



US-2004-4

UNIVERSITY SENATE

MINUTES OF THE OPEN SESSION MEETING OF MAY 7, 2004

ATTENDANCE

PRESENT: Dr. J. W. O'Brien (Speaker); Dr. F. Lowy; Prof. M. Danis; Mr. M. Di Grappa; Mr. L. English; Dr. J. Lightstone; Ms. A. Beck; Me Suzanne Birks; Prof. T. Byrnes; Ms. K. Childs; Prof. M. Doyle; Prof. A. Dutkewych; Dean N. Esmail; Prof. J. Grant; Mr. B. Hamideh, Prof. A.M. Hanna; Prof. V. S. Hoa; Ms. V. Hoang; Dean C. Jackson; Prof. E. Jacobs; Mr. K. Khilkevitch; Mr. R. Luppicini; Mr. A. McAusland; Dr. R. J. Oppenheimer; Ms. N. Pomerleau; Prof. C. Ross; Mr. M. Schulz; Prof. H. Shulman; Dean M. Singer; Mr. A. Spiro; Prof. P. Thornton; Dean J. Tomberlin; Prof. R. Tremblay; Prof. C. Trueman; Mr. L. Tsang; Prof. C. Vallejo; Prof. D. Vivian; Dr. T. Vo-Van

ABSENT: Dr. C. Bertrand; Prof. W. Bukowski; Mr. W. Curran; Ms. L. Healey; Prof. C. MacKenzie; Prof. D. Morin; Mr. D. O'Driscoll; Prof. D. Peltier-Rivest; Dean E. Sacca

ALSO ATTENDING: Mr. Terry Too (Acting Registrar)

1. Call to order

The meeting was called to order by Dr. O'Brien at 2:22 p.m.

2. Approval of the Agenda

R-2004-4-4 *Upon motion duly moved and seconded (Grant, Luppicini), it was unanimously resolved that the Agenda be approved, as submitted.*

3. Approval of the Minutes of the Open Session meeting of April 2, 2004

R-2004-4-5 *Upon motion duly moved and seconded (Byrnes, Vallejo), it was unanimously resolved that the Minutes of the Open Session meeting of April 2, 2004 be approved, as submitted.*

4. Business arising from the Minutes

Dr. Lightstone apprised Senators that pursuant to the last meeting, Steering Committee had found the discussion on Senate composition quite instructional. Steering Committee's proposal will be included on the May 21 agenda.

5. Committee appointments (Document US-2004-4-D1)

R-2004-4-6 *Upon motion duly moved and seconded (Lightstone, Pomerleau), it was unanimously resolved that the appointments to Senate committees, as outlined in Document US-2004-4-D1, be approved.*

6. Report from the Academic Programs Committee (Document US-2004-4-D2)
  - 6.1 Major graduate curriculum changes – Faculty of Arts and Science (Documents US-2004-4-D3 to D6)

R-2004-4-7 *Upon motion duly moved and seconded (Lightstone, Thornton), it was unanimously resolved that the major graduate curriculum changes in the Faculty of Arts and Science set out in Documents US-2004-4-D3 to D6 be approved, as recommended by the Academic Programs Committee in Document US-2004-4-D2.*
  - 6.2 Major graduate curriculum changes – Faculty of Engineering and Computer Science (Document US-2004-4-D7)

R-2004-4-8 *Upon motion duly moved and seconded (Lightstone, Trueman), it was unanimously resolved that the major graduate curriculum changes in the Faculty of Engineering and Computer Science set out in Document US-2004-4-D7 be approved, as recommended by the Academic Programs Committee in Document US-2004-4-D2.*
  - 6.3 Major undergraduate curriculum changes – John Molson School of Business (Document US-2004-4-D8)

R-2004-4-9 *Upon motion duly moved and seconded (Tomberlin, Luppicini), it was unanimously resolved that the major undergraduate curriculum changes in the John Molson School of Business set out in Document US-2004-4-D8 be approved, as recommended by the Academic Programs Committee in Document US-2004-4-D2.*
  - 6.4 Major undergraduate curriculum changes – Faculty of Engineering and Computer Science (Documents US-2004-4-D9 to D11)

R-2004-4-10 *Upon motion duly moved and seconded (Esmail, Hoa), it was unanimously resolved that the major undergraduate curriculum changes in the Faculty of Engineering and Computer Science set out in Documents US-2004-4-D9 to D11 be approved, as recommended by the Academic Programs Committee in Document US-2004-4-D2.*
  - 6.5 Major undergraduate curriculum changes – Faculty of Fine Arts (Document US-2004-4-D12)

R-2004-4-11 *Upon motion duly moved and seconded (Jackson, Vivian), it was unanimously resolved that the major undergraduate curriculum changes in the Faculty of Fine Arts set out in Document US-2004-4-D12 be approved, as recommended by the Academic Programs Committee in Document US-2004-4-D2.*
7. Amendment to the membership of the Council of the John Molson School of Business (Document US-2004-4-D13)

R-2004-4-12 *Upon motion duly moved and seconded (Tomberlin, Trueman), it was unanimously resolved that, on recommendation of the John Molson School of Business, Senate recommend to the Board of Governors that it approve the revision to the membership of Council of the John Molson School of Business, as outlined in Document US-2004-4-D13.*
8. Capital budget for 2003-2004 (Document US-2004-4-D14)

Vice-Rector Di Grappa explained that significant changes have been brought to the funding of the capital budget, and the numbers for the 2003-2004 fiscal year had only been confirmed recently by the Ministry of Education. The allocation has dropped from the \$6.7 million to \$4.8 million. While funding for equipment was formerly included in the capital budget along with renovations, repairs and alternations, this funding now falls under the operating budget.

However, in recognition of Concordia's growth, a special allocation of \$2.7 million has been granted. Mr. Di Grappa indicated that this money has been used to restore the Faculties to their previous level of funding.

*R-2004-4-13 Upon motion duly moved and seconded (Lightstone, Beck), it was unanimously resolved that Senate recommend to the Board of Governors the approval of the 2003-2004 capital budget, as detailed in Document US-2004-4-D14.*

9. Operating budget for 2003-2004 (Documents US-2004-4-D15 and D16)

During his power point presentation on the 2003-2004 operating budget, Chief Financial Officer English reviewed the changes in the University's FTEs and the funding rates. He apprised Senate of the possibility that the budget could decrease next year even if the University had the same number of FTEs. He reviewed the 2003-2004 budget model scenario. While the University has adjusted its budget based on the model of increased FTEs, those increases for 2001-2002 and 2002-2003 have still yet to be paid by the government.

Mr. English showed a graph of the accumulated deficits from 1991 to 2003 of most of the universities in the Quebec network. While Concordia fares well compared to several of its sister institutions, Mr. English reminded Senators that the \$20 million accumulated surplus has been earmarked for specific purposes.

With respect to the 2003-2004 year, based on the worst possible scenario, the University will incur a projected deficit of \$6.3 million. This deficit is largely attributable to a \$4.3 million deficit in the Terrains & Bâtiments budget line. Mr. English stated that the University has not received any funding whatsoever for the maintenance and operations of the new Science Complex.

Further to this presentation, a discussion ensued during which Mr. English together with the Provost and the Rector responded to questions.

*R-2004-4-14 Upon motion duly moved and seconded (Lightstone, Lowy), it was unanimously resolved that Senate recommend to the Board of Governors the approval of the 2003-2004 operating budget, as outlined in Documents US-2004-4-D15 and D16.*

10. Discussion on the Code of Rights and Responsibilities (Documents US-2004-4-D7 to D20)

Dr. O'Brien indicated the context in which this matter was to be dealt with by Senate. Steering Committee felt that the most useful way to convey comments would be to open the discussion and that the Minutes of that discussion be forwarded to the Chair of the Code of Rights and Responsibilities Review Committee. The final report of the Review Committee will be presented to Governors at the May meeting, at which time a revised Code may be adopted if they see fit.

Thus, Dr. O'Brien opened the floor for discussion. However, considerable confusion arose from the fact that some student Senators were referring to a revised draft of the Code dated

April 30, 2004, different from the version that had been sent to Senate, which had been sent on a confidential basis to the members of the Review Committee for discussion at their upcoming May 12 meeting.

For the purpose of clarity, the comments are reported in the order of the articles of the Code (version sent to Senators) rather than in the order in which they were discussed. Although not Senators, both Ms. Beaudoin and Mr. Slater were granted speaking privileges. Prof. Shulman enquired whether the convening of a student versus student hearing would prevent the intervention of the University in the matter. Dr. Lightstone said that the University could intervene in serious cases. Prof. Ross, who is a member of the Review Committee, replied that he would bring the question before the Committee.

#### **Article 2**

Dean Esmail noted that research must also be protected. Dr. Lowy concurred and suggested that the last sentence be amended to read "This Code also recognizes the right to teach and *to conduct research* in accordance to one's best ..."

#### **Article 12.20 c)**

Mr. Slater felt that this was worrisome and could provide incentive for a professor or an administrator to put a student in failed standing. He suggested that this be changed to read, "*one semester after* such person is in failed status and is no longer entitled..."

#### **Article 18**

Prof. Shulman was concerned with the possibility of an inappropriate use of the Code, which would result in the non-desired effect to interfere with legitimate freedom of dissent. He urged the Committee to avoid using language that calls for interpretation and that some of the wording in this section be reconsidered.

#### **Article 18.3**

Mr. Slater indicated that it is very problematic to ask a panel to decide what constitutes reasonable justification.

#### **Article 18.19**

Ms. Beck and Ms. Childs were both disturbed by this article. They felt that this could lead to potential abuse, to students being randomly asked for identification without any reason, and that this is a major infringement of their civil liberties.

#### **Article 26.7**

Mr. Slater felt that the obligation for a respondent to file a defence in advance of the hearing negates the presumption of innocence, is unfair and unreasonable.

#### **Article 35.1**

Ms. Beck found that the second phrase as worded "The Security Department shall take whatever action is necessary to secure the safety of persons...." could lead to excessive measures or corporal abuse. Dr. Lightstone suggested that perhaps it should read, "*whatever reasonable action is necessary*".

#### **Article 41.2**

Mr. Hamideh indicated that a copy of the Advisor's annual report had not been filed since 2001 and emphasized the importance of such report. He also opined that the report would have been helpful for the review process of the Code.

#### **Others**

Ms. Beck spoke against including the article regarding the removal of books and the use of the library (article 19.21 in the April 30 version) while Ms. Childs was adamantly opposed to adding the article which prohibits knowingly entering or remaining in University premises contrary to instructions (article 19.12 in the April 30 version), stating that this was demonising students.

While reiterating that the minutes would be sent to Me de Santis, the Chair of the Review Committee, Dr. O'Brien urged Senators to convey their specific points directly to her.

11. Remarks from the Rector

Dr. Lowy apprised Senate about his recent visit to India together with several Concordia professors. Two agreements with institutes of technology were signed and important contacts were made with the aviation industry. The Rector pleased to report that the University is increasingly recognized when he visits abroad.

12. Items for information

Dr. Lightstone informed Senate that the production statistics for the Fall 2004 undergraduate admission cycle year to date as of May 3 compared to the same date last year show a decrease of applications of 1,170 students. This decrease was foreseeable and attributable to the absence of last year's Ontario double cohort applicants. The number of acceptances issued year to date is also up by 16%; however, these are not necessarily registrants as this will evolve over the next months. More notable is the decrease in "Pending Files", that is applications coded in the systems but for which no review has been initiated. There are currently 577 Pending Files compared to 4,063 last year at this time. The admission is far from completed and the numbers will continue to evolve. However, the transformations to the undergraduate admission process have resulted in demonstrable improvements.

13. Question period

In response to questions by student Senators, Dean Tomberlin gave a comprehensive explanation with the respect to the increase from \$10,000 to \$14,000 in tuition fees for the international students in the John Molson School of Business, and how the return to the previously charged \$14,000 would be implemented for students already in the program and those entering in September 2004. Despite the \$14,000 tuition for students entering in the Fall, enrolment of international students has dramatically increased. The additional money is used for recruitment and for the funding of scholarships. Dean Tombelin pointed out that despite this increase, Concordia still has the lowest tuition among the English-speaking business schools across Canada.

When queried if other faculties are entertaining increasing the tuition fees for international students, Dr. Lightstone indicated that the Faculty of Arts and Science is considering it, but that the increase would not bring fees to the \$14,000 level.

14. Other business

There was no other business to bring before the Open Session.

15. Next meeting

The next meeting of Senate will be held on Friday, May 21, 2004, at 2 p.m.

16. Adjournment

The meeting adjourned at 4:35 p.m.

Danielle Tessier  
Secretary of Senate