Nova Scotia Legislature Law Amendments Committee Re: Bill 100, Universities Accountability and Sustainability Act Province House, 1726 Hollis St., Halifax, NS April 30, 2015

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My name is Françoise Baylis. I am a Professor and Canada Research Chair in Bioethics and Philosophy at Dalhousie University.

Earlier today the government amended Bill 100. In explaining some of the changes, Kelly Regan, Minister of Labour and Advanced Education is reported to have said "We didn't want professors to think that they were going to be forced to do research." That may be so, but the Minister seems quite happy for those who choose to do research to have this research be driven by commercial interests; this is a serious threat to academic freedom. Moreover, with this Bill, not only is academic freedom at risk, but so too is academic integrity – the second pillar of advanced education in a free and democratic society. In the limited time available to me today, I will focus my comments on one critical aspect of the Bill.

1

Bill 100 includes provisions for Universities that anticipate certain financial difficulties to develop a revitalization plan. The Minister describes this as "a last-ditch effort to keep the university from going into receivership." This last ditch effort, however, will have the University become a shill for industry. The "revitalized organization" will not be a University – that is, it will not be a place where students go to engage in free academic inquiry.

This is not just vitriol – look at the wording in Sections 12(1)(g) and 12(1)(h) of Bill 100:

12(1) A university's revitalization plan must include

(g) goals and objectives for contributing to social and economic development and growth in the Province, including through world-class research and development that is internationally competitive, turning research into business opportunities, fostering a skilled, entrepreneurial and innovative workforce needed for economic growth in the Province and improving the quality and inclusiveness of courses and program offerings and their relevance to students and the wider society and economy; (h) a plan for the effective exchange of knowledge and innovation with the private sector, including excellent collaboration between the university and industry;

With these clauses, Bill 100 in effect instructs University Administration to sell something that it has no moral right to sell – the faculty and the students. To be sure, this is not a new idea, but never before has it been overtly embraced and legitimized by a government in the way that Bill 100 makes possible. The clauses cited above undermine free academic inquiry by faculty and students, and privilege a narrow homogenous view of what a university education can be. I am here today to urge you in the strongest way possible to delete sections 12(1)(g) and 12 (1)(h) of the Bill. And, to the extent that section 20(2) can be used for the purpose of directing or orienting research priorities, I recommend that it too be eliminated.

I can best illustrate my concerns by highlighting for you current problems with existing university-industry contracts. This will allow you to begin to imagine how much worse things might be if you do not eliminate the problematic clauses. At Dalhousie we are already in the business of selling our students to be billboards and ambassadors for industry. We do this by having their access to valuable "hands-on experience" contingent on their (i) wearing commercial logos on their person, (ii) using tools branded with commercial logos, (iii) receiving instruction in labs and classrooms plastered with commercial logos, (iv) having their course content reviewed and approved by employees of commercial companies, (v) having their field trips directed by company employees, and (vi) having their research projects subject to review and approval by company employees. As evidence for these claims please look at the terms of the contract between Dalhousie University and Shell Canada Limited, starting on page 7 (a complete copy of the contract is available at http://www.halifaxexaminer.ca/wpcontent/uploads/2015/04/Dalhousie-Shell-Canada-Donor-Agreement.pdf). This deeply problematic incursion into the academic enterprise is made possible by a commitment to "turning research into business opportunities" and to fostering "excellent collaboration between the university and industry" (quotations from Bill 100).

If you believe that a University is a place to nurture free thinkers (that is, a place where young people are encouraged to think for themselves, not for particular interests; a place where the job of faculty is to open people's minds, not to funnel their thinking), then amend Bill 100. If you believe that a University is a place where the pursuit of social justice is a legitimate aim, then amend Bill 100. Don't

4

push the University any further along the path to becoming a vocational school, selling itself to the highest bidder.

You have before you concrete evidence of what at least one University has freely traded away in terms of academic freedom and academic integrity; and we have done this without the imprimatur of Bill 100. Imagine how much worse things will be as a direct result of your government formally encouraging Universities to partner with industry for both research and teaching. No University will wait till the ship is sinking and a revitalization plan is need. Rather, Universities will preemptively go down this path to stave of the need for this dire option.

I did not become a University professor to be a shill for industry. My vision of the University is as a place of civic engagement where students learn to become independent contributing members of society, not strategic targets for business interests.

I am a philosopher, I teach people to think critically. My specialization is ethics – a normative discipline that looks at right and wrong. I ask you to use your critical thinking skills and your ethical compass to do right by the next generation. Start by eliminating sections 12(1)(g), 12(1)(h), and 20(2).

Appendix

Below are examples of how the Dalhousie University and Shell Canada Limited contract allows Shell to exert inappropriate control over academic matters:

- Shell is given authority over important aspects of senior course content and evaluation:
 - a. Student research projects, to be completed by students in senior Engineering and Earth Sciences classes or co-op programs, require "final approval by Shell".
 - b. "Dalhousie [is] to provide a list of projects for approval prior to funding" for the Senior Mechanical Engineering Design project courses, and,
 "Shell and [the] Head of [the] Mechanical engineering Department [are] to select funded projects/courses each year."

 Shell is provided with multiple means to participate in the Engineering and Earth Sciences curricula. As required by the contract:

a. One or more Shell representatives must be invited to attend every field trip (the annual fall and spring trips must each invite two representatives);b. Shell representatives will be given opportunities to give guest lectures in the Faculty of Earth Sciences, the Department of Engineering and the School of Business; 3) All Mining and Civil students are required to use Shell-branded rock and mineral kits "throughout their time at Dal."

a. "Mineral Resource Engineering will purchase rock and mineral kits for all Mining Engineering students, and will look to purchase oil sands sample kits as well...Every Mining and civil student will use them throughout their time at Dal."

b. "The Shell logo will be displayed on the kits"

4) The Shell logo is placed on hardhats, in a core teaching facility, lounges, and

more. Even events are to be branded. e.g., the "Shell Spring Field Excursion"

a. "The Shell logo will be displayed prominently on the hard hats"

b. "Shell's name/logo [must be] displayed in the room"

c. Shell provides funding for the "Shell Spring Field Excursion" to be run each year

5) Shell requires Dalhousie to hold a Symposium every year, during the visit of the CAP team to Dalhousie, "for Shell-funded projects that cross [disciplinary] boundaries"

 a. "Shell representatives may make a presentation to profile a Shell operation"

b. "Selected students [who have received Shell funding] to provide a brief update on their projects"

7

6) Dalhousie faculty are to work with Shell directly when distributing funds, are to report to Shell on how funds have been used (in detail and several times a year), and must involve Shell representatives on an ongoing basis in matters of faculty administration.

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a. Mineral Resource Engineering Initiative "Shell and Mineral Resource
Engineering to collaborate on funding decisions each year"
b. Funding distributed by the Earth Sciences Shell SELF Committee must
"be sent to Shell's Science CAP team members for approval"
c. "Dalhousie Engineering will form an internal committee to oversee the
allocation of all Shell SELF funds within the Faculty of Engineering... This
internal group will work closely with the Shell Engineering CAP team
representatives... to oversee the allocation of all Shell SELF funds within the

Total Gift Agreement \$545,000 Dalhousie Cash contribution to Engineering General Fund. Entire \$45k will be added to the fund for allocation to student initiatives. NOTE: all administrative costs associated with the gift agreement will be absorbed by Dalhousie and will not be deducted from these funds. \$45,000 TOTAL Shell Contribution \$500,000 NOTES: Student Research Projects:

- To encourage projects from all areas of Earth Sciences from students in third year, honours students and graduate students. Projects can include co-op and graduate projects with defined deliverables less than 4 months. - Projects are to be given final approval by Shell. The Earth Sciences Shell SELF Committee (ESSSC) will endeavour to encourage projects from all fields of geoscience in the department, not just the oil industry. - Up to \$1K available per project to be used by the faculty sponsor in support of the research project, larger amounts may be available with approval from the ESSSC and Shell. - The number of projects and amount allocated per project may vary, but no one project is to exceed an allocation of \$10,000. Shell Spring Field Excursion: - Funding for a trip to be run each spring in conjunction with the geophysics field school (part of ERTH 2270 - Intro to Applied Geophysics, end of April each year) to facilitate use of equipment and other logistics. Field Trips/Field Schools: - Funding for the following field trips, in order of priority: honours trip (ERTH 4000 Advanced Field School), graduate student trip, and Trinidad petroleum trip (ERTH 4156, Petroleum Geology Field Methods); allocation to each group each year to be determined by the ESSSC, depending on need, subject to approval by Shell - Funds to cover travel costs and to purchase safety equipment (e.g. safety gloves, goggles, etc.) **Teaching Facility Improvement Fund:** - Funds to be used to improve the core lab/teaching facility, core storage and core viewing - Funding is conditional on: the room to be allocated by Dec 31, 2012, construction beginning by Q1 2013, Dalhousie to provide any additional funding required to complete the renovations, and the facility to be used by petroleum and all other Geoscience labs requiring access to core. - If the facility is not constructed by 2013, the funds will be allocated to another project as mutually agreed by Shell and Dalhousie. Earth Science General Fund: - Discretionary fund to be administered by the Department of Earth Sciences to fund student learning opportunities related to their studies and/or the oil & gas industry e.g. field trips, student projects, conference participation (e.g., Atlantic Undergraduate Geology Conference to be held at Dalhousie in October 2012) and miscellaneous projects (e.g., AAPG Imperial Barrel Award competition to be held in Calgary in March 2012; student-focused workshops and short courses) that will benefit the department and students.

Dal In-kind support:

- Costs incurred by Dalhousie in support of the Campus Ambassador Program. Includes staff

Page 7 of 11

Francoise Boylis

time, lunches and administrative expenses. To avoid confusion, no dollar amounts will be built into the gift agreement as Dalhousie will cover these administrative costs.

Any savings from the above allocated amounts may be reallocated to other projects upon agreement with Shell.

Engineering General Fund:

- Fund to be administered by the Faculty of Engineering to support student learning opportunities related to their studies and/or the Oil & Gas industry e.g. design competitions, conference attendance, field trip participation, etc. within the scope of the established funding criteria and review process.

 Conference admission fees will be eligible for funding to a maximum of \$1,000 per year per conference. Limited to engineering undergraduate students.

Hard Hats

- Dalhousie Faculty of Engineering will purchase industry/CSA approved hard hats to be kept in a central store for loan to engineering students for lab work, site visits, etc. Dalhousie Engineering will maintain an adequate supply of hats for students use, and replace hats prior to expiration date or if the hats become damaged.

Senior Mechanical Engineering Design Projects:

- funds to support mechanical engineering design projects/courses MECH 4010/4020

- Shell and Head of Mechanical Engineering Department to select funded projects/courses each year

The amount provided is allocated across all design projects in this course.

- Funding request is made by the course instructor.

Dalhousie to provide a list of projects for approval prior to funding.

Chemical Engineering Initiative:

- Dalhousie Engineering to administer the fund to support experiential learning opportunities within Chemical Engineering. Funds will support design projects and competitions, as well as field trips, and possible facility tours to Shell operations/facilities.

- Funds may also be directed towards safety initiatives (Eye protection, lab coats, etc.) to build a culture of safety amongst Dalhousie undergraduate students.

- Shell and Chemical Engineering Faculty to collaborate on funding decisions each year.

Mineral Resource Engineering initiative:

- Dalhousie Engineering to administer the fund to support experiential learning opportunities within Mineral Resource Engineering that focus on oil and gas/oil sands. Funds will support design projects and competitions, field trips, and facility tours.

- - Mineral Resource Engineering will purchase rock and mineral kits for all Mining Engineering students, and will look to purchase oil sands sample kits as well. These kits are to remain with the school and will be used within multiple labs. Every Mining and Civil student will use them throughout their time at Dal. Kits are expected to have a 7 to 10 year lifespan.

- Funds may also be directed towards safety initiatives (ear protection, eye protection, etc.) to build a culture of safety amongst Dalhousie undergraduate students.

- Shell and Mineral Resource Engineering to collaborate on funding decisions each year. Women in Engineering:

- The funds will be allocated directly to the Dalhousie Women in Engineering Student Society, to support experiential learning opportunities for female engineering students. Examples may include attendance at Women in Oil and Gas, Canadian Coalition of Women in Engineering, Science, Trades and Technology, and the National Conference on Women in Engineering.

Spending of the \$45k Dalhousie Engineering Faculty contribution will be determined by the Faculty of Engineering, to further support students and projects that relate to the oil and gas industry and to the overall intent of the Shell SELF program.

Business Case Competition Prize:

-Oil Sands Business Case competition prizes, funds carried over from 2009-11 gift agreement (\$5,000 x 3 years)

- The business case must be completed and the first competition held in 2012 or unspent funds will be redirected to another project as mutually agreed by Shell and Dalhousie.

Oil Sands Business Case Competition development:

- funds carried over from 2009-11 gift agreement (\$6,800) and to be used to finalize the development of the Oil Sands Business Case Competition

- The business case must be completed and the first competition held in 2012 or unspent funds will be redirected to another project as mutually agreed by Shell and Dalhousie.

Aboriginal Student Support Program:

- Dalhousie to develop peer coaching and counselling resources for Aboriginal students at Dalhousie University and to provide training and employment for two senior Aboriginal students to enhance their skill set, future employability, and incomes.

A committee, the Earth Sciences Shell SELF Committee (ESSSC) to be formed within the Earth Sciences department to steer and allocate funds across the department. The committee will consist of the Department Chair (currently R. Jamieson), one of the Associate Chairs (currently J. Gosse or M. Gibling), one additional faculty member decided upon by the department (position would rotate yearly (Sept-Aug); initially G. Wach for continuity with present system), and department Administrator (A. Bannon). The committee will invite, receive, review, and rank proposals 3 times a year, solicited from across the entire department, including student societies.

Recommendations for funding will be made in advance of the academic term for which the funds are requested. All projects recommended by the committee must be within the criteria identified above, and be sent to Shell's Science CAP team members for approval.

A financial report, broken down by the above categories highlighting where the funds have been spent, and plans for unspent funds to be sent to Shell's Science CAP team members and Sr. Social Investment Representative three times per year. The reports will be prepared by Financial Services, with specific categories as requested by the Department of Earth Sciences and will include a summary of expenditures for each project.

Dalhousie Engineering will form an internal committee to oversee the allocation of all Shell SELF funds within The Faculty of Engineering. This committee will meet regularly to review all funding applications from across the faculty. Membership of the Dalhousie Engineering Shell SELF committee will consist of: Steve Kuzak (Professor, Process Engineering and Applied Science), Ruth Murray (Financial Administrator, Dean's Office) and Chris Locke (Development Officer, Engineering). This internal group will work closely with the Shell Engineering CAP team representatives (M. Williams, J. Coady, S. Hagmann) to oversee the allocation of all Shell SELF funds within the Faculty of Engineering.

Faculty members on this committee will be responsible to inform all students and faculty of the funding criteria and application process for the SELF program.

A quarterly financial report, broken down by the above categories highlighting where the funds have been both approved and spent, to be sent to Shell's Engineering CAP team members and Sr. Social Investment Representative.

Should Dalhousie be unable to allocate funds outlined in the Engineering section, unspent funds will be redirected to the Engineering General Fund.

Schedule B

Recognition Plan:

Student Research Projects:

- Reports will be prepared at the end of each academic term (end April, August, December) summarising all the projects funded by Shell for that term, with 1-2 page summaries of specific projects where appropriate, and itemising related expenditures.

Shell Spring Field Excursion:

- Opportunity for two Shell representatives to participate in each trip.

Field Trips/Field Schools:

- Opportunity for Shell representative to attend. Shell is responsible to pay the costs associated with the Shell employee's participation.

Teaching Facility Improvement Fund: - Shell's name/logo displayed in the room

Hard Hats:

.. The Shell logo will be displayed prominently on the hard hats.

Senior Mechanical Engineering Design Projects:

- Representatives of the Shell CAP Team will be invited to observe student presentations and provide feedback on the finished projects

Mineral Resource Engineering initiative: - Shell logo will be displayed on the kits.

Symposium:

- Dalhousie and Shell to develop a cross-discipline gathering for Shell-funded projects that cross boundaries. The purpose of this gathering is for Shell CAP team members to meet Dalhousie students who have received Shell funding. Selected students to provide a brief update on their projects. Shell representatives may make a presentation to profile a Shell operation.

- Dalhousie and Shell to plan the gathering each year to coincide with CAP team visit to Dalhousie.

- Dalhousie to coordinate all event logistics.

Lectures:

- Up to two Shell representatives invited to attend and participate in Shell Fall field excursion

- Guest lecture opportunities in Faculty of Earth Sciences, Department of Engineering and School of Business

- Opportunity to judge business case competition

Opportunity to judge design courses

Opportunity to participate in symposium

- Additional Recognition:
 - Science

o Gift featured in annual Science Calendar.

Page 10 of 11