

UNIVERSITY SENATE

MINUTES OF THE OPEN SESSION MEETING OF NOVEMBER 8, 2002

ATTENDANCE

PRESENT: Prof. M. Danis (Speaker Pro Tem); Dr. F. Lowy; Mr. M. Di Grappa, Mr. L. English; Dr. J. Lightstone; Mr. B. Al-Ken; Prof. C. Bayne; Dr. D. Boisvert; Prof. W. Bukowski; Prof. W. Byers; Prof. T. Byrnes; Mr. Y. Cormier; Ms. S. Friesinger; Prof. A.H. Hanna; Ms. L. Healey; Prof. V. S. Hoa; Ms. M. Ishii, Prof. E. Jacobs; Mr. R. Lee; Mr. R. Luppicini; Mr. R. Maguire; Mr. A. McAusland; Dr. R. J. Oppenheimer; Prof. P. Ouellet; Prof. S. Panet-Raymond; Dean E. Saccá; Prof. H. Shulman; Dean M. Singer; Mr. A. Slater; Prof. P. Thornton; Dean J. Tomberlin Ms. S. Virk; Prof. D. Vivian

ABSENT: Dr. J. W. O'Brien (Speaker); Mr. W. Curran; Dean N. Esmail; Prof. A. English; Prof. J. Etezadi; Ms. C. Ghawi; Dean C. Jackson; Prof. C. MacKenzie; Mr. W. Merhi; Prof. D. Morin; Prof. T. Stathopoulos; Prof. R. Tremblay;

ALSO ATTENDING: Prof. B. Foss (Acting Dean, Faculty of Fine Arts)

Documents associated with the Minutes

US-2002-8-D2 Committee appointments
US-2002-8-D3 Report from Academic Programs Committee
US-2002-8-D4 Major undergraduate curriculum changes – Faculty of Fine Arts
US-2002-8-D5 Major undergraduate curriculum changes – Faculty of Engineering and Computer Science
US-2002-8-D6 University Writing Test – Calendar copy
US-2002-8-D7 Major graduate curriculum changes – Faculty of Arts and Science
US-2002-8-D8 Motion from Fine Arts Faculty Council

1. Call to order

Prof. Danis called the meeting to order at 2:26 p.m. He informed Senate of Dr. O'Brien's absence and of Steering Committee's decision to designate him Speaker Pro Tem for this meeting.

2. Approval of the Agenda

R-2002-8-4 *Upon motion duly moved and seconded (Lightstone, Hanna), it was unanimously resolved that the agenda be approved as revised.*

3. Approval of the Minutes of the Open Session meeting held October 4, 2002

Mr. Slater noted two minor corrections to pages 5 and 7.

R-2002-8-5 *Upon motion duly moved and seconded (Singer, Hoa), it was unanimously resolved that the Minutes of the Open Session meeting of October 4, 2002 be approved, as amended.*

4. Business arising from the Minutes

4.1 Full review of the composition of Senate

Dr. Lowy reminded Senate that at its last meeting it had considered a motion to increase GSA representation on Senate, at which time the issue was referred back to Steering Committee. At the Steering Committee meeting of October 29, part-time faculty representatives Pierre Ouellet and David Vivian also made a request for increased representation of their constituency on Senate, stating that perhaps a full review of Senate's composition was warranted. Steering Committee was amenable to the idea of a full review.

Dr. Lowy informed the assembly that a three-person committee has been established, composed of William Curran, Director of Libraries, Nancy Marrelli, Director of Archives, and Cameron Tilson, Senior Planning/Policy Analyst in the Rector's Cabinet, whose mandate includes the collection of data from other Quebec and Canadian universities regarding the composition of their academic councils.

Dr. Lowy stated that this committee will draft a reasoned report outlining the advantages and disadvantages of alternative models with respect to Senate membership. A history of the Concordia University Senate will also be included in this report. The work of the committee had already commenced and it will submit its report to Steering Committee.

Pursuant to comments by some Senators regarding former Senate reforms, Dr. Lowy mentioned that the committee will report on the complete history of Concordia's Senate since its inception, including its various compositions over the years.

5. Committee appointments

R-2002-8-6 *Upon motion duly moved and seconded (Lowy, Hanna), it was unanimously resolved that the appointments to Senate committees, as set out in Document US-2002-8-D2, be approved.*

6. Report from the Academic Programs Committee

6.1 Major undergraduate curriculum changes – Faculty of Fine Arts

R-2002-8-7 *Upon motion duly moved and seconded (Foss, Panet-Raymond), it was unanimously resolved that the major undergraduate curriculum changes in the Faculty of Fine Arts, as set out in Document US-2002-8-D4, be approved as recommended by the Academic Programs Committee in Document US-2002-8-D3.*

6.2 Major undergraduate curriculum changes – Faculty of Engineering and Computer Science

R-2002-8-8 *Upon motion duly moved and seconded (Lightstone, Hoa), it was unanimously resolved that the major undergraduate curriculum changes in the Faculty of Engineering and Computer Science, as set out in Documents US-2002-8-D5 be approved as recommended by the Academic Programs Committee in Document US-2002-8-D3.*

6.3 University Writing Test – Calendar copy

R-2002-8-9 *Upon motion duly moved and seconded (Lightstone, Byers), it was unanimously resolved that the calendar copy of the University Writing Test, as set out in Document US-2002-8-D6, be approved as recommended by the Academic Programs Committee in Document US-2002-8-D3.*

6.4 Major graduate curriculum changes – Faculty of Arts and Science

R-2002-8-10 *Upon motion duly moved and seconded (Saccá, Singer), it was unanimously resolved that the major graduate curriculum changes in the Faculty of Arts and Science, as set out in Documents US-2002-8-D7, be approved as recommended by the Academic Programs Committee in Document US-2002-8-D3.*

7. Remarks from the Rector

Dr. Lowy informed Senate that several students have been identified as having participated in the events of September 9 and aftermath and have been charged under the current Code of Rights and Responsibilities. Their identity remains confidential and will be disclosed only if they choose to do so. Hearings are in the process of being set up, which will be presided over by outside lawyers. Panels composed of three students will adjudicate the charges. The police have charged other individuals, including some students. Dr. Lowy said that the University is not involved in those charges.

The Rector informed Senate that the Board of Governors had established a working committee to review the current Code of Rights and Responsibilities, under the chairmanship of Me Pierre Fréreau. This committee will be composed of a faculty member, an administrator, a staff representative, an undergraduate student and a graduate student.

Dr. Lowy added that a report is currently being prepared and will be presented at the next Senate meeting. This report will address and answer all questions in relation to the events of September 9. The Rector opined that the challenge is now to learn how to take advantage of Concordia's diverse community to achieve constructive interaction among its various groups, and he welcomed initiatives from students and other members of the Concordia community.

Dr. Lowy concluded his report on a lighter note, informing Senate that the Concordia Stingers were facing the McGill Redmen tomorrow in a playoff game.

8. Items for information

8.1 Motion from Fine Arts Faculty Council

The motion, set out in Document US-2002-8-D8, was sent for information purposes to Senate at the request of the Fine Arts Faculty Council.

8.2 Other items for information

Provost Jack Lightstone informed Senate that the Conseil supérieur d'éducation, the advisory body to the government on education policies, adopts themes to guide its deliberations and then issues notices ("avis") regarding each theme. The theme for the next avis will deal with faculty renewal, and more particularly, whether universities are appointing faculty members in accordance with a rational policy process.

Interim Registrar Linda Healey reminded Senators that today is the last day for curriculum approvals, while adding that the text of all revised curriculum must be submitted by the Faculties to the Registrar's Office by November 15 at the latest to be included in the 2003-2004 undergraduate calendar.

9. Question period

Referring to the October 4 Senate resolution which recommended that the Board of Governors rescind the emergency powers accorded to the Rector, and in light of statements made at that same meeting that Senate is a meritocracy, Mr. Slater queried Dr. Lowy if he considered himself above the meritocracy to disregard Senate's recommendation. The Rector answered that he did not intend to use the exceptional powers, unless these are made necessary by events. He added that the Code of Rights and Responsibilities is in the process of being reviewed. Pending modifications that would render the process more expeditious, it may be that the exceptional powers not be needed. In the interim, however, the exceptional powers stand, and the Rector assured Mr. Slater that he would not resort to them frivolously.

Mr. Cormier asked Dr. Lowy if he was creating a precedent by overlooking Senate's recommendation and whether previous Rectors had ever done so. Dr. Lowy stated that he could not answer for other Rectors. For his part, this was the first time he had disagreed with a recommendation from Senate to the Board. As a result, he reported Senate's decision to the Board along with his opposition to it and recommendation that the Board not rescind the policy.

Mr. Cormier then asked Dr. Lowy whether he had considered the consequences of putting himself against Senate in this fashion and did he consider tendering his resignation. Dr. Lowy reminded Mr. Cormier that the Board of Governors has the superintending power over all decisions affecting the University. While it almost always endorses Senate's recommendations, it is not obliged to do so. In this particular occasion, the Board was not persuaded that Senate's recommendation should be approved. Dr. Lowy added that he had not given any thought of resigning and indicated that he intended to complete his second mandate, which had been extended, upon invitation by the Board, until May 2005.

Referring to comments made by senior administrators that the violence on September 9 was caused by violent protesters, Ms. Ishii expressed her view that the administration was

denying its responsibility. She made the analogy of U.S. President George Bush being invited to speak at a university in Afghanistan or British Prime Minister Tony Blair being invited to speak in a university in Iraq, asking Senate if it would be reasonable to expect violent outbursts in those cases. In response to this comment, Prof. Jacobs opined that Ms. Ishii's way of thinking was strange. She indicated that the students are responsible for their behavior, emphasizing that nobody can make another person become violent. A peaceful protest could have taken place, without breaking windows, etc.

Mr. Cormier enquired if any charge under the Code of Rights and Responsibilities related to posting or the distribution of pamphlets. The Speaker responded that the hearing process was underway and therefore it was not appropriate to comment. Nonetheless, he told Mr. Cormier that he would get back to him on Monday.

Commenting that he found Ms. Ishii's analogy intelligent, Mr. Lee asked whether the senior administration was willing to accept responsibility in contributing to create an unfortunate situation. Dr. Lowy answered that while the senior administration's decision might have contributed to the situation, he reiterated that it had anticipated protest but had not foreseen physical attempts to prevent Mr. Netanyahu from speaking. Further, in his view, the situation at Concordia is not analogous to Afghanistan or Iraq.

Dean Singer objected to the questions being posed, stating that they did not relate to main business of Senate. He felt they constituted posturing and theatrics rather than true questions. However, the Speaker overruled his objection while proposing to limit further questions to those Senators whose names were already on the Speaker's list.

Referring to Dr. Lowy's previous statement that the University was not involved in the criminal charges, Mr. Maguire wondered if the University had provided footage from its stationary video cameras to the police. The Rector replied in the affirmative but pointed out that the University had not made any recommendation to the police. Mr. Di Grappa restated that the University had met with the police and had turned over the videotapes to them, but the police had acted on their own regarding the pressing of the charges.

Two questions were directed to Dean Singer. Ms. Ishii deplored the fact that at the last Senate meeting some Senators proceeded to leave before a vote was to be taken, resulting in breaking quorum, and pointedly asked Dean Singer if he had deliberately left to compromise the motion on the floor. Dean Singer responded that he left to pick up his wife at 5:00 p.m. four miles away. When asked by Mr. Cormier if he had been aware of any risk assessment plan prepared in advance, Dean Singer said that he had not, emphasizing that he had only discussed the planned visit once in the beginning of August with the Acting Rector.

Referring to the fact that 20 police officers were dispatched to the campus on the day that Yves Engler was arrested for distributing pamphlets, and given the portrayal of the arrest in *The Gazette*, Mr. Cormier wondered if this was the regular way of doing things and if the University had considered the effects on the media and external community. Dr. Lowy replied that this did please certain people but admitted that it did put the University in a position of ridicule, judging from the cartoon in *The Gazette*. Dr. Lowy continued that the University tries to operate under its own policies. However, the University is part of the society at large. At Concordia, those who enforce the regulations use their discretion and do their best under the circumstances.

In reference to Ms. Ishii's last comment, Prof. Bukowski explained that he had left the October meeting earlier because he had a scheduled meeting regarding an important grant application and was under a strict deadline. In the absence of Me Freedman, he asked the

Speaker if persons having knowledge of a crime and who do not come forward can be charged with obstruction of justice. Prof. Danis stated that, to his knowledge, this would only apply in the case of child abuse.

10. Other business

The Provost apprised Senate of a reception at 5 p.m. this day in the Administration Building in honor of the 24 individuals having been appointed full professors as well as the 4 retired professors who were named Distinguished Professor Emeritus by Senate last May.

Mr. Lee was proud to announce the opening of a second CSU Student Advocacy Center on the Loyola Campus. This center will be located near the cafeteria.

11. Next meeting

The next meeting of Senate will be held on November 29, 2002, at 2 p.m.

12. Adjournment

The meeting was adjourned at 3:30 p.m., on a motion moved by Dean Singer and seconded by Dr. Byers.

Danielle Tessier
Secretary of Senate