

ACADEMIC COUNCIL

MINUTES

Wednesday, 30 June 1999

at 2:00pm in AG 01

Minutes of the tenth meeting of the sixth statutory Academic Council held on 30 June 1999.

PRESENT:

D O'Hare (Chairman)	J Carroll (Deputy Chairman)	J Murray (Assistant Registrar)
A Brady	T Brady	F Buckley
E Buffet	A Burke	M Byrne
J Canavan	S Clyne	C Curran
M Egan	B Flood	S Fox
A N Glynn	S Hashmi	E Holt
J Hurley	P James	B Kehoe
B Leavy	C Long	C Lynch
L MacMathúna	P McNamara	A Morrissey
T Moynihan	C Ó hÓgartaigh	H Ruskin
J Ryan	R Saunders	A Sinnott
A D Wood		

APOLOGIES:

P Barker	K Brennan	M Clynes
F Corcoran	K Devenney	P Donlon
J Dowling	M Henry	J Horgan
S McBride	B McMullin	K Monks
S Ní Mhalorúnaigh	C Ó Coigligh	E O'Halpin
O O'Reilly	B Pierce	A Pratt
A Smeaton	M Smyth	M Townson
P Travers	B Trench	J Van Genabith

1. ADOPTION OF AGENDA

(Ref: AC99/M4/1)

The Agenda was adopted without amendment.

2. EXAMINATION RESULTS - SUMMER 1999

(Ref: AC99/M4/2)

The Registrar reported that, following completion of the Summer 1999 diet of examinations, the Progression & Award Boards had duly met and made recommendations in respect of each student who had presented for Examination. The results and recommendations were determined in accordance with existing academic regulations and were detailed on the broadsheets of results being tabled for approval. The Registrar advised the meeting that two exceptional recommendations of the relevant Progression & Awards Boards were included for adoption and approval. These were (a) the granting of an additional attempt to a Diploma in Nursing student and (b) the restoration of all module marks for a number of 1997/1998 BAJ2 students with the exception of the 'Radio Journalism' module where the marks remain capped at 40%. Proposed by Professor Saleem Hashmi and seconded by Father Sam Clyne, all recommendations of the Progression & Award Boards were formally approved and adopted by Academic Council.

3. LINKAGE AGREEMENT WITH MATER DEI INSTITUTE OF EDUCATION:

(Ref: AC99/M4/3)

The Chairman introduced the background to this item and outlined the necessity to revisit one detail of the 9 June 1999 decision of Academic Council to approve the Agreement for Linkage with the Mater Dei Institute of Education. Professor Chris Curran, who was invited by the Chairman to make a more detailed presentation, reminded the meeting that, at its last meeting, Academic Council approved the Agreement for Linkage with the Mater Dei Institute subject to the addition of three amendments:

- The inclusion in Section III (d) after "Particular emphasis in this connection would be directed to inter-institutional teaching and research" of the text "and the strengthening of support

structures for research at Mater Dei and their linkage to the University".

- The inclusion in Section IV, paragraph 2, after "¼ shall be one in which the identity of the Institute is maintained and its Catholic ethos preserved", of the text "and in which the secular ethos of the University is maintained".
- The insertion of a new subsection after (d)(iii) in Section VIII under "Staff of the Institute":

(e) "Mater Dei fully subscribes to academic freedom as defined in the Universities Act 1997, Sections 14.1 and 14.2.

The Chairman subsequently forwarded these amendments to the University's legal advisors, Arthur Cox and Company, and Mater Dei Institute in turn referred them to their legal advisors. The legal advisors were happy with the first and second amendments but not with the third on the grounds that it would/might undermine the 9 June 1999 commitment by Academic Council (in Section IV.2 of the agreement) to respect the ethos and traditions of the Institute. It was believed that the following alternative amendment would clarify the position and was being proposed by both sets of legal advisors:

"The University and the Institute subscribe to the principle of academic freedom. The Institute respects the principle of academic freedom as defined in the Universities Act 1997 as binding on the University. Notwithstanding the designation of the Institute as a college of the University, the University accepts that such designation shall not undermine the obligation of the Institute to preserve its identity and Catholic ethos".

Following a detailed discussion which included the noting of two written submissions (from Professor Martin Henry and Professor Albert Pratt) on the alternative amendment and a consideration of the scope of, and interaction between, Sections 14.1 and 14.2 of the Universities Act 1997, the alternative amendment was approved by a margin of 18 votes to 9, having been proposed by the Chairman and seconded by Mr Mike Egan. The Chairman gave an undertaking to bring to the attention of Academic Council any breach of academic freedom (although such an occurrence was considered to be highly unlikely) so that the Agreement for Linkage could be appropriately reviewed.

4. ANY OTHER BUSINESS

(Ref: AC99/M4/4)

There were no matters of 'any other business'.