



Minutes

MEETING OF THE SENATE

A meeting of the Senate was held on Thursday, January 29, 2009 in Policy Studies Room 202 at 3:30 p.m.

Present: Principal Williams in the Chair **Senators:** Archibald, Baird, Benn, Brinkworth, Brock, Brown, Bu, Chan, Cordy, P. Dacin, T. Dacin, Deakin, Deane, Dixon, Gibson, Horton, Jahanbakhsh, Kisilevsky, LaFleche, Laker, Leichner, MacLean, McCormack, Mosco, Norman, Oosthuizen, Pardy, Peterson, Radcliffe, Remenda, Rowe, Ryan, Stairs, Staples, Stewart, Tolmie, J. Welsh, P. Welsh, Wong, Woodhouse, G. Moore (Secretary), P. Watkin (Associate Secretary)

Also Present: M. Boomhour, J-A Brady, B. Brouwer, M. Ceci, R. Chaudhry, B. Cooke, R. Coupland, D. Hogg, D. Hunter, L. Jackson, D. Janiec, D. Kelly, S. Marlin, M. Murphy, W. Myles, D. Rappaport, H. Smith, C. Sumbler, B. Teatero, K. Wiener

I OPENING SESSION

1. Adoption of Agenda

Moved by Senator LaFleche, seconded by Senator Tolmie, that the Agenda be adopted as circulated with the removal of "Appendix Kb, page 93" as it was printed in error.

Carried 09-01

2. Adoption of the Minutes of the Meeting of 27 November 2008 (Appendix A, page 1)

Moved by Senator Oosthuizen, seconded by Senator Woodhouse, that the minutes of November 27, 2008 be adopted as circulated.

Carried 09-02

3. Business Arising from the Minutes

There was no Business Arising from the Minutes.

4. Chair's Report

Appointment of New Principal

Principal Williams reported that the Board of Trustees, on the unanimous recommendation of the Joint Board/Senate Advisory Committee (JAC), appointed Dr. Daniel Robert Woolf as the 20th Principal and Vice-Chancellor of Queen's University. Dr. Woolf's appointment as Principal will take effect September 1, 2009 and he will be joining the Department of History on July 1, 2009. Principal Williams reported that transition meetings have already begun with the aim of making the transition as smooth as possible.

On behalf of the whole Queen's community, Principal Williams thanked the members of the JAC for their diligence and dedication during the work-intensive search. He also thanked them for protecting the absolute integrity of the process, while at the same time respecting the privacy of the candidates who presented themselves for consideration. The following Senators served on the JAC: B. Barnett, P. Dacin, L. Horton, A. Husain, A. MacLean, K. Norman, P. Oosthuizen, T. Radcliffe and J. Welsh.

University Council Mailing

Principal Williams noted that Senators should have recently received an email from the University Council. He reminded Senators that by virtue of their membership on Senate they were automatically members of the University Council. It was noted that included in the email was a call for nominations for Distinguished Service Awards and preliminary information regarding the Annual Meeting

scheduled for May 1, 2009. Principal Williams encouraged all Senators to attend to ensure that the academy's voice was heard during the day-long discussions on the direction of the University over the next decade.

Federal Budget

Principal Williams reported on the following highlights of the Federal Budget tabled on January 22, 2009:

- Infrastructure funds will be available for capital projects that are “shovel ready”, i.e. can be started in 2009. Principal Williams noted that the Board of Trustees will not approve any future capital project until funding is in place ;
- Capital funds will also be available for repairs, alternations and renovations of labs and classrooms;
- There were no provisions in the Federal Budget to enhance operating funds.

With regard to funding for research, Senator Rowe, Vice-Principal (Research) added the following highlights:

- The Canada Foundation for Innovation (CFI) has been allocated \$750M for infrastructure funding to support world-class research. These additional funds will increase the probability of success for Queen's researchers who have applied for CFI grants;
- An additional \$85M has been allocated for scholarships for Master and Ph.D. candidates;
- The granting councils have received no new monies. Their budgets will be subject to a redistribution of 5% over the next three years.

Principal Williams stated that at this juncture it was uncertain what the Provincial budget announcements pertaining to post-secondary education will be.

Principal Williams reported that a financial update will be provided prior to the February Senate meeting. Senators were encouraged to browse the Principal's financial website which contains reports from a number of Task Forces.: <http://www.queensu.ca/principal/financialupdate.html>

Intergroup Dialogue Program

Senator Deane, Vice-Principal (Academic), reported on the establishment of a panel to assess the Intergroup Dialogue program with a mandate to recommend modifications and/or future direction. Members of the panel included K. Norton (alumnus), L. Jackson (Rector) and J. Meisel, (Professor Emeritus). The work of the panel began in December and it is expected that its report will be received in early February. Senator Deane stated that he would make the report broadly available and decisions about the future of the program would be made after further reflection and consultation.

DARE

In response to a number of issues regarding diversity, racism and religious intolerance on campus, a panel on “Diversity, Anti-Racism and Equity” (DARE) has been established. The Panel will serve as a medium through which any constituency within the University community can investigate issues and receive informed advice and guidance from the Panel members. It will also serve as a point of confluence for the University's broader activities around these issues. The Panel is chaired by B. Walker, Diversity Advisor to the Vice-Principal Academic and membership includes: A. Girgrah (Student Affairs), A. Husain (History), L. Jackson (Rector), A. Khanna (Health, Counseling and Disability Services) and C. Levine-Rasky (Sociology). A number of invitations have been extended to individuals and groups across the University to meet with the Panel. Senator Deane concluded his remarks by stating that the goal of the Panel is to advance the agenda and raise the quality of discussion around these issues.

Naming Opportunities in honour of Robert Sutherland

Principal Williams reported that at its December meeting, the Board of Trustees asked for clarification before making a decision on the proposal to name the Policy Studies Building after Robert Sutherland. In this regard, the following Motion was passed:

“In recognition of the importance of the support and contribution of Robert Sutherland to Queen’s University, the Board of Trustees unanimously charges the Principal to present a proposal for appropriate recognition of Robert Sutherland at its next meeting”

Principal William assured Senate that his recommendation would be presented to the Board of Trustees no later than the March meeting.

5. Other Reports

a) Research Report (Appendix B, page 13)

Senator Rowe congratulated Dr. P. Jessop on being awarded the 2009 NSERC *John C. Polanyi* prize in recognition of his outstanding research on switchable materials. It was noted that this award was established three years ago and members of the Queen’s faculty have won it twice which speaks to the high quality of researchers at the University. There were no questions or comments.

b) Exit Poll 2008 – http://www.queensu.ca/registrar/exitpoll/exitpoll_2008.pdf

J-A. Brady, University Registrar, noted that this was the fifteenth year for the Exit Poll which is an in-house survey that compares Queen’s students to Queen’s students. Approximately 50% of graduating students responded to the invitation to participate in the poll. The results of the survey are used by the faculties to guide them on future direction of programming, curriculum, services etc. for their students. There were no questions or comments.

c) Inquiry@Queen’s – Oral Report by Senator Remenda

Senator Remenda reported that the third annual Inquiry@Queen’s conference was scheduled for March 5-6, 2009 in Stauffer Library. This is a unique academic conference that highlights undergraduate student research. Senator Remenda asked that all instructors encourage their students to participate by submitting an abstract of their work by January 30, 2009. Opportunities to chair a theme session are also available and interested parties should contact Senator Remenda directly. All are welcome.

d) Board of Trustees Meeting, Dec. 5-6, 2008 (Appendix C, page 16)

Principal Williams reported that construction of Phase I of the Queen’s Centre, which includes the new pool and gymnasium, is on target to open in the Fall of 2009. Completion of the new School of Kinesiology is also on target. At the March Board of Trustees meeting a series of recommendations from the planning committee are expected regarding how to proceed with Phase II and III which will include the field house, arena, student affairs building and renovations to the John Deutsch University Centre (JDUC). The order in which modules within Phase II and III progress will depend upon monies being available. For example, Principal Williams explained that there is the possibility that the University would be given infrastructure monies that would allow for the completion of one or more modules of a Phase but not the whole project. In response to a question from Senator Oosthuizen, Principal Williams stated that at this point there is no timeline in place for the completion of a new arena.

e) Coordinator of Dispute Resolution Mechanisms – Annual Report 2007-2008
(Appendix D, page 18)

H. Smith, Coordinator of Dispute Resolution Mechanisms, thanked all those who served as advisors during the past year and encouraged any faculty member who was interested in serving in this capacity to contact him directly. There were no questions or comments.

- f) **International Centre – Annual Report 2008** (Enclosed)
W. Myles, Director, International Centre noted that the Annual Report serves as a historic document and as a promotional brochure. Principal Williams asked if there was a steady increase in the number of students using the services of the International Centre. Mr. Myles responded that the International Centre assists domestic students and faculty who plan to spend time abroad and incoming international students. Most days, the flow of users is steady but occasionally the Centre is overwhelmed by students, both Canadian and International, when a difficult situation/incident occurs on campus.
- g) **Queen’s University Annual Report 2008**
Principal Williams drew attention to the *Queen’s University Annual Report*. There were no questions or comments.
- h) **Report on the Annual Budget 2008-2009**
Principal Williams drew attention to the *Report on the Annual Budget*. There were no questions or comments.

II QUESTION PERIOD (Appendix E, page 26)

1. From Senator J. Welsh, President, SGPS, regarding Teaching Fellows

Principal Williams drew attention to the Question submitted by Senator J. Welsh and circulated with the Agenda. It was noted that a response would be provided at the February 26, 2009 Senate Meeting.

III REPORTS OF COMMITTEES

1. Academic Development and Budget Review (Appendix F, page 27)

- a) **Proposal to establish the Ernie and Edna Johnson Chair in Ophthalmology**
Moved by Senator Deane
seconded by Senator Oosthuizen
that Senate approve the establishment of the Ernie and Edna Johnson Chair in Ophthalmology, subject to ratification by the Board of Trustees.

Carried 09-03

There were no questions or comments.

- b) **Proposal to establish a Collaborative Master’s Program in Biostatistics in the School of Graduate Studies and Research**
Moved by Senator Deane
seconded by Senator Deakin
that Senate approve the establishment of a Collaborative Master’s Program in Biostatistics in the School of Graduate Studies and Research to commence in September 2009.

Carried 09-04

There were no questions or comments.

2. Advisory Research (Appendix G, page 52)

- a) **Senate Policy on Integrity in Research**
Moved by Senator Rowe
seconded by Senator Woodhouse
that the Senate approve the proposed Senate policy on *Integrity in Research*.

Carried 09-05

Senator Rowe noted that in 2006 the Senate Advisory Research Committee established a subcommittee to review the *Queen’s Code of Research Ethics* policy (1987). The subcommittee’s mandate was to review and revise the *Code* and to ensure policy and procedures relating to research integrity at Queen’s were compliant with the Tri-Council Memorandum of Understanding, consistent with related policies and agreements at Queen’s (including the

Collective Agreement), encompassed all those involved with research and provided adequate procedures for managing allegations of misconduct in scientific or scholarly activities. During its deliberations, the subcommittee reviewed a number of internal and external related documents. Additionally, they also consulted with various individuals involved with integrity and/or research and with the University's Legal Counsel. A draft document was circulated broadly for comment in July 2008.

Senator P. Welsh noted that the word "reasonably" was used in some sections of the proposed policy and not in others. He questioned whether this omission was intentional or an oversight. For example, *Section 6: Investigation of Allegations*, Senator P. Welsh asked what the appropriate threshold would be before the Vice-Principal (Research) could proceed with a complaint of misconduct. He noted that it would be very beneficial to the respondent to know what standard they needed to meet in order to defend their position. It would also remove any potential for arbitrary decisions and suggested that the word "reasonably" be inserted.

Senator Rowe responded that the Vice-Principal (Research) is not making a decision on whether misconduct has occurred but rather whether it would be appropriate for the case to be heard by a Committee.

Senator MacLean questioned the need to add the word "reasonably" to the word "sufficient" and suggested that it was redundant. Senator J. Welsh responded that the word "reasonably" determines the degree of sufficiency and sets the standard therefore adding more clarity to the procedures.

Senator P. Welsh made the following amendment:

Moved by Senator P. Welsh
seconded by Senator J. Welsh
that Section 6 C i be amended as follows:

There is **reasonably** sufficient evidence to indicate a situation may exist that would constitute misconduct and a full investigation is necessary or

On vote the amendment failed -17 for, 18 against.

Senator Parry drew Senate's attention to the section on the "Investigative Committee" outlined on pages 5-7 of the proposed policy. Reflecting on the responsibilities of the "Investigative Committee" Senator Parry expressed his concern that it has the power to both investigate and decide on a finding. He questioned why the two functions had not been separated since giving the "Investigative Committee" both jobs could result in a natural bias in favour of the results of the investigation. He asked if consideration was given to separating the two functions.

S. Marlin, Associate Vice-Principal (Research), responded that utmost care was taken to ensure the language and procedures in the proposed policy were consistent with the Tri-Council recommendations and framework. The expectation of the Tri-Council is that the "Investigative Committee" will make the decision whether or not misconduct had occurred. Its decision is binding except in cases of appeal.

Senator Parry noted that one of the principles of natural justice is that the person accused of misconduct is entitled to hear the accusations against them and to challenge those accusations through cross examination. The procedure outlined in the proposed policy (Section 6f-g) invites the respondent and the complainant to appear separately in front of the "Investigative Committee" which negates the possibility of cross examination. Also, witnesses are to appear before the "Investigative Committee" in the absence of either the respondent or the complainant. Senator Parry acknowledged that the document states that the testimony will be passed on to the respondent by the "Investigative Committee" but this means the information is received second

hand. Senator Parly asked if these breaches of the principles of nature justice had been considered.

S. Marlin responded that the subcommittee had considered the procedures for investigating allegations very carefully. When an allegation is submitted all information is provided to the respondent. Also, if the complainant and/or witnesses appear before the "Investigative Committee" a summary of those discussions are provided to the respondent. S. Marlin added that the subcommittee reviewed the Tri-Council procedures and norms within the University.

D. Kelly, Legal Counsel, explained that the proposed policy outlines a fair investigative process but did not anticipate a formal hearing because conducting such a hearing would be a violation of the Collective Agreement. Under the proposed policy, individuals are ensured complete disclosure which is also one of the pillars of the principles of natural justice. D. Kelly concluded her remarks by explaining that there is an appeals process in place if the respondent feels the process was unfair or if the decision and/or sanction were unreasonable.

b) Annual Report 2007-2008

Principal Williams drew attention to the Annual Report of the Senate Advisory Research Committee. There were no questions or comments.

3. Nominating (Appendix H, page 74)

a) Elections

**Moved by Senator Oosthuizen
seconded by Senator MacLean**

that those listed in Appendix H, page 74 be elected to the committees indicated.

Carried 09-06

4. TA Consultative Committee (Appendix I, page 75)

a) Proposed Amendments to the Senate Policy on *Teaching Assistants at Queen's University*

**Moved by Senator Deakin
seconded by Senator T. Dacin**

that amendments to the Senate policy on Teaching Assistants at Queen's University, specifically the Teaching Assistant Agreement Form (Appendix B) and the Protocol for Resolving Disputes (Part IV), as set out in Appendix I, pages 76-78 be approved by the Senate.

Carried 09-07

Senator Deakin reported that the TA Consultative Committee has brought forward to Senate two amendments to the *Teaching Assistants at Queen's University* policy. The first amendment is to the agreement form (Appendix B) which is currently in use by 36 out of 40 units surveyed. The proposed amendments make it mandatory that the form is completed and at the same time allows units the flexibility to adapt the form to their specific departmental needs. Senator Deakin stated that it is important that the form be completed as it makes explicit the nature and scope of the TA work and serves as a reference if a dispute arises. It was noted that Appendix B was distinct and separate from the *Student Employment Contract* which is a Queen's Human Resources document that establishes the employment relationship between the University and the teaching assistant.

The second amendment incorporates an additional step to *Part V* of the *TA Policy* which deals with resolving disputes that may arise between teaching assistants and the course supervisors. The Consultative Committee recommends that informal resolution of disputes be encouraged before a complaint reaches the formal hearing stage. This may be best achieved with the assistance of the Coordinator of Dispute Resolution Mechanisms (CDRM) who would serve as a chair if the parties are willing to meet and discuss the situation or as a mediator if both parties agree. Senator Deakin noted that the proposed informal step is consistent with other University procedures related to student grievances.

Senator J. Welsh congratulated Senator Deakin on bringing the amendments forward.

5. **Non-Academic Discipline** (Appendix J, page 80)

a) **Proposed Amendments to s17 of the Senate Policy *Student Appeals, Rights and Disciplines (SARD)* – Notice of Motion to Lift Original Motion of October 20, 2005**

Moved by Senator Deakin

seconded by Senator Deane

that the Motion to amendments s17 of the Senate Policy *Student Appeals, Rights and Disciplines (SARD)* be lifted from the Table.

Carried 09-08

Principal Williams noted that a Motion to lift a Motion from the Table must be decided immediately without amendment or debate.

Senator Deakin explained that the original motion that was tabled in October 2005 proposed that the University Student Appeals Board (USAB) be given the jurisdiction to hear TA complaints.

Original Motion made October 20, 2005

Moved by Mr. Anderson

seconded by Mr. Oosthuizen

that Senate approve the motion that s.17 of the Senate policy on Student Appeals Rights & Discipline (2004) be amended as described in this report.

Carried 09-09

In response to congratulations from Senator J. Welsh, Senator Deakin expressed her sincere thanks to D. Rappaport, Associate Dean, School of Graduate Studies and Research and H. Smith, Coordinator of Dispute Resolution Mechanisms, for their extensive work with the TA Consultative Committee.

6. **Operations Review** (Appendix K, page 85)

a) **Proposed Changes to the Senate Rules of Procedures**

Senator Stairs, Chair, Senate Operations Review Committee (SORC), drew attention to the proposed changes to the *Senate Rules of Procedures* that were circulated with the Agenda as a Notice of Motion. It was noted that a variety of circumstances prompted a review of the *Rules* including a recent experience with a “Committee of the Whole” and the desire to have a better framework around electronic voting. The proposed amendments will be presented to Senate for action at the February 26, 2009 meeting.

b) **Recommendations on the Timing of an Annual Report to Senate on the Progress Made Towards the Recommendations Contained in the *Henry Report* and the Senate Educational Equity Committee’s Response to the *Henry Report***

Moved by Senator Stairs

seconded by Senator Radcliffe

that an Annual Report to Senate on the progress made towards the recommendations contained in the Henry report and the Senate Educational Equity Committee’s response to the Henry Report be tabled at the October Senate Meeting.

Carried 09-10

Senator Stairs noted that after careful discussion, SORC was recommending that a progress report on the recommendations contained in the *Henry Report* and the Senate Educational Equity Committee’s (SEEC) response to the *Henry Report* be tabled at the October Senate meeting. There were no questions or comments.

c) **Survey Results Regarding Accessing Meeting Materials on the Web**

Senator Stairs reported that a recent survey of Senators regarding accessing meeting materials electronically revealed that the overall preference was to continue receiving paper agendas.

Senator P. Welsh remarked that he had tried to use the electronic resources last semester but found the process cumbersome and had reverted back to a paper agenda. He thanked SORC for taking

into consideration the expense to students incurred if they were printing all or part of the agenda on their personal printers.

There were no further questions or comments.

IV REPORTS OF FACULTIES AND AFFILIATED COLLEGES

None Received

V MOTIONS

None Received

VI COMMUNICATIONS

None Received

VII MATTERS REFERRED TO STANDING COMMITTEE

None Received

VIII OTHER BUSINESS

None Received

IX CLOSED SESSION

Not Required

There being no further business, the meeting adjourned at 4:40 p.m.