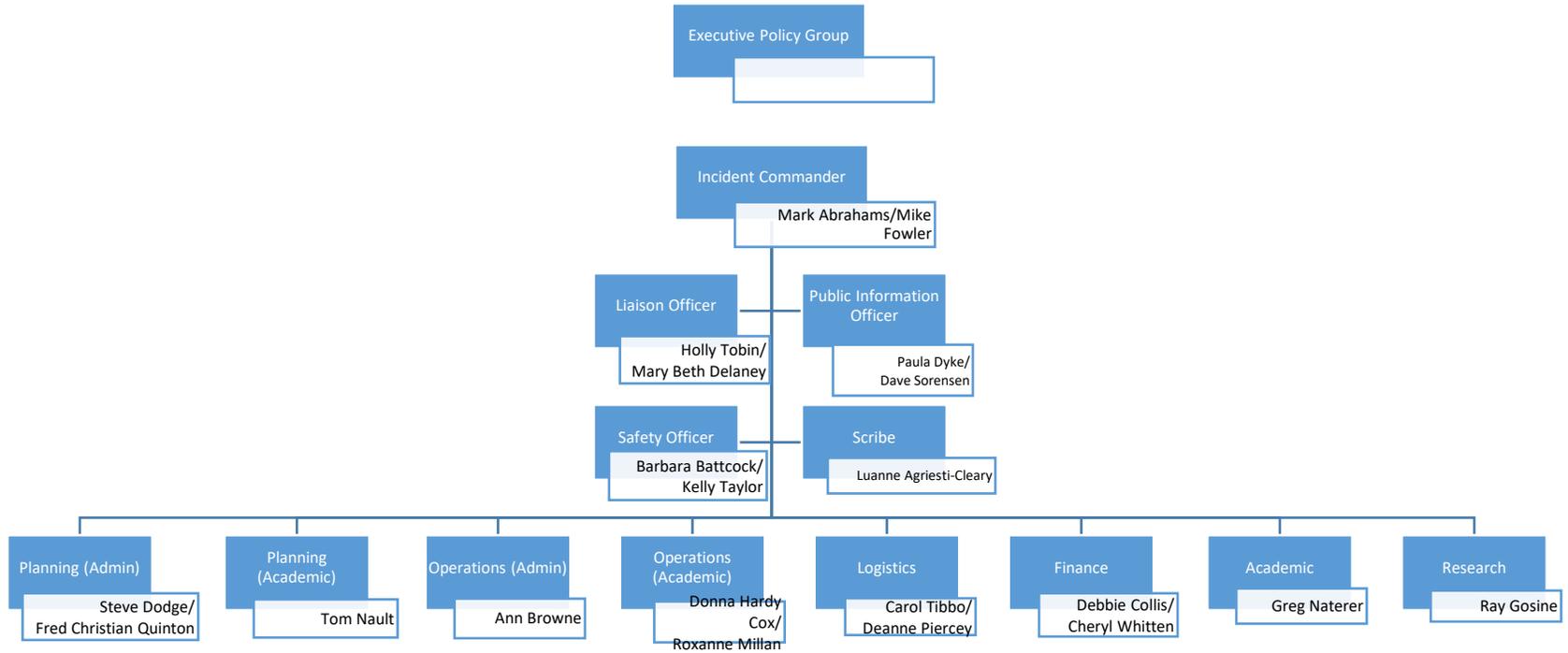
International Travel

Research

Student Residences and Ancillary Services

Student Wellness and Student Life

Appendix 2- EOC Structure



Appendix 3

Membership of the Academic Sub-Committee

Dr. Gavan Watson, Centre for Innovation in Teaching and Learning
Fabian Lambert, Marine Institute
Carolyn Parsons, Grenfell Campus
Jill Hunt, Marketing and Communications
Dr. Sean Cadigan , Office of the Provost and VP Academic
Tom Nault Office of the Registrar
Jennifer Porter (jporter@mun.ca), Office of the Registrar
Dr. Aimée Surprenant), School of Graduate Studies
Dr. Shannon Sullivan, Senate Committee on Undergraduate Studies
Dr. Danny Dyer, Senate Committee on Teaching and Learning
Natalie Spracklin, Internationalization Office
Julie Kavanagh, Co-operative Education
Su Cleyle, Libraries
Dr. Sohaib Al-Asaad, Faculty of Medicine
Dr. Donna Moralejo, Centre for Nursing
Dr. Kathryn Simonsen, HSS
Dr. Travis Fridgen, Science
Sarah Khalil, GSU
Katherine McLaughlin, MUNSU
Dr. Greg Naterer, Engineering, Committee Chair