

MINUTES OF THE OPEN SESSION
OF THE MEETING OF SENATE

Held on Friday, April 22, 2016, at 2 p.m.
in the Norman D. Hébert, LLD Meeting Room
(Room EV 2.260) on the SGW Campus

PRESENT

Voting members: Alan Shepard (*Chair*); Ali Akgunduz; Anjali Agarwal; Amir Asif; Benoit-Antoine Bacon; Guylaine Beaudry; Patrice Blais; Stephen Brown; Philippe Caignon; Saul Carliner; Kira Cormier; Richard Courtemanche; Frank Crooks; Jenna Cucullo; Ricardo Dal Farra; David Douglas; Charles Draimin; Rebecca Duclos; Mariana Frank; André Furlani; Sandra Gabriele; Lana Galbraith; Jana Ghalayini; Vince Graziano; Eliza Griffiths; Khushboo Handa; Norman Ingram; Maidina Kadeer-Ozbek; George Kanaan (*Acting on behalf of Stéphane Brutus*); Lea Katsanis; Gordon Leonard; Lucinda Marshall-Kiparissis; Marion Miller; David Morris; Aloyse Muller; Monica Mulrennan; Alex Ocheoha; Virginia Penhune; Justin Powlowski (*Acting on behalf of Graham Carr*); Harald Proppe; Benjamin Prunty; Rosemary Reilly; André Roy; Ted Stathopoulos; Terry Wilkings; Paula Wood-Adams

Non-voting members: Joanne Beaudoin; Philippe Beauregard; Roger Côté; Bram Freedman; Frederica Jacobs; Rachel Marion, Lisa Ostiguy; Bradley Tucker

ABSENT

Voting members: Mikaela Clark-Gardner; Effrosyni Diamantoudi; Jithin Nair; Yousef Shayan; Johanne Sloan; Sofienne Tahar

Non-voting members: Isabel Dunnigan; Patrick Kelley

1. **Call to order**

The meeting was called to order at 2:05 p.m.

1.1 **Approval of Agenda**

R-2016-4-1 *Upon motion duly moved and seconded, it was unanimously resolved that the Agenda of the Open Session be approved.*

1.2 Approval of the Minutes of the Open Session meeting of March 11, 2016

R-2016-4-2 *Upon motion duly moved and seconded, it was unanimously resolved that the Minutes of the Open Session meeting of March 11, 2016 be approved.*

2. Business arising from the Minutes not included on the Agenda

There was no business arising from the Minutes not included on the Agenda.

3. President's remarks

Prof. Shepard's remarks are summarized as follows:

- ⇒ The admissions process is going much smoother this year than last year, given that most issues arising from the SIS implementation have been resolved.
- ⇒ The federal government has announced a \$2 billion strategic investment fund for research and innovation projects, \$500 million of which is estimated to be made available for Quebec institutions (universities, colleges, hospitals, research centres, etc.). Earlier today the Board approved that the University apply for four projects. Quebec institutions must submit their applications through the Quebec government by April 24.
- ⇒ The Provost search is going well.
- ⇒ A significant gift announcement will be made next week. This is a testament of the community's trust and respect for the University.
- ⇒ Four Concordia students took top prize in the Munich Re Cup, an actuarial mathematics competition recently held in Toronto.
- ⇒ Exciting events are ongoing in relation to teaching, research and learning, including the launch by the Faculty of Fine Arts of the Urban Futures Institute, an experimental space in the Mile-End neighborhood.
- ⇒ Concordia members continue to receive funding, grants and awards, including Whitefeather Hunter, an MFA student, who was selected as the FRQSC Étudiante-Chercheur Étoile for March 2016 for her project entitled "Crafting Biotextiles".
- ⇒ A variety of activities will be held on campus today, in celebration of Earth Day.

At the President's request, Mr. Tucker apprised Senators of the positive developments with respect to the improvements to the SIS grading features and registration functions.

4. Academic update (Document US-2016-4-D1)

The Provost provided the highlights of his written report.

5. Report of Standing Committees

5.1 Academic Planning and Priorities (Document US-2016-4-D2)

5.2 Finance (Document US-2016-4-D3)

5.3 Library (Document US-2016-3-D4)

No questions were asked in connection with these reports.

CONSENT

6. Committee appointments (Document US-2016-4-D5)

R-2016-4-3 *That the committee appointments, outlined in Document US-2016-4-D5, be approved.*

7. Academic Programs Committee: Report and recommendations (Document US-2016-4-D6)

7.1 Undergraduate curriculum changes – Faculty of Arts and Science

7.1.1 Department of Chemistry and Biochemistry (Document US-2016-4-D7)

7.1.2 Department of Classics, Modern Languages and Linguistics (Documents US-2016-4-D8 to D12)

7.1.3 Department of Education (Document US-2016-4-D13)

7.1.4 Département d'Études françaises (Document US-2016-4-D14)

7.1.5 Department of Geography, Planning and Environment (Document US-2016-4-D15)

7.1.6 Department of History (Document US-2016-4-D16)

7.1.7 Department of Physics (Document US-2016-4-D17)

7.1.8 Department of Political Science (Document US-2016-4-D18)

7.1.9 Department of Sociology and Anthropology (Document US-2016-4-D19)

R-2016-4-4 *That the undergraduate curriculum changes in the Faculty of Arts and Science, outlined in Documents US-2016-4-D7 to D19, be approved, as recommended by the Academic Programs Committee in Documents US-2016-4-D6.*

7.2 Graduate curriculum changes – Faculty of Arts and Science

7.2.1 Department of Applied Human Sciences (Document US-2016-4-D20)

7.2.2 Department of Physics (Document US-2016-4-D22)

R-2016-4-5 *That the graduate curriculum changes in the Faculty of Arts and Science, outlined in Documents US-2016-4-D20 and D22, be approved, as recommended by the Academic Programs Committee in Document US-2016-4-D6.*

REGULAR

8. Academic Programs Committee: Report and recommendations (Document US-2016-4-D6)

8.1 Graduate curriculum changes – Faculty of Arts and Science – Department of Exercise Science (Document US-2016-4-D21)

Dean Wood-Adams, Prof. Courtemanche and Dean Roy presented the highlights of this new Doctor of/Doctorate in Philosophy (Health and Exercise Science), which addresses a societal need and is distinct and unique because of its integrative approach to the broad domains of health research from the molecular to systems approaches and from the level

of the individual to that of the population. This program is an important component of the future of the PERFORM Centre.

R-2016-4-6 *Upon motion duly moved and seconded, it was unanimously resolved that the graduate curriculum changes in the Faculty of Arts and Science, outlined in Document US-2016-4-D21, be approved, as recommended by the Academic Programs Committee in Document US-2016-4-D6.*

8.2 Graduate curriculum changes – Faculty of Engineering and Computer Science – Department of Computer Science and Software Engineering (Document US-2016-4-D23)

Dean Wood-Adams, Dean Asif and Prof. Thomas Fevens conveyed the highlights of the PhD in Software Engineering. Over a third of doctoral students currently registered in the PhD in Computer Science are doing research in software engineering, and with the implementation of this new PhD, graduates would be recognized with the appropriate degree in their area of expertise.

Following a request by School of Graduate Studies, the Ministry of Education has accepted that this new PhD program be considered as an administrative re-organization rather than the creation of a new program, which means that students may be formally accepted for the 2016/2017 academic year.

R-2016-4-7 *Upon motion duly moved and seconded, it was unanimously resolved that the graduate curriculum changes in the Faculty of Engineering and Computer Science, outlined in Document US-2016-4-D23, be approved, as recommended by the Academic Programs Committee in Document US-2016-4-D6.*

9. Research Committee recommendation regarding University recognition of a research unit: Centre for Sensory Studies (CSS) (Document US-2016-4-D24)

Dr. Powlowski provided the background and context leading to the Research Committee's recommendation that the Centre for Sensory Studies be granted recognition as a research unit.

R-2016-4-8 *Upon motion duly made and seconded, it was unanimously resolved that, on recommendation of the Research Committee, Senate grant the university-recognized status, in the category of emerging research centre, to the Centre for Sensory Studies (CSS), in accordance with the Policy on Research Units (VPRGS-8), as outlined in Document US-2016-4-D24.*

10. Revisions to the Policy on Postdoctoral Fellows (VPRSG-4) (Document US-2016-4-D25)

Dean Wood-Adams apprised Senators that the approval process included feedback from the four Faculty Councils prior to the Council of the School of Graduate Studies formulating its final recommendation. She summarized the three major revisions with respect to the policy, which include the status change from "trainee" to "employee" and benefits being charged at 21.4% (not 26.4% as indicated in the covering memo), the

implementation of a minimum stipend/salary and a new centralized appointment process under the purview of the Dean of the School of Graduate Studies. The revised policy will come into effect as of June 1.

She responded to questions, specifying that non-student research employees are governed by another policy, explaining that a Postdoctoral fellow under the Policy is defined as an individual who has received a PhD within the last five years.

R-2016-4-9 *Upon motion duly made and seconded, it was unanimously resolved that, on recommendation of the Council of the School of Graduate Studies, Senate approve the revisions to the Policy on Postdoctoral Fellows (VPRSG-4), as in Document US-2016-4-D25.*

11. Amendments to the student eligibility requirements to serve on Senate and its standing committees (Document US-2016-4-D26)

Mr. Wilkings prefaced his presentation by underlining the collaboration of the Secretary-General despite the differing opinions.

Under the current student eligibility requirements, two student representatives elected to governing bodies would be barred from serving because they have received a sanction of reprimand under the Code of Rights and Responsibilities. Recognizing that the University's proposal would mitigate the immediate issue, he referred to the chart showing that Concordia's criteria are much more stringent.

He explained the CSU's position with respect to removing restrictions in connection with:

- Independent students: Having a blanket exclusion of independent students on governing bodies is contrary to Concordia's traditional mission of serving non-traditional students and prevents a segment of the student population from making valuable contributions.
- Conditional standing: When the criteria were first adopted, students in failed standing were excluded but the notion of conditional standing did not exist. He argued that today's students have a nexus of issues which could cause them to become in conditional standing. We should trust that any such students would resign their position, if they feel it necessary.
- Disciplinary sanctions: It is not clear why Concordia is the only University in Quebec to have these criteria. The existing range of disciplinary sanctions is punitive in itself; ineligibility on governing bodies could be implemented as its own sanction, if necessary. Moreover neither Code has an intent clause, which removes the context required to determine the students' merit to sit on Senate.

Mr. Wilkings opined that the crux of the matter is not only whether Concordia students should be treated in an equal manner as their peers across the province, but also whether the principle holds true that students as a constituency of a collegial body ought to be

trusted with appointing their own representatives in the same manner as other constituencies.

In presenting the University's position, Me Jacobs also acknowledged the extensive analysis effected by the CSU and the collaborative tone of the discussions that had taken place. She noted that eligibility criteria were adopted by Senate as far back as 1977, with some revisions brought in 1982.

In 2002, when the current criteria were enshrined into the By-Laws, many of the points raised by Mr. Wilkings were fully debated, the end result being that certain students have consistently been and continue to be excluded from serving on the University's decision-making bodies: independent students, students in failed standing, conditional standing or on academic probation, or those who have been sanctioned under the Code of Rights and Responsibilities or the Academic Code of Conduct. These criteria do not seem to be unreasonable, given the role of governing bodies.

She conveyed that the main purpose of the amendments proposed by the University is:

- To remove any ambiguity from the language that exists in the By-Laws, as currently drafted, by adding the second paragraph which clarifies the legal principle that a student would lose eligibility if any of the disqualifying circumstances arise while a student is serving on Senate.
- In the spirit of compromise, soften the eligibility requirements in order to address concerns that students have raised to the effect that Concordia's eligibility requirements are more stringent than other universities, by allowing students who have received a sanction of reprimand to serve on Senate.

Me Jacobs made the point that while article 32 of the *Accreditation Act* provides that the student associations have the right "to alone" appoint students to governing bodies, nonetheless Senate retains the right to set reasonable criteria for Senators to serve. In other words, student associations must select their representatives from among students who meet the eligibility requirements, provided that such criteria are not discriminatory, created in bad faith, excessive or unreasonable.

A discussion ensued, during which some points were made, summarized as follows:

- The CSU lawyers are not present to refute the University's legal position.
- The criteria adopted in 1977 were the old SGW criteria which were never debated.
- The criteria for a student to run for CSU office is that that person be a CSU member.
- Is there a conflict of interest with respect to some student members?
- Could there be a lawsuit against the University?
- Students are asking for trust, which is compellingly powerful.
- Requirements should not be changed to accommodate individual needs or situations. This does not serve democracy. Such changes should occur naturally or collectively. No one person or group is more important than the whole.

- A certain moral and academic standard should be maintained. That said, under the Academic Code of Conduct, intent is not taken into account. Sanctions under the Codes are not necessarily a reflection of a student's character.
- There are a variety of reasons why students become in conditional standing which do not reflect their intelligence or their academic ability.
- We need to find the best solution, irrespective of the constituents, without resorting to a quick fix. Perhaps a committee could look at the facts to make a determination of the appropriateness for someone to serve, depending on the seriousness of the infraction for which the sanction was imposed.
- The focus should be on the big picture, which is equity and respect for all Senators, irrespective of their constituency.
- The amendments proposed by the University are a "band-aid" which would create a dangerous precedent. Context matters.
- Excluding students on conditional standing is not meant to penalize them but is a way of helping them avoid additional burden. All Senators are also expected to adhere to a certain conduct inside and outside of Senate. Independent students do not have the same at stake as program students.
- Students will not be able to move forward and *Take Pride* if the CSU amendments are not implemented.
- The argument of transiency raised to preclude independent students was invoked in the 1980's against part-time faculty members serving on Senate.
- Students voting on program changes should be in programs themselves. The University has a minimum standard for students to be able to graduate; therefore students voting to approve the graduation list should be in good standing.
- The eligibility requirement for faculty and staff is that they not be on any form of leave.
- Students know what is best for students.

Prof. Shepard thanked Senators for a robust and respectful discussion.

A motion to approve the amendments proposed by the CSU was voted upon and defeated by the majority of members as was the motion to approve the amendments proposed by the University. Following those votes, Mr. Wilkings requested that a vote be taken on the principle that all constituencies are equal. However, the majority of Senators were not in favor of taking such a vote.

In light of the foregoing, the President indicated that this matter would be referred back to Steering Committee.

12. Presentation on the Concordia University Press (Document US-2016-4-D27)

During the course of her presentation, Dr. Beaudry apprised Senators of the goals and publishing program of the new Concordia University Press. She spoke of the activities and conveyed the membership of the economic and governance models. She reviewed the partnerships under discussion as well as the project's timeline.

The full details of the presentation are included in the document dated April 22, 2016 entitled "*The Concordia University Press – A Sustainable, Nonprofit, Open Access Scholarly Publisher*".

13. Update on the *Policy regarding Sexual Violence* (Document US-2016-4-D28)

Dr. Ostiguy said that the *Policy regarding Sexual Violence* was created in response to a recommendation of the Sexual Assault Policy Review Working Group that the University adopt a stand-alone policy on sexual violence. This draft was presented for review by the Board's Governance and Ethics Committee and will be presented for Board approval at its next meeting.

The President asked that any Senator having a comment or question about the policy to communicate directly with Dr. Ostiguy or Me Sullivan by April 29.

14. Strategic directions update

The President noted that the five Deans and University Librarian will be presenting an overview of the priority strategic initiatives of their units at the May Senate meeting.

Following a query, it was noted that a decision had been made that the report presented to the Teaching, Learning, and Research Sustainability Subcommittee was to be presented in concert with the *Sustainability Policy* to the Sustainability Steering Committee before presenting it to Senate. Nonetheless, it was agreed that the report would be presented at the May Senate meeting.

15. Question period

Me Sullivan and Dr. Ostiguy responded to questions and concerns in connection with the *Policy regarding Sexual Violence* as follows:

- The appropriate resources will be provided to allow the Coordinator of the Sexual Assault Resource Centre to adequately fulfill her role.
- The student perspective was taken into account, the ad hoc committee being comprised of two student representatives appointed by the CSU.
- The policy does recognize the need to take into account the intersectionality of the Concordia's population.
- Definitions in the Policy are extremely inclusive, but HIV status is not specifically addressed.
- The objective of this Policy is to provide education and support and provide options to the survivor/victim. It is complementary to other University policies, such as the Code of Rights and Responsibilities, which provide for rules of fairness for all parties involved in a proceeding.
- As stated under item 13 above, any concerns about ambiguities or questions regarding the Policy should be referred to Me Sullivan or Dr. Ostiguy.

- A full update on the implementation of all recommendations stemming from the Sexual Assault Policy Review Working Group Report will be presented at the May Senate meeting.

In keeping with one of the strategic directions, *Grow Smartly*, Mr. Ocheoha made the point that the administration should support programs with small class sizes. Dean Wood-Adams noted that a permanent decision had not yet been made about the two programs in question. Dean Roy added that the programs have been suspended temporarily and that the Faculty of Arts and Science is looking into restructuring and making those programs sustainable.

16. Other business

Following Prof. Stathopoulos' lead, Senators expressed their appreciation to and warmly applauded Dr. Bacon who was attending his last Senate meeting

Prof. Shepard also thanked Dr. Carr for stepping into the role in Interim Provost.

Mr. Muller reiterated that today was Earth Day, a good time to reflect, and he encouraged Senators to participate in the many activities on campus.

17. Adjournment

The meeting was adjourned at 5:24 p.m.



Danielle Tessier
Secretary of Senate