

MINUTES OF THE OPEN SESSION
OF THE MEETING OF SENATE

Held on Friday, January 18, 2008, at 2 p.m.
in the Norman D. Hébert, LLD Meeting Room
(Room EV 2.260) on the SGW Campus

PRESENT

Voting members: Mr. M. Bani Baker; Prof. R. Cross; Dr. L. Dandurand; Mr. B. Derisi; Mr. M. Di Grappa; Prof. C. Draimin; Prof. A. English; Dean N. Esmail; Mr. A.D. Fernandes; Prof. B. Gamoy; Dean D. Graham; Prof. A. Hamalian; Mr. B. Hamideh; Mr. S. Jack; Prof. M. Jamal; Ms. K. Kashfi; Prof. Prof. W. Lynch; Prof. B. Nelson; Prof. N. Nixon; Ms. A. Novoa; Ms. A. Peek; Prof. M. Peluso; Prof. M. Pugh; Mr. J. Redler; Ms. C. Reimer; Prof. J. Segovia; Prof. F. Shaver; Ms. M. Sheppard; Associate Dean T. Stathopoulos; Prof. P. Stoett; Prof. C. Trueman; Dean C. Wild; Prof. W. Zerges

Non-voting members: Dr. D. Boisvert (*Speaker*); Mr. R. Côté; Mr. W. Curran; Me M. Danis; Mr. L. English; Me P. Fréreau; Ms. L. Healey; Mr. A. McAusland

ABSENT

Voting members: Mr. W. Chan; Prof. O. Dyens; Prof. E. Mongerson; Dean S. Sharma

1. Call to order

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

2. Approval of the Agenda

R-2008-1-1 *Upon motion duly moved and seconded (Kashfi, Stathopoulos), it was resolved that the Agenda be approved.*

3. Approval of the Minutes of the Open Session meeting of December 14, 2007

Prof. Gamoy asked that the words “and that it remain the same” be added at the end of the paragraph entitled Recommendations 6j, 7a, 7b, 7c, 7d and 8 on page 4.

R-2008-1-2 *Upon motion duly moved and seconded (Graham, Nelson), it was unanimously resolved that the Minutes of the Open Session meeting of December 14, 2007 be approved as amended.*

4. Business arising from the Minutes

4.1 Interim framework on research chairs

Mr. Di Grappa apprised Senate that, as provided for in the Minutes of the last meeting, at the January 8 Steering Committee meeting Dr. Dandurand reported on the consultation and process which led to the implementation of the interim framework on research chairs. Further to this report, Steering Committee was satisfied that Dr. Dandurand possesses the authority to implement administrative guidelines with respect to such matters.

Prof. Lynch conveyed his expectation that a copy of the interim framework would have been distributed and discussed at this meeting and moved a motion accordingly. Dean Esmail was also surprised by Steering Committee's decision and had expected to see this item on today's Agenda. Moreover, he did not agree that there had been extensive consultation at Academic Cabinet and felt that this way of proceeding was a serious departure from our rules and practices. Dr. Dandurand reiterated the various consultation steps that led to the implementation of these interim guidelines, which included discussions at the meetings of the Academic Cabinet on October 21 and November 28, 2007. Deans Wild and Graham noted that the Faculties had had an opportunity to comment on these guidelines.

Further to the discussion, Dr. Dandurand indicated her willingness to have this item added onto the next Senate Agenda. Nonetheless, a formal vote was taken.

R-2008-1-3 *Upon motion duly moved and seconded (Lynch, Esmail), it was unanimously resolved that the document on the interim framework on research chairs be distributed and placed on the Agenda of the next Senate meeting.*

With respect to the report of the Ad Hoc Committee on the Role of Senate in University Governance, Dr. Boisvert apprised Senators that the document was still under review by Steering Committee.

5. Report and recommendations of the Academic Programs Committee (Document US-2008-1-D1)

5.1 Major graduate curriculum changes - Faculty of Arts and Science (Documents US-2008-1-D2 to D4)

R-2008-1-4 *Upon motion duly moved and seconded (Stathopoulos, Graham), it was unanimously resolved that the major graduate curriculum changes in the Faculty of Arts and Science, set out in Documents US-2008-1-D2 to D4, be approved as recommended by the Academic Programs Committee in Document US-2008-1-D1.*

5.2 Major graduate curriculum changes - Faculty Engineering and Computer Science (Documents US-2008-1-D5 and D6)

R-2008-1-5 *Upon motion duly moved and seconded (Stathopoulos, Lynch), it was unanimously resolved that the major graduate curriculum changes in the Faculty Engineering and Computer Science, set out in Documents US-2008-1-D5 and D6, be approved as recommended by the Academic Programs Committee in Document US-2008-1-D1.*

6. Comments sought on the *Report of the Working Group on University Governance of the Institute for Governance of Private and Public Organizations* (Documents US-2008-1-D7 to D9)

Referring to the memorandum from Steering Committee, Mr. Di Grappa indicated that the Chair of the Board had received a letter from the Education Minister seeking feedback from the Boards of Quebec universities no later than February 29 with respect to the principles defined in the report of the Working Group on University Governance, noting that Board Chair Peter Kruyt is asking Senate's input on its agreement or disagreement with each principle. Mr. Di Grappa indicated that a special Board session will be convened to discuss the report with a view of preparing a response to the Minister.

In order to ensure a cohesive and orderly debate, the Speaker suggested that the comments be collected for each principle and then proceed to a vote to obtain Senate's general sentiment on each one. However, it was suggested that Senate should first speak to the general tenor of the document, further to which comments were expressed on the overall content of the report, as summarized hereafter:

- While the report asserts the autonomy of universities, their mission of research-based education and academic freedom, it actually promotes the concentration of power which goes against good governance, namely by excluding the main stakeholders from the governance process. The structure proposed is contrary to the principles enunciated. It was noted that over the years collegiality has been lost and the powers of the Deans have been eroded.
- In reality, academics have little say in the governance of their institution. For example, Senate has no powers in relation to the University's budget. Therefore, Senate should not discuss this report because by doing so it would be legitimizing a flawed process.
- The proposed Board composition is vastly different than the current Board composition. This would lead to a tense situation and greatly impact the involvement of faculty members on the Board.
- While the normative words sound good, the report failed to represent the diversity of the stakeholders. The methodology of the report has no substance or merit in terms of its back up. Some recommendations are unclear and it is not evident how they could fit within Concordia. The external representatives on the Board are inter-related. Is not clear on how the principles defined in the report will increase accountability.
- On the surface, the principles are very commendable. However, a lack of information on how Concordia's issues compare to those elaborated in the document render it difficult to constructively critique the report.
- Currently, thirteen of the 40 members of the Board are internal, representing 30%. The assertion that larger Boards are unwieldy could be challenged as there is a low attendance at Board meetings and few actually take on active speaking roles.
- While there are some flaws, this report should be looked at seriously and Senate must comment on it. The fact that the document defines principles as opposed to rules does afford more flexibility and independence to institutions. With respect to the

concentration of the decision-making power, balance must be sought. The vision should not just be decided by the internal community.

- It is fundamental to look at the wording of the report but also consider the assumptions behind the principles. For example, such an assumption is that independent members are free of agendas while internal stakeholders are incapable of making decisions which are in the best interest of the institution.
- The sudden interest in governance is probably due to problems in the for-profit sector. The report does contain flawed assumptions regarding independent members versus stakeholders. While we do not want to give legitimacy to the report, it would be dangerous to ignore it. The ownership of the University is the issue at the crux of the debate.
- This document brings to light the struggle between the powers of the Board and Senate. The principles in this document could apply to any public institution.
- The fact that the Board formally invited Senate to comment is welcome, but it is not clear what brought about the existence of this report. SCAPP should also comment on this report.
- While containing good ideas, the report is vague on implementation. The composition of the Board and the proposed structure of the three standing committees do not place any value on internal expertise.
- The definition of independent member is skewed because the so-called independent members are actually all inter-related or inter-dependent. Rules must be put in place to prevent cliques from controlling the institution.
- How can we measure accountability? The addition of community service to the mission could be problematic if defined in accordance with corporate principles or the market place. This is not the primary mission of the University.
- While the proposed three Board standing committees have no decision-making powers, nonetheless they do set the agendas. Moreover, they should not solely be composed of independent members.

Dr. Dandurand mentioned that the report has been forwarded to the Deans for discussion at their respective Faculty Councils. Prof. Drainin said that the report will be reviewed at the CUFA Council.

A discussion ensued to ascertain how and when Senate's comments together with those of the other stakeholders could be presented to the Board Chair while taking into account the deadline set by the Minister, the date of the next Steering Committee, that of Senate and of the Board session which will be convened to discuss this matter. Further to this discussion, Dr. Boisvert recapitulated Senate's understanding as follows:

- The comments formulated during the discussion will be reviewed by Steering Committee at its next meeting of January 29, 2008.

- Any additional comments that Senators would wish to make should be sent to Ms. Tessier no later than January 25 so that they be included in the documentation for Steering Committee.
- The President will speak to the Chair of the Board about the timeline.

7. Approval of the revisions to the Graduate Appeals Procedures (Document US-2008-1-D10)

At the request of Dr. Stathopoulos, speaking privileges were granted to Dr. Monica Mulrennan, Associate Dean of the School of Graduate Studies. Dr. Mulrennan indicated that the revised procedures address concerns with respect to the School's dual role in relation to the administration of appeals, the increasing complexity and number of appeals and the fact that changes are long overdue. She outlined the major changes, including the establishment by the School of the Graduate Academic Appeals Tribunal whose composition would be in conformity with the *Policy on the Establishment of Tribunal Hearing Pools* and be presided by a non-voting Chair who is trained to guide the committee on issues of tribunal procedures, human rights, natural justice, etc., thereby ensuring that appeals will be handled appropriately and at arm's length from the School.

A discussion ensued, during which Prof. Lynch opined that the new procedures were problematic and stated a number of concerns, namely that purely academic decisions would be appealed under the same mechanism used to adjudicate cases of academic misconduct or charges under the Code of Rights and Responsibilities. In his view, this process is burdensome because each appeal would result in a hearing, and he also questioned the competence of this tribunal to render equitable decisions on matters of academic judgment.

Dr. Mulrennan replied that because the appeals almost invariably involve academic decisions that have major implications, such as the withdrawal of a student, it is essential that tribunal procedures are vigorously applied. Moreover, the right to a fair hearing, as guaranteed by the principles of nature justice, has become an established legal norm. She also explained that the current procedures involve a formal hearing, the only difference residing in the fact that the hearing would be presided by a non-voting Chair trained in tribunal procedures in lieu of a faculty member. Moreover, the academic decisions appealed under these procedures are limited to less than ten per year as the more routine student appeals associated with the denied student requests are normally addressed in the context of their conformity with more specific regulations and policies.

While Prof. Lynch was not reassured by Dr. Mulrennan's explanations and reiterated his reservations, several other Senators felt that the proposal was reasonable and were very supportive of the overall modifications.

R-2008-1-6 Upon motion duly moved and seconded (Stathopoulos, Dandurand), it was approved with one opposed that, upon recommendation of the Council of the School of Graduate Studies, Senate approve the revisions to the Graduate Academic Appeals Procedures, as outlined in Document US-2008-1-D10.

8. Remarks from the President

8.1 Update on the search for a Provost and Vice-President, Academic Affairs

Mr. Di Grappa reported that since the last Senate meeting, the public presentations were held on January 8 and 9 to introduce two candidates to the community. Members of the community were invited to submit their comments to the Committee. The Committee will be meeting in the near future to review the comments and makes a recommendation to the Board of Governors.

9. Update on the search for a Dean of the Faculty of Engineering and Computer Science

Dr. Dandurand reported that the Committee is scheduled to meeting on February 5.

10. Update on the search for a University Librarian

Dean Esmail reported that at the meeting of January 17, the Board of Governors approved the appointment of Mr. Gerald Beasley as University Librarian, commencing on July 1, 2008.

11. Update on the search for a President and Vice-Chancellor

Ms. Tessier, in her capacity as Secretary to the Advisory Search Committee for a President and Vice-Chancellor, reported that since the last Senate meeting, the Committee met on January 7 to review the long list of candidates. The list was narrowed down and the committees will be meeting in the next few weeks to agree on a short list of candidates.

12. Items for information: Reports from University Councils and Boards, Senate Committees, and reports concerning outside bodies

12.1 Reports from Senate Standing Committees

The Academic Programs Committee has nothing further to report, and the other standing committees had met not since the last Senate meeting.

12.2 Update on exploratory committee regarding the Joint Senate/Board of Governors task force on university governance

Dr. Dandurand informed Senators that the Chair of the Board had been out of the country but that they were now looking to set a date by the end of the month for the meeting of the exploratory committee.

12.3 Report on general academic matters

There was nothing to report under that heading.

12.4 Other report

Dean Esmail was pleased to announce that the Ministry of Education had recently approved two new graduate programs in the Concordia Institute for Information Systems Engineering. Both programs are in information security and quality engineering, two strategically important areas and one of the first of their kind.

13. Question period

Opining that the reported sum of \$1.36 million paid to terminate President Lajeunesse's contract could have been used to fund a great number of seed grants, Prof. Segovia asked for a confirmation of this amount. Mr. Di Grappa replied that he was not privy to that information.

14. Other business

Mr. Di Grappa noted that this was Me Danis' last Senate meeting in his capacity as Vice-President and Secretary-General.

R-2008-1-7 Upon motion duly moved and seconded (Di Grappa, Stathopoulos), it was unanimously approved that Senate express its appreciation to Me Marcel Danis for his outstanding contribution and dedication to Concordia University during his tenure as Vice-President and Secretary-General.

15. Next meeting

The next meeting of Senate will be held on Friday, February 8, 2008, at 2 p.m., in the Norman D. Hébert, LLD Meeting Room (Room EV 2.260) on the SGW Campus.

16. Adjournment

The meeting adjourned at 4:32 p.m.

Danielle Tessier
Secretary of Senate