

UNIVERSITY SENATEMINUTES OF THE OPEN SESSION MEETING OF SEPTEMBER 14, 2001ATTENDANCE

PRESENT: Dr. J. W. O'Brien (Speaker); Dr. F. Lowy; Prof. M. Danis; Mr. M. Di Grappa; Mr. L. English; Dr. J. Lightstone; Ms. L. Accary; Prof. A. Ahmad; Prof. A. Al-Khalili; Ms. C. Basmaji; Prof. C. Bayne; Dean C. Bédard; Mr. A. Beedassy; Mr. P. Blais; Dr. D. Boisvert; Prof. W. Bukowski; Prof. C. Cupples; Mr. W. Curran; Mr. B. Desgreniers; Prof. A. English; Dean N. Esmail; Ms. S. Friesinger; Prof. E. Jacobs; Prof. S. Hoa; Mr. R. Luppicini; Mr. A. McAusland; Ms. M. Mullarkey; Mr. A. Munro; Mr. S. Nazzal; Prof. S. Panet-Raymond; Ms. L. Prendergast; Prof. P. Rist; Prof. L. Roberge; Dr. W. Sellers; Prof. H. Shulman; Dean M. Singer; Prof. T. Stathopoulos; Ms. S. Stea; Prof. P. Thornton; Interim Dean J. Tomberlin; Prof. R. Tremblay; Prof. C. Vallejo

ABSENT: Prof. M. Gourlay; Dean C. Jackson; Ms. C. Leduc

Documents associated with the minutes

US-2001-7-D1 Steering Committee ballot
 US-2001-7-D2 Report of the Appeals Committee on Academic Misconduct
 US-2001-7-D3 Recommendations of the Academic Programs Committee regarding academic policies
 US-2001-7-D4 Policy on the establishment of tribunal hearing pools
 US-2001-7-D5 Revisions to the Code of Conduct (Academic)
 US-2001-7-D6 Revisions to the Academic Re-Evaluation Procedures

1. Call to order

The Speaker called the meeting to order at 1:10 p.m.

At the suggestion of Mr. Nazzal, Senate observed a moment of silence in memory of the victims of the September 11 terrorist attack on U.S. soil.

2. Approval of the Agenda

R-2001-7-1 *Upon motion duly moved and seconded (Bédard, Stathopoulos), it was unanimously resolved that the agenda be approved as submitted.*

3. Approval of the Minutes of the Open Session meeting held May 25, 2001

R-2001-7-2 *Upon motion duly moved and seconded (Blais, Bédard), it was unanimously resolved that the minutes of the Open Session meeting of May 25, 2001 be approved as submitted.*

4. Business arising from the minutes

There was no business arising from the minutes.

5. Election of the faculty members of the Steering Committee

Dr. O'Brien reminded Senators that only faculty members vote for faculty representatives on Steering Committee. Any faculty member having sat on Senate in a previous year is eligible for election and is required to be on the ballot. Faculty Senators must vote for two representatives from the Faculty of Arts and Science and one from each other Faculty. The ballots were distributed by the Registrar and the Dean of Students, who acted as scrutineers. After the first round of voting, Professors Clarence Bayne, Peter Rist and Ted Stathopoulos were elected, while Professors Harvey Shulman and Reeta Tremblay were declared elected after four rounds of voting.

6. Remarks from the Rector

Dr. Lowy read the message that he had conveyed at a memorial service held earlier in the day for the victims of the September 11 terrorist attack. The Rector reiterated the need for mutual tolerance in order to ensure that an atmosphere conducive to learning prevails on campus.

Dr. Lowy was pleased to report a substantial increase in enrolment, including increased enrolments of out-of-province Canadian students and international students. Further, to meet increased needs, seventy new tenure-track professors have been hired.

The Science Building project is on time and on budget and should be ready for the 2003 academic year. Dr. Lowy paid tribute to the Communication Studies and Journalism Departments for their relocation efforts during the summer.

For reasons known to all, the Solidarity for Palestinian Human Rights (SPHR) bazaar and rally, originally scheduled on September 15, has been postponed.

Dr. Lowy then informed Senators that a settlement had not been reached following a meeting held this morning between the lawyer representing Messrs. Marouf and Keefer and the University's lawyer.

In closing, the Rector informed Senate that some companies had withdrawn from the Business School and Engineering and Computer Science career fairs because of insulting comments contained in two CSU publications, *Uprising 2001-2002* and *The Unabridged*. This situation is very unfortunate since it deprives students of job opportunities. Dr. Lowy stated that he would take a closer look at those publications and get back to Ms. Stea if action by the University is called for.

7. Items for Information

7.1 Report from the Appeals Committee on Academic Misconduct

Dr. O'Brien informed Senate that Document US-2001-7-D2, the report of the Appeals Committee on Academic Misconduct, was tabled for information.

7.2 Report on Fall Registration

University Registrar Lynne Prendergast was delighted to report that undergraduate and graduate admissions are well up compared to last year's enrolments. As of this day, she relayed an overall undergraduate FTE (full-time equivalent students) increase of 7% compared to the Fall 2000. This percentage is expected to remain stable even though the DNE date (deadline for course withdrawal with refunds) is September 17. Registration at the Masters and PHD levels has also significantly increased. Ms. Prendergast pointed out, however, that the foregoing could be attributable to the fact that this is the first year with online registration at the graduate level.

7.3 Update on IT infrastructure in classrooms

Dr. Lightstone recalled that one of the four major themes on academic planning, adopted last year by the Senate Committee on Academic Planning and Priorities on behalf of Senate, dealt with the effect of the IT revolution on teaching. It was determined that the appropriate IT infrastructure is critical to the University's success. As a result, an IT upgrade for all owned classrooms of 50-plus capacity is being carried out, with a projected completion date of January 1. However, since work has been progressing well ahead of schedule and below budget, the upgrade of some smaller capacity rented classrooms has also commenced.

Three other items for information were related, as follows:

Sabrina Stea apprised Senate of the CUS position with regard to the banning of the two individuals referred to earlier by Dr. Lowy. A document entitled "Expulsion of two Concordia Students" was handed out. Ms. Stea related that the University's proposal of a three-person fact-finding panel is unacceptable to the CSU; hence the reason no agreement was reached by the lawyers earlier today. She repeated the CSU's demand that both individuals be reinstated and allowed to register for the fall semester. The claim that they have been denied due process is a major point of contention for the CSU.

Referring to Dr. Lowy's earlier remarks regarding the career fair, Mr. Desgreniers emphasized that no threats against companies had ever been made by the CSU. After having its anti-capitalist article censored by the University's *The Bridge* magazine, the CSU's intention was to inform its members about some companies linked to military operations throughout the world. He pointed out that the articles in the CSU newsletter *The Unabridged* had been researched. Nobody is questioning freedom of speech, replied Dean Tomberlin. However, the publications of the CSU have reduced the job opportunities for the business school students. Regardless of the fact that some companies withdrew from the career fairs, he felt that the event was nevertheless a success.

In order to demonstrate solidarity with the victims of Tuesday's terrorist acts, Mr. Nazzal mentioned that the SPHR bazaar and rally had been postponed.

8. Question period

In response to Mr. Blais's query regarding the exact definition of a student and in which official document such definition can be found, Dr. Lowy responded that there exist five definitions, one used by the federal government with respect to student loans, one used by the provincial government, and another being set out in Concordia's Code of Conduct (Academic). Not having all the definitions readily on hand, Dr. Lowy told Mr. Blais he will obtain the information and forward it to him.

Quoting a statement from the 1999-2001 Report of the Office of Rights and Responsibilities that was inserted in the September 13 edition of *Concordia's Thursday Report*, Ms. Mullarkey questioned the neutrality of the Advisor when she reports, with reference to a student hearing, that "the respondents chose to mount a purely political defence." The Rector answered that he could not speak for Ms. Spilhaus, the author of the report, but ventured to say that she was probably referring to the disruptions that occurred during the hearing, including the self-styled "anarchist band".

Referring to his previous question regarding the definition of a student, Mr. Blais asked Dr. Lowy which criteria had been used to ban the two individuals. The Rector replied that one individual is not considered a student because of his academic standing, the details of which cannot be disclosed without his permission nor discussed in a public forum, and the other individual falls under the independent student category and has never been a program student at Concordia.

Citing an article in the *The Suburban*, Mr. Munro admonished Dr. Lowy for a statement he made regarding a small group of Arabs bringing international disputes to Concordia. The Rector specified that there is a difference between what he is reported to have said and what he actually did say. In any event, he restated that the University must preserve an atmosphere conducive to learning.

Mr. Nazzal and Ms. Stea reported incidents of harassment and racist remarks toward Arab and Muslim students. Dr. Lowy reaffirmed that the University would not tolerate any form of harassment. In the past year, complaints from both Muslim and Jewish students have been filed. The Rector urged any student who is victim of harassment to come forward and to lodge a complaint so that the perpetrators are dealt with in an appropriate fashion.

Upon the Speaker declaring question period over, Mr. Desgreniers moved that it be extended. Dr. O'Brien agreed to allow some latitude. However, since Mr. Desgreniers's question concerned a personnel matter regarding a former faculty member, it was judged out of order and hence question period was terminated.

9. Recommendations from the Academic Programs Committee regarding academic policies

9.1 Policy on the establishment of tribunal hearing pools

Dr. Lightstone read the motion recommending to the Board of Governors the adoption of the above policy, which was seconded by Dean Bédard. Mr. Blais announced that he had a list of amendments, and moved the first one, pertaining to article 4. Ms. Stea seconded. The amendment would modify the eligibility reference, thereby allowing independent students to be nominated to the student hearing pool. Since independent students constitute 12% of the student population, they should be allowed to participate as any other student. He felt that all students have an interest in the affairs of the University, regardless of their standing.

Dr. Lightstone enquired if Mr. Blais intended to reintroduce the amendments that he had proposed at the Academic Programs Committee (APC) but that APC had rejected. He informed Senate that APC, at a meeting specifically convened to discuss the students' amendments, had carefully reviewed a similar amendment. Mr. Blais answered that while similar in nature, his amendments were counterproposals to his original amendments.

A lengthy discussion ensued on the appropriateness of including independent students on tribunal hearing pools, after which time Prof. Shulman, seconded by Prof. Tremblay, called the question. Since a majority was in favour of calling the question, the vote was then called on Mr. Blais's amendment.

The amendment to Article 4, moved by Mr. Blais, and seconded by Ms. Stea, was defeated with a majority. The vote on the main motion was then taken.

R-2001-7-3 *Upon motion duly moved and seconded (Lightstone, Bédard), it was resolved with a majority that, on recommendation of the Academic Programs Committee, the Policy on the establishment of tribunal hearing pools, as set out in Document US-2001-7-D4, be approved for recommendation to the Board of Governors.*

9.2 Revisions to the Code of Conduct (Academic)

Dr. Lightstone moved a motion, seconded by Dean Singer, proposing the adoption of the revisions to the Code of Conduct (Academic). Dr. Lightstone then apprised Senate of the amendments to articles 40, 57, 63 and 64 that had been brought to the policy by APC pursuant to amendments presented by Mr. Blais.

Mr. Nazzal, seconded by Mr. Beedassy, moved that a third student be added on the Academic Hearing Panel provided for under article 34 of the policy. Considering the consequences of being found guilty of academic offences, the student Senators essentially argued that the importance of equal representation and the appearance of fairness warrants a third student representative on the panel. An extended debate ensued on the relevance of adding a third student.

Prof. Shulman then called the question, seconded by Prof. Bukowski. Since the majority of Senators was favourable to the foregoing, the vote on the amendment to article 32, moved by Mr. Nazzal, and seconded by Mr. Beedassy, was taken but was defeated with a majority.

Mr. Blais, supported by Ms. Mullarkey, then proposed another amendment to article 32 to the effect that the panel be comprised of "three students, three faculty members as well as a non-voting Chair, except in the case of a tie". During the deliberations on the consequences of modifying the role of the Chair, Prof. Vallejo remarked that such a change would call for a revision to article 37 of said policy. Dr. Lightstone strongly advised against any amendment that would modify the role of the Chair. A vote was then taken on the proposed amendments of articles 32 and 37, which were defeated with a majority.

Mr. Blais moved, seconded by Ms. Stea, an amendment to the last phrase of the first paragraph of article 32 to indicate that "every attempt will be made to select at least (...) and two students from the student's constituency". A vote was taken, and this amendment was also defeated with a majority. The vote on the principal motion was finally taken.

R-2001-7-4 *Upon motion duly moved and seconded (Lightstone, Singer), it was resolved with a majority that, on recommendation of the Academic Programs Committee, the revisions to the Code of Conduct (Academic), as set out in Document US-2001-7-D5, be approved.*

9.3 Revisions to the Academic Re-Evaluation Procedures

Dr. Lightstone conveyed APC's recommendation regarding the revisions to the Academic Re-Evaluation Procedures and moved the adoption of the motion, which was seconded by Prof. Stathopoulos. Dr. Lightstone informed Senate that a change in article 33 had been made following an amendment proposed by Mr. Blais at APC.

Mr. Desgreniers moved, seconded by Mr. Beedassy, to table the motion. However, the motion to table was defeated with a majority. The vote on the main motion was then taken.

R-2001-7-5 *Upon motion duly made and seconded (Lightstone, Stathopoulos), it was resolved with a majority that, on recommendation of the Academic Programs Committee, the revisions to the Academic Re-Evaluation Procedures, as set out in Document US-2001-7-D6, be approved.*

10. Other business

In response to questions regarding voting procedures, more particularly regarding recording the number of abstentions, Dr. O'Brien replied that Senate has the authority to determine its own rules but that he would bring this up at the next Senate Steering Committee meeting.

Dr. Lightstone encouraged faculty members to make a pledge towards this year's Shuffle, reminding them that he will personally donate \$1 for every faculty member who makes a pledge.

Responding to a query by Mr. Beedassy, Dr. Lightstone reported that, at its last meeting, APC had passed a rule regarding the number of exam deferrals in the Engineering and Computer Science Faculty. As a result, every faculty will allow the same number of exam deferrals. Senate will ratify this rule at an upcoming meeting.

11. Next meeting

The next meeting of Senate is scheduled for Friday, October 5, 2001, at 2 p.m.

12. Adjournment

The meeting was adjourned at 4:05 p.m., on a motion moved by Prof. Tremblay and seconded by Prof. Stathopoulos.

Danielle Tessier
Secretary of the Board of Governors and Senate