



## CODE OF ETHICS AND CONDUCT APPLICABLE TO MEMBERS OF SENATE AND MEMBERS OF COMMITTEES ESTABLISHED BY SENATE

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**Originating Office:** Senate

**Supersedes/Amends:** n/a

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### PREAMBLE

As the primary governance body with respect to academic matters, Senate should define the specific duties and obligations of its members.

It is acknowledged that one of the particular features of universities is that members frequently hold multiple functions that can lead to perceptions of conflicts of duties and obligations. However, while the latter are endemic to a university, the nature of the affairs under the purview of Senate and its committees is such that no personal gain or benefit can arise therefrom.

In this context, the fact that a member of Senate receives a Concordia Council on Student Life (CCSL) committee participation award, or a course remission or any other form of compensation from a Faculty Association or other body to serve on Senate and its committees does not constitute a conflict of interest. The conflict of interest would arise if such member would personally benefit from a decision of Senate or its committees.

Moreover, the fact that a member of Senate has a grievance or proceeding against the University, unrelated to the mandate of Senate, does not constitute a conflict of interest in the context of Senate.

### PURPOSE

The purpose of this Code is to establish the rules of conduct applicable to the members of Senate of Concordia University (the "University") as well as to members of committees established by Senate.

### SCOPE

This Code applies to all members of Senate and to all members of committees established by Senate.

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DEFINITIONS

For the purposes of this Code, the following definitions apply:

“Ethics Committee” means the Ethics Committee of Senate.

“Member” means a member of Senate or of a committee established by Senate, whether or not a member of such a committee is a member of Senate.

CODE

General Duties and Obligations of Members

1. A Member shall conduct himself/herself in an ethical and professional manner and shall make decisions in the best interests of the University. A Member shall have the duty to:
  - i) act in good faith in the best interests of the University and to respect the principles of collegiality and fairness;
  - ii) become and stay informed as to the guidelines, policies and affairs of the University;
  - iii) ensure that information designated as confidential is held in confidence and disclosed only when appropriate;
  - iv) act carefully and deliberately, trying to foresee the probable consequences of each proposed course of action;
  - v) attend and be prepared for meetings and provide advance notice to the Secretary if he/she is unable to attend the meeting.

Participation and Voting at Meetings

2. While a Member is elected or appointed by a specific constituency, he/she shall serve the best interests of the University as a whole. In other words, while a Member is encouraged to share his/her knowledge about the University and articulate his/her views of the constituency that nominated him/her, he/she shall vote in accordance with his/her

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individual assessment of each question and not as a delegate of the constituency by which he/she has been elected or appointed.

While a Member may register his/her dissent on critical issues and insist that it be recorded in the Minutes, he/she shall respect policies and programs once they are adopted.

Respect of Confidentiality

3. All deliberations that take place in closed session meetings of Senate and meetings of committees established by Senate are to be treated as confidential. Any information and documents that are discussed at closed session meetings of Senate and meetings of committees established by Senate shall be treated as confidential unless they have entered into the public domain. A Member, while in office as well as after having left office, shall be bound to respect such confidentiality.

Enforcement Mechanism

4. The Ethics Committee shall oversee and enforce the application of this Code.

Procedure in Case of Non-Compliance

5. Any Member may request that the Ethics Committee examine or inquire into any allegation of unethical conduct. The deliberations of the Ethics Committee shall be held in strictest confidence. When an allegation is made:
  - i) the Member making the allegation shall notify the Secretary of the Ethics Committee in writing of the allegation;
  - ii) the Secretary shall, in the first instance, refer the allegation to the Chair of the Ethics Committee who will review the case and decide if there are reasonable grounds to proceed with an investigation;
  - iii) if the allegation is lodged against the Chair of the Ethics Committee, another member, as selected by the Committee, will determine whether there are reasonable grounds to proceed with an investigation;

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- iv) if the Chair of the Ethics Committee (or designated member) decides that reasonable grounds are present, the Secretary of the Ethics Committee shall inform the Member who is the subject of the allegation that a complaint has been lodged and will prepare a dossier for the Committee to consider;
- v) the Ethics Committee will allow all the parties concerned to be heard and to state their case, in accordance with the rules of natural justice;
- vi) the Ethics Committee will, after hearing the parties, prepare written, reasoned and signed recommendations for Senate;
- vii) the Ethics Committee will, in the spirit of collegiality, communicate the recommendations to the Member in advance of presenting them to Senate;
- viii) Senate shall deliberate on, and dispose of, in a closed session meeting the said recommendation or recommendations of the Ethics Committee. Any proposed action or sanction to be taken pursuant to the said recommendations shall be voted upon by secret ballot.

Sanctions

- 6. Should a Member fail to comply with the ethical obligations stipulated in this Code, Senate, on the recommendation of the Ethics Committee, shall have the power to do one or more of the following:
  - i) issue a warning, a reprimand or a finding of blame; or
  - ii) suspend the Member for a period of time; or
  - iii) remove the Member from Senate or the committee established by Senate in accordance with the provisions set out in the University By-Laws.
- 7. All allegations brought before the Ethics Committee shall be treated as discrete cases. In instances where a Member has previously been sanctioned by Senate, and where the Ethics Committee has determined that a subsequent allegation merits a recommendation

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to sanction, the Secretary of Senate will, at this point in the Ethics Committee's deliberations, inform the Ethics Committee of the previous charges and sanctions that were applied. The Committee will determine whether the previous sanctions should be taken into account in making its recommendation to Senate.