



Minutes

MEETING OF THE SENATE

A meeting of the Senate was held on Tuesday May 22, 2012 in Robert Sutherland Hall, Room 202 at 3:30 p.m.

Present: D. Woolf (Chair) **Senators:** Abdollah, Adams, Beach, Bevan, Blennerhassett, Bridges, Brouwer, Chowdhury, Cole, Colgan, Crowell, De Souza, Egnatoff, Elliott, Fachinger, Harrison, Hart, Johnson, Jones, LaFleche, Liss, MacLean, Maurice, McIntire, Medves, Morelli, Notash, Oleschuk, Oosthuizen, Parker, Paterson, Reid, Reznick, Saunders, Scribner, Shearer, Sullivan, Tierney, Walters, Whitehead, Woodhouse, Young G. Moore (Secretary), C. Russell (Associate)

Via teleconference: B. Foo

Also present: T. Alm, V. Ashford, J. Cordy, R. Coupland, M. Dineen, I. Duchaine, S. Dunn, L. Faught, S. Field, N. Francis, A. Girgrah, E. Hill, B. King, B. Lemieux, S. Marlin, V. Matak, G. MacAllister, S. McFadden, C. Morrison, K. O'Brien, L. Peterson, B. Ravenscroft, S. Rigden, J. Schmelzle, H. Smith, A. Sproat, A. Suen, C. Sumbler, A. Vienneau, K. Wallace, P. Watkin, J. Whittaker

I OPENING SESSION

The Chair welcomed senators to the final meeting of the 2011-12 academic year and thanked retiring members of Senate who were attending their final meeting. Senate observed a moment of silence in memory of Stephen Gyimah (Sociology), who died suddenly on Friday, May 10. Professor Gyimah was a former senator (2007-10) and a member of the Nominating Committee (2007-09).

The Chair welcomed members of the Senate Committee on Academic Development and also thanked all chairs and members of Senate committees for their hard work over the past academic year. He noted that much of the work done in Senate is conducted at the committee level by faculty, staff and student representatives, senators and non-senators who volunteer their time in support of the academic mission.

1. Adoption of Agenda

Moved by Senator LaFleche, seconded by Senator Woodhouse, that the agenda be adopted as circulated.

Carried as amended by a later vote 12-32

The Principal left the Chair to report on the Agenda Committee's decisions about some submissions to the May 22 agenda. Vice-Chair Oosthuizen assumed the Chair.

As Chair of the Agenda Committee, the Principal addressed concerns of some senators about the development of the May 22 agenda. According to the Senate Rules of Procedure, the Agenda Committee declined the three motions about a statement on research integrity by the Ontario Confederation of University Faculty Associations (OCUFA) because it was unclear whether a violation of graduate student research protection had taken place as alleged. The University was not offered an opportunity to respond to OCUFA's assertions. The Agenda Committee concluded that the motions were based on an incomplete grasp of the facts.

The committee also declined a motion related to the Queen's Travel Policy because it determined that the responsibility for compliance with government travel reimbursement directives was not a

Senate matter. However, in subsequent correspondence with Senator Jones, who submitted the motion, it was deemed that, while Senate cannot direct administration to change a provincially mandated travel policy, many would share concerns about changes to the policy, as expressed in Professor M. Epprecht's letter to AVP (Finance) D. Janiec, which was circulated on the Senate listserv. (*A copy of the letter is attached to the minutes.*) In response to the Principal's suggestion, Senator Jones submitted a revised motion, expressing Senate's concern with some of the restrictions in the policy and encouraging the administration to raise the issue with the ministry and the COU. The Principal reported that AVP Janiec is consulting with the Council of Ontario Universities (COU) and the ministry to see how the situation could be mitigated.

Moved by Senator Jones, seconded by Senator Morelli, that a motion concerning Queen's travel policy be added to the agenda.

Carried 12-33

Senator Jones noted that senators should lend administrative support in speaking back to government initiatives for post-secondary education. The motion, which was distributed on paper to senators, was added under Section V, Motions.

Senator Morelli asked to introduce the following motion. He noted that the matter was important and that Senate should have the opportunity to discuss it.

Moved by Senator Morelli, seconded by Senator Jones, to challenge the ruling of the Senate Agenda Committee not to include on the May 22 Senate agenda three related motions concerning Allegations of Research Misconduct at Queen's University and the Higher Education Quality Council of Ontario (HEQCO), submitted by Senators Morelli, Bridges and Jones.

Carried 12-34

A count of votes was requested: 20 in favour, 19 opposed.

Senator Oosthuizen invited the Provost, Senator Harrison, to speak. He explained that the Agenda Committee requested his advice on the matter. He advised the committee that a motion advancing the arguments of OCUFA would be inappropriate because OCUFA takes as fact what has yet to be established; namely, whether a serious breach of ethics took place. If this were the case, then the University has processes to enable an investigation to take place.

The Provost reported on the background he provided to the Agenda Committee.

- On April 10, 2012, an email with an attached letter signed by two individuals identifying themselves as Queen's graduate students was sent to HEQCO President H. Weingarten. The email was copied to several recipients including VP (Research) S. Liss and AVP (Research) S. Marlin. The letter focused on a HEQCO-sponsored report on which the two individuals had worked along with a third person. It alleged that several changes had been made to the report after submission of a final version. They asked HEQCO to:
 - Remove the report from its website and replace it with a version dated June 6, 2011
 - Disclose the names of those responsible for the substantive changes they claim had been made
 - Apologize for "a breach of academic and intellectual integrity."
- HEQCO responded to all recipients stating that:
 - The report, which was originally due June 10, 2010, was a deliverable of a contract with Queen's
 - The individual responsible was doing so in a capacity as a Queen's employee
 - HEQCO received a revised version five months later, which was returned for revisions
 - A version submitted in June 2011 was also sent back for further revisions and that HEQCO sent subsequent reminders.

The Provost noted that:

- The individuals told HEQCO that the June 2011 version was the final report and that they provided a rationale for not making the requested changes.
- HEQCO invited any of the three authors wishing to have his or her name removed to notify HEQCO.
- In September 2011, HEQCO asked Queen's about the status of the report. The individual responsible was no longer working at Queen's.
- Queen's Office of Institutional Research and Planning completed the report and submitted it in December, 2011. It was accepted as completion of Queen's contract
- At no time did the individuals ask anything of Queen's. Although Queen's officials were cc'd on email communications, all requests were directed to HEQCO.
- On April 27, 2012, OCUFA released a five-page document related to these allegations focusing on the nature of HEQCO's research contracts.
- The document criticized Queen's for not doing enough to ensure that the three individuals understood the terms and conditions of the contract and for not informing them of changes to the report before HEQCO published it.
- OCUFA sent a copy of the document to Glen Murray, Minister of Training, Colleges and Universities, and a letter that stated that, although it did not believe that HEQCO or Queen's had violated their contractual obligations, it recommended that the Minister issue a full, independent review of HEQCO's research procedures,
- Principal Woolf was copied on the communication to the Minister. However, OCUFA did not communicate officially with Queen's before the document was released. It was sent to two Queen's employees on April 26, the day before its release and at the same time that it was sent to HEQCO. OCUFA indicated that it was to be released publicly the next day and expressed regrets about the short lead time.
- On Thursday, May 17, OCUFA sent the original document to the Principal with a covering letter inviting Queen's to respond to the document's contents. This was the first direct communication to Queen's on the issue.

The Provost noted that the Provost's Office had already begun an investigation of the matter, prior to the Principal receiving the document. He noted that:

- OCUFA's investigation did not involve Queen's: The document states that it has investigated the allegations carefully, yet three weeks later, the University is being invited to offer any information, public or otherwise, that would contradict OCUFA's interpretation.
- The contract between Queen's and HEQCO was signed by the individual responsible on behalf of Queen's. This individual was a Queen's employee, the principal investigator and the contractor on behalf of Queen's. Anyone hired by this person needed to understand the contract terms.
- OCUFA stated that if a University signs a contract with HEQCO and then subcontracts the research within their institution, the researchers must understand the terms and conditions of the contract; this is particularly true for students.
- OCUFA believed that the three individuals were graduate students and, as such, they were less experienced and may have misunderstood their rights and responsibilities as subcontractors.
- Two of the three, including the person responsible, stated that they misunderstood the terms of the contract; OCUFA suggests that those working on the project may have been unaware of the provision to waive moral rights to their work
- The person responsible resigned from a staff position at Queen's on August 31, 2011. In spring of 2011, acting AVP and Dean of Student Affairs John Pierce announced transfer of this work to Institutional Research and Planning, which completed the project, working with a third individual who had been directly involved in the work.

The Provost affirmed that Queen's takes research ethics extremely seriously and indicated that Senate will be informed once his investigation is complete. He cautioned that the investigation will involve personnel issues and that the information provided would be subject to the application of privacy laws.

Senator Jones noted that academic integrity was central to the argument for including the motions on the Senate agenda and that OCUFA's damaging allegations, whether true or false, affect Queen's reputation for academic integrity. The research was published on HEQCO's website over the three authors' names with a disclaimer that these were not necessarily the views of HEQCO, but rather those of the authors.

Senator Morelli clarified that the motion on the floor was to add three revised motions, sent to the Senate Agenda Committee after it had turned down the three original HEQCO motions submitted by Senators Bridges, Jones and Morelli.

The vote was called and the Principal returned to the chair.

2. Adoption of the Minutes of the Meeting of 17 April, 2012 (Appendix A, page 1)

Moved by Senator Reznick, seconded by Senator Beach, that the minutes be adopted as circulated.

Carried 12-35

3. Business Arising from the Minutes

None

4. Principal's Report (Appendix B, page 12)

University Secretary

The Principal expressed his sincere appreciation to University Secretary G. Moore, who retires on June 30, 2012 after 26 years of dedicated service to Queen's. He noted that he is the fourth principal to rely upon her wisdom, and that she will be sorely missed. Her successor's appointment will be announced in the near future. The Principal noted that Senate was represented on the joint selection committee. S. Rigden of the Office of the Principal has been appointed acting University Secretary for the interim.

Governance

The annual meeting of the University Council, which consists of senators, trustees and an equal number of elected alumni, took place May 5. Council reform was discussed at the meeting. The June 2011 revisions to the Queen's Charter allow Council to determine its own size and composition. Elected councillors participated in an afternoon session on future models for Council, which will be developed. A proposal will be brought to the Senate and the Board in the coming months.

For a report on the meeting, see the May 22 agenda, VI Communications and Reports Submitted to Senate, Appendix O, page 161.

The Third Juncture

The Principal's latest position paper presents his thoughts on Queen's past and present and its future over the next decade. The challenges ahead are largely external, including economic challenges worldwide and the globalization of education. As it deals with these challenges, the University must stay true to its core values, including providing a high-quality student experience, producing a highly qualified and engaged student body, and maintaining Queen's reputation as a research-intensive university.

Senate-Board Retreat

The agenda is being developed over the summer for a September 29 retreat for senators and trustees to work together on challenges facing the University.

5. Provost's Report

Three-Minute Thesis (3MT) Competition

The Provost reported on the recent competition where participants were tasked with distilling complex research into short and clear presentations. The winner of the popular event was Jennifer Campbell, a doctoral candidate in engineering physics.

The Common Reading Program

All incoming students will receive a book, *Eating Dirt* by Charlotte Gill, over the summer in advance of activities planned for the coming year. The program aims to help students in their transition to university.

SNOLAB

On a recent visit to the Sudbury Neutrino Laboratory, the Provost witnessed the breath-taking work taking place at the underground science laboratory.

Non-Academic Discipline (NAD)

The Provost responded to concerns about the establishment of a committee to review the student Non-Academic Discipline system with respect to the Coroner's recommendations, and whether it undermined the authority of the Senate Committee on Non-Academic Discipline. The Provost referred to an email from SONAD Chair, H. Smith. The committee, whose members represent a cross section of the University community, and include SONAD Chair H. Smith, has met several times over the academic year and has just provided its report to the Provost. If changes are proposed to the Non-Academic Discipline system, they will be referred to the Senate Committee on Non-Academic Discipline (SONAD) for review and recommendation to the Senate.

1. COU Academic Colleague's Report (Appendix C, page 14)

a) Council of Ontario Universities (COU) Meeting of April 20, 2012

There were no questions or comments.

II QUESTION PERIOD (Appendix D, page 17)

1. Admission requirements for mature students and the reasons for abolishing on-campus classes option – submitted by Senator Notash. *Oral response provided by Senator MacLean, Dean of the Faculty of Arts and Science.*

The “mature student” category for admission at Queen’s University has recently been changed such that it is now part of the “student interest” admission process. That is, students who formerly would have been admitted as mature students must now take a series of online courses (amounting to 4 full courses) before they will be admitted to on-campus courses. This change could present a significant barrier to many mature students: for some mature students the classroom environment is an essential part of the experience of university; the interaction between professors and students is very beneficial for many students; classmates are also important as they often support one another’s learning; the physical environment, including libraries and laboratories, reinforces a sense of belonging and purpose for these students. On the other hand, mature students readily share insights that raise the level of debate in classrooms from which everyone benefits.

Mature students are generally recognized to be those students who either have not completed high school or do not have secondary school grades sufficiently high to permit them to enter university, and who have been out of school for a significant period of time. Mature students are normally admitted on a conditional basis if they can demonstrate through either a test, or a letter, as well as through a history of successful employment, or volunteer work, that they have the skills and abilities necessary to succeed in their studies. There are many reasons for not succeeding in high school, including physical and mental health problems, poverty, parental health or addiction issues, physical, emotional or sexual abuse, learning differences, cultural issues, bullying, and gender identity conflicts. All of these might affect their performance at high school but do not affect their intellectual capability, and hence, those students may do well at university. Universities have historically recognized that these issues are beyond the students’ control, and therefore, these students are typically not excluded from post-secondary education. As well, Canadians in the lowest socioeconomic bracket are often those who benefit from a mature student admission. These individuals bring a richness and diversity much needed in our classrooms. The new Queen’s procedure with preliminary online learning component will restrict access for many non-traditional, adult students, and hence, will reduce/eliminate their chance to improve their skills, their knowledge, and their earnings.

i. Had the University considered keeping the former admission requirement for mature students as an option with on-campus classes while introducing the online learning as another option for these students?

Senator MacLean explained that the new regulations are more inclusive and equitable than before. Interested candidates will have the option to transfer to on-campus classes once they have successfully completed 24 online credits.

It was noted that the admission requirements being questioned are based on Arts and Science regulations only and do not apply University-wide. Senator MacLean said that reasons for changing the admission requirements include:

- Some students objected to the term “mature.” The current designation of “interest candidates” was designed to be more inclusive
- The former “mature student” regulation was also more restrictive in its terms. The current regulation is significantly more equitable. For example, it does not require a waiting period of five years for some student categories.

ii. It will be helpful to know the reasons for abolishing the on-campus classes option and what measures the university is planning to take to improve access for mature students.

Senator MacLean noted that physical space constraints forced the Faculty of Arts and Science to develop an enrolment management policy that gives priority to on-campus classes, specifically, to first-year, full-time degree students. Even within this group students still do not always get access to the courses that they want. The Faculty can only accept a few upper-year transfer students from other institutions and has had to place limits on non-degree students. Fortunately, Continuing and Distance Studies (CDS) offers a range of high-quality online courses that helps to meet the demand. Students in the “interest” category have access to Queen’s courses and academic quality is preserved through progressive requirements paralleling those of the former mature student regulation.

The Dean also noted that:

- Like all interest students, “mature” students can transfer to on-campus studies once they have successfully completed 24.0 units
- Many “mature” students have chosen to study through CDS. The self-directed form of study is often better suited for those requiring a more flexible schedule due to life circumstances,
- CDS courses are designed following best practices in on-line learning and feature interaction between the instructor, TAs and students (on-line synchronous office hours and on-line tutorials) and between student peers (group assignments, discussion forums, blogs),
- CDS works with the Library, the Learning Commons, the Writing Centre, the Learning Strategies Unit and Ban Righ to provide support for all distance students,
- CDS and the Faculty of Arts and Science Student Services provide distance students with academic support including course selection, general academic advice, advice about academic appeals, and assistance with technical difficulties,
- The Dean is not aware of any “mature” students who have suffered adverse effects by the application of current academic regulations but would be interested in knowing of any problems,
- In the last two years there have been about 25 “mature” students each year.
- There is no restriction on the age of students who may attend as on-campus students if they have the appropriate qualifications.
- A small number of Queen’s staff members attend as on-campus students.

Senator Notash noted that some mature students prefer the option of online courses. However, some mature students returning to university prefer to take courses on site.

In answer to a question, Senator MacLean clarified that “mature” students pay the same fees as other students and that all online courses are imbedded in the departments.

2. **Question about Queen’s Non-Academic Discipline Review** – submitted by Senator Morelli
Senator Morelli withdrew the question because the Provost addressed it in his report to Senate.

III REPORTS OF COMMITTEES

1. **Academic Development** (Appendix E, page 19)
 - a) Proposal to introduce a New Graduate field in the Art History PhD Program: Studies in Art History and Art Conservation.

SCAD Chair Senator Cole noted that under the new QUQAPs system, an external review by the Ontario Council of Graduate Studies is no longer required. The program will be limited to between two and four students per year. It was noted that the program was already being offered but not formally recognized.

Moved by Senator Cole, seconded by Senator MacLean, that Senate approve the introduction of a new graduate field in the Art History PhD program: Studies in Art History and Art Conservation in the Faculty of Arts and Science and the School of Graduate Studies, to commence September 2012.

Carried 12-36

- b) Interim Report on Procedures for the Suspension of Admissions to Academic Programs

Senator Cole noted that the draft report was passed unanimously by SCAD and is presented for information at the request of Senate. Since written input is being accepted until mid-September, she noted that it would be premature to discuss the substance of the draft without student senators being present. Input and discussion will continue in the fall, with a November target to present the report to Senate.

2. Advisory Research (Appendix F, page 44)

- a) Queen's Institute for Energy & Environmental Policy

Moved by Senator Liss, seconded by Senator Brouwer, that Senate approve formal Institute status of the Queen's Institute for Energy and Environmental Policy for a period of five years, effective December 8, 2011, subject to ratification by the Board of Trustees.

Carried 12-37

- b) Queen's University Strategic Research Plan 2012-2017

Senator Liss noted that, following the informal session on the plan at the April 17 meeting and the posting of the plan on the VPR website, small changes were made to the executive summary and minor corrections were made to the document; otherwise the document is the same the document that was presented at the Senate meeting on April 17.

Senator Johnson conveyed that, due to the importance of the matter, the student senators who were unable to attend the May meeting had been polled and that they were unanimously in favour of passing the motion.

Moved by Senator Liss, seconded by Senator Reznick, that Senate approve the Queen's University Strategic Research Plan 2012-2017.

Carried 12-38

The Principal congratulated Senator Liss, the members of SARC and the Advisory Committee for their hard work.

3. Nominating (Appendix G, page 121)

- a) Elections

Moved by Senator Oosthuizen, seconded by Senator Beach, that Senate approve those named in the report in Appendix G, page 121, be elected to the committees indicated.

Carried 12-39

Senator Oosthuizen, Nominating Committee Chair, noted that spelling of the name of appointee N. Tsui, under Scholarships and Student Aid, was incorrect in the report and would be corrected for the record.

In response to a question about the process to form the 2012-13 Academic Planning Task Force, Senator Oosthuizen said that Nominating Committee was asked to bring forward a set

of names after a call was sent out for interest and that the selection process was handled in the same way as other appointments to committees.

4. Scholarships and Student Aid (Appendix H, page 124)

- a) Revisions to Renewable Awards Policy

Moved by Senator Foo, seconded by Senator Johnson, that the Senate approve the revised policy on renewable awards as stated in Appendix H, page 124.

Carried 12-40

Senator Foo noted that the policy was updated to ensure that the standards are consistent with the new GPA grading system. It was noted during discussion that the policy change necessitated a reduction to the GPA requirements for the various scholarships and student aid and it was stated during debate that such reductions were believed to be a direct result of deficiencies in the new GPA grading system, which were felt to be disadvantageous to some students.

- b) Policy on Treatment of Permanent Residents

Moved by Senator Foo, seconded by Senator Medves, that Senate approve that the Senate Committee on Scholarships and Student Aid, in the development, approval and administration of awards, bursaries, fellowships and scholarships, shall not distinguish between the status of Canadian citizens and permanent residents.

Carried 12-41

Senator Foo noted that under the terms of The Horace's Father Bursary, only Canadian citizens were eligible. Chair J. Cordy explained that the existing scholarship terms could not be changed and efforts to convince the donor to change the requirements were unsuccessful because no written policy existed. This particular scholarship will be the only one remaining with such a restriction. The intention for the future is not to distinguish between the status of Canadian citizens and permanent residents. He suggested that Senate may wish to develop a similar policy that extends beyond scholarships.

5. Internal Academic Review (Appendix I, page 133)

- a) Theology Programs in Queen's School of Religion

Moved by Senator Cole, seconded by Senator MacLean, that Senate approve the Internal Academic Review Report on Theology Programs in Queen's School of Religion.

Carried 12-42

6. Creative Arts and Public Lectures (Appendix J, page 148)

- a) Annual Report 2011-2012
There were no questions.

7. Educational Equity (Appendix K, page 150)

- a) Annual Report 2011-2012
There were no questions.

8. Operations Review (Appendix L, page 153)

- a) Report to Senate
There were no questions.

The Principal thanked the committee chairs, I. Zuk, Senator Notash and Senator Culham respectively for their work on the committees and noted Senator Culham's retirement from and long service to Senate.

IV **REPORTS OF FACULTIES**

None Received

V **MOTIONS** (Appendix M, page 155)

1. That Senate endorse the statements by CAUT and QULA concerning Access Copyright –
submitted by Senator Jones

Given that the Association of Universities and Colleges of Canada (AUCC) has signed an agreement with Access Copyright on a model copying-license to cover the reproduction of paper and digital content on university campuses;

Given that the Canadian Association of University Teachers (CAUT) has condemned this model licensing agreement for reasons including excessive fees to students, invasive provisions for surveillance, and a definition of copying (including “posting a link or hyperlink to a digital copy”) that is in defiance of “the Supreme Court of Canada’s ruling (Crookes v. Newton) that hyperlinks do not constitute the communication or publishing of content” (CAUT, “A Bad Deal: AUCC/Access Copyright Model License Agreement,” 17 April 2012); and

Given that Queen’s University Librarians and Archivists (QULA) have also written to urge Queen’s Provost and University Librarian “not to sign on to the copyright agreement negotiated between the Association of University and Colleges of Canada (AUCC) and Access Copyright” (QULA Letter of 7 May 2012),

Moved by Senator Jones, seconded by Senator Scribner, that Senate endorse the statements by CAUT and QULA on this matter; and that it urge Queen’s Administration and University Librarian not to sign with Access Copyright for the many good and persuasive reasons enumerated by CAUT and QULA in these statements.

A count was requested. The motion was defeated on vote: 12 in favour, 24 opposed and 3 abstentions.

Senator Jones noted that, since submission of his motion, Queen’s had signed a letter of intent with Access Copyright. He noted support for the position by the Society of Graduate and Professional Students and Queen’s University Faculty Association and that the University of British Columbia had decided not to sign. He echoed the CAUT’s concerns that include exorbitant fees for students, a broad definition of copying including links to electronic documents and invasive provisions for surveillance.

University Librarian, Senator Whitehead, noted that the letter from QULA was addressed to her and provided background.

- Although she respects the QULA perspective, the University’s assessment must be based on all the facts.
- Although the Library has a role in copyright, it is a legal and Board of Trustees matter with responsibility delegated to the Principal.
- The Library, in collaboration with Queen’s Legal Counsel D. Kelly has established a copyright advisory office staffed by a copyright specialist Mark Schwarz.
- Copyright issues are extremely complicated and the Library has a role in providing support to faculty and students.
- The Library is working with colleagues across the country to arrive at a solution.
- A proposed two-year-old model would have charged an unreasonable tariff of \$45 per full-time equivalent student and involved an invasive monitoring process. Queen’s chose to opt out of that agreement last August. UBC, which has centralized learning management systems, and other universities have said they will take the risk and not sign the agreement. Not signing presents a serious risk as the University may be liable for the interim or full tariff for any year in which copyright infringement is proven.

- The Queen's Copyright Working Group, chaired by M. Schwarz, continues to meet and the Provost will be joining them.

Several senators expressed concern about the currently proposed fee and that the model licence was a step in the wrong direction. If an infringement were to take place, the University would have to pay the legal costs. It was noted that although Senate may not be a final authority, it is important that the University receive Senate's advice.

Secretary's note: In June, the University decided not to sign the Access Copyright Agreement.
<http://www.queensu.ca/provost/news/accesscopyrightrejected.html>

2. Motion for Senate of 22 May 2012, concerning Queen's Travel Policy

The following motion and background were distributed at the meeting in print form. M. Epprecht's letter is attached to the minutes.

Background: Professor Marc Epprecht, incoming Head of Global Developmental Studies, wrote to AVP (Finance and Administration) Donna Janiec on 10 April 2012 to express concerns on behalf of DEVS faculty and staff regarding the University's new policy on travel expenses (see <http://senatefacultycaucus.files.wordpress.com/2012/05/epprecht-letter-on-finance-policy-apr-20121.pdf>). M. Epprecht's letter was endorsed by the Arts and Science Faculty Board on 4 May.

Also on 4 May, AVP Janiec replied to Prof. Epprecht to express concurrence with his concerns and to promise exceptions to the policy "for research travel to countries/regions where there is difficulty in obtaining receipts." She also indicated that since the policy is imposed by the government, she and her counterparts at other Ontario universities have lobbied the MTCU, albeit without success.

The motion below is intended to lend Senate's support to our Administration's efforts to lobby the MTCU to rescind or revise the new travel expenses policy.

Moved by Senator Jones, seconded by Senator Morelli, that Senate endorse Professor Marc Epprecht's letter of 10 April 2012 to Associate Vice-Principal (Finance) Donna Janiec, and that it support Queen's Administration's requests that the provincial government rescind or revise its new guidelines for travel expenses accordingly.

Carried 12-43

The motion carried unanimously.

Senator Harrison clarified that the travel policy changes were government directives. He suggested a friendly amendment to change the word "MTCU" to "provincial government," which was accepted by the mover and seconder.

Senator MacLean, Dean of Arts and Science, observed that the matter was of some concern in his faculty and that a similar motion had been approved at the last faculty board meeting.

Senator Morelli requested that the approved motion be conveyed to the COU and the provincial government.

Moved by Senator Morelli, seconded by Senator Beach, that the meeting be extended for an additional 30 minutes.

Carried 12-44

3. Revised motions concerning Allegations of Research Misconduct at Queen's University and HEQCO – submitted by Senators Morelli, Bridges and Jones.

Motion 1

Given that the Ontario Confederation of University Faculty Associations (OCUFA) has released a “Statement on allegations of research misconduct at Queen’s University and HEQCO” (27 April 2012) <http://ocufa.on.ca/2012/ocufa-statement-on-allegations-of-research-misconduct-at-queens-university-and-HEQCO/> ;

And given that the statement advises OCUFA members “that working with HEQCO requires the researcher to surrender all ownership of, and moral rights to, the final product” (p. 2), that “The terms of the HEQCO research contract puts serious constraints on the academic freedom of those who undertake HEQCO-funded research,” and that “care must be taken to ensure that [. . .] researchers understand the terms and conditions of the HEQCO contract,” especially where these researchers are “students and early-career academics,”

Moved by Senator Morelli, seconded by Senator Bridges, that Senate endorse OCUFA’s recommendations and take the following practical measures in keeping with its Statement:

That it urge Queen’s Research Services (QRS) and Office of Institutional Research and Planning (IRP) to acknowledge OCUFA’s caveats concerning “HEQCO-funded research”; and

That it direct QRS to advise all Queen’s researchers of the nature of HEQCO (and HEQCO-style) research contracts and of the fact that they put “serious constraints on the academic freedom of those who undertake HEQCO-funded research.”

The motion was defeated.

The following points were recorded:

- The young researchers should have been provided with more guidance by the University before signing a contract and academic implications should be considered.
- This type of contract raises issues of academic integrity; had the names not been attached to the paper, the issue would have been avoided.
- Nothing in policy prevents employees from entering service contracts and employees are apprised of their responsibilities; in this case, the primary investigator signed a document agreeing to waive moral rights to conduct the work.
- Liability would be a concern; should the motion pass in its current form, some statements could be misinterpreted.
- A motion stating that the University endorses OCUFA’s recommendation in light of the disputed facts on which it is based would be concerning. The issue is not about a breach of academic integrity; rather it is whether motions based on false premises should be permitted.
- To endorse a motion before completion of the Provost’s investigation would be premature; results and recommendations will be communicated when the investigation is complete.

Senator Bridges requested that, in the interests of time, the third motion be considered after the first motion because it dealt with the investigation. Senators agreed to the request.

Motion 3

Moved by Senator Jones, seconded by Senator Morelli, that, without necessarily assuming or conceding the correctness of OCUFA's "Statement on allegations of research misconduct at Queen's University and HEQCO," Senate acknowledge the seriousness of the allegations by directing the Provost to appoint a qualified arms-length expert in research management and research ethics to investigate and report to Senate by September 2012 on points including:

- The extent, if any, of research misconduct in this case, and of Queen's responsibility for it
- Whether the misconduct, if any, is representative or anomalous (with particular but not exclusive reference to any other research contracts between Queen's and HEQCO, whether completed or on-going)
- The best means for preventing future cases of misconduct such as the one alleged in OCUFA's "Statement"; and
- Whether an apology is due from the Directors of Queen's Research Services, Queen's Office of Institutional Research and Planning, and/or Queen's Student Affairs to the primary investigator and the two co-authors.

A count of votes was requested. The motion was defeated on vote: 6 for, 23 against, 1 abstention.

The following points were recorded:

- The motion does not presume guilt.
- An arms-length investigator should be appointed to clear the University's reputation.
- The wording of the motion, specifically the phrase, "The best means for preventing future cases of misconduct such as the one alleged" presumes guilt. The error would be compounded by referring to particular groups of people at the University, who, as far as Senate knows, have done nothing wrong.
- The motion should be rejected pending the outcome of the investigation.
- The University has policies and procedures to deal with allegations of research misconduct.
- Concerns were expressed about a motion to call for an investigation while the Provost's investigation of the matter was on-going.

**Moved by Senator Crowell, seconded by Senator Adams, to extend the meeting by 30 minutes.
Carried 12-45**

Motion 2

Moved by Senator Bridges, seconded by Senator Jones, that without necessarily assuming or conceding the correctness of OCUFA's "Statement on allegations of research misconduct at Queen's University and HEQCO," Senate acknowledge the seriousness of the allegations and of the underlying situation and take the following practical measure toward remedying the present situation and preventing recurrences: that it urge the Directors of Queen's Research Services, Queen's Office of Institutional Research and Planning, and Queen's Student Affairs to acknowledge "that changing the conclusions of a research paper without the knowledge or consent of its authors, and then publishing that work under the authors' names, is unethical practice and steps should be taken to ensure it does not happen."

The motion was defeated.

The following points were noted:

- The motion does not presume that a breach of academic integrity has taken place; instead it targets those directly in charge of research and seeks to ensure that they acknowledge that changing the conclusions of a research paper without the knowledge and consent of its authors and having the paper published under the authors' names is an unethical practice and that steps should be taken to ensure that it does not happen again.

- The motion presumes that misconduct took place and approving such a motion would be pointless and result in presumption of guilt.
- The motion singles out groups and individuals and will be seen as assumption of guilt on their part.
- Although the principles expressed in the motion have merit, this is not the business of Senate.

In response to questions from Senator Jones, Senator Harrison replied that:

- It is unknown whether a breach of academic integrity took place; this is why he is conducting an investigation.
- The situation is more complex than originally anticipated.
- He will report back to Senate once the investigation is complete.

VI COMMUNICATIONS AND REPORTS SUBMITTED TO SENATE

1. Board of Trustees Meeting, May 4, 2012 (Appendix N, page 159)
2. University Council Meeting, May 5, 2012 (Appendix), page 161)
3. Research Report (Appendix P, page 162)

VII MATTERS REFERRED TO STANDING COMMITTEES

1. Clarification of the application of the Senate Policy on Non-Member Participation to Subcommittees of Senate Committees [Referred to the Senate Operations Review Committee (SORC)]
2. Senate minutes corrections process [Referred to the Senate Operations Review Committee (SORC)]

VIII OTHER BUSINESS

None Received

IX CLOSED SESSION

Not required.

There being no further business, the meeting adjourned at 6:11 p.m.



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April 10, 2012

Vice-Principal (Finance and
Administration) Queen's U., K7L 3N6

Dear VP Janiec

The Dept. of Global Development Studies would like to express its deep concern over the new guidelines for reimbursement of travel expenses. We fully understand and support the principles of accountability and transparency. In practice, however, the new guidelines impose a number of burdensome and potentially even dangerous requirements for those of us who travel to, and who work with colleagues in, the Global South.

Much of the economic activity in our countries of research takes place in the informal sector. Service providers are often unwilling and unable to give receipts. Innumerable hidden costs can never be accounted for (for example, "car guards," window washers, "thank you" payments and such). Yet without such transactions, daily life let alone research grinds to a halt. At present these are more or less covered by the per diem.

Official exchange rates can be extremely misleading, and receipts provided at the official rate would actually inflate costs. Until 2009, for example, breakfast in Harare at the official rate would have cost about Cdn\$6,400 (approx. Zw\$300 billion, equivalent to Cdn\$4 at the street rate). Requiring receipts precludes the necessity of street transactions and barter, without which life in some countries is just not possible

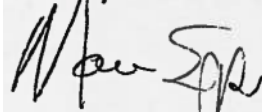
Official currency rates are sometimes extremely volatile, and will require different calculations on daily basis. A six month sabbatical could thus entail 180 different rates, and more if, as is often the case, multiple borders have to be taken into consideration.

Colleagues may technically be in violation of local laws when they collaborate with us: a proposed law in Uganda, for example, would make Ugandan colleagues subject to a 3-year prison sentence for failing to report to the police a researcher who knows information about same-sex practicing individuals, or who advocates (in Canada) for human rights for sexual minorities. Discretion is advised, and a paper trail, *even if falsified*, creates a new risk.

Colleagues whom we invite to visit Queen's will likely feel patronized or offended by the seeming surveillance.

The new guidelines do not merely create difficulties for us and our colleagues as researchers. They will, we anticipate, generate significant additional administrative costs (e.g., thousands of missing receipt forms, hours of admin assistant time adding up misleading numbers, long explanatory memos, requests to the Dean or Provost for "exceptions" etc.). Given that our funding mostly comes from federal granting agencies, we question why and whether provincial guidelines can be applied. Given that the university sees internationalization as a pillar of its future vision, we wonder why you are creating new obstacles to achieving that goal.

Sincerely



Marc Epprecht

(on behalf of the DEVS faculty and staff)

cc. Dean Alistair MacLean

Vice-Provost (International) John Dixon

Vice-Principal (Research) Stephen Liss

Provost Alan Harrison