

DRAFT UNTIL APPROVED BY SENATE

Minutes of a meeting of the Senate of Simon Fraser University held on
Monday, February 7, 2000 in Room 3210 West Mall Centre

*As amended
by Senate
6 Mar 2000*

Open Session

Present: Blaney, Jack, President and Chair
Al-Natour, Sameh
Benezra, Michael
Boland, Larry
Budra, Paul
Chuah, Kuan
Clayman, Bruce
Copeland, Lynn
D'Auria, John
Davidson, Willie
Driver, Jon
Dunsterville, Valerie
Emerson, Joseph
Finley, David
Gillies, Mary Ann
Harris, Richard
Hyslop-Margison, Emery
Jones, John
Kanevsky, Lannie
Kirczenow, George
Mathewes, Rolf
McFetridge, Paul
McInnes, Dina
Munro, John
Naef, Barbara Ann
Niwinska, Tina
Ogloff, James
Osborne, Judith
Paterson, David
Peters, Joseph
Peterson, Louis
Pierce, John
Reader, Jason
Russell, Robert
Smith, Michael
Steinbach, Christopher
To, Shek Yan
Waterhouse, John
Wessel, Sylvia
Wortis, Michael
Yerbury, Colin

Absent: Atkins, Stella
Barrow, Robin
Chan, Albert
Delgrande, James
Fletcher, James
Heaney, John
Marteniuk, Ron
Mauser, Gary
McArthur, James
McBride, Stephen
Sanghera, Balwant
Warsh, Michael
Wong, Milton
Zazkis, Rina

In attendance:

Fattah, Ezzat
Gee, Ellen
Gruneau, Rick
Hart, Stephen
Lowman, John
MacKenzie, Christine
Palys, Ted
Preece, Dan
Winne, Phil

Heath, Ron, Dean of Student Services and Registrar
Watt, Alison, Director, University Secretariat
Grant, Bobbie, Recording Secretary

1. Approval of the Agenda
The Agenda was approved as distributed.
2. Approval of the Minutes of the Open Session of January 10, 2000
The Minutes were approved as distributed.
3. Business Arising from the Minutes

Commercialization of University Research

Senate was advised that the report of the ad hoc committee established to consider Senate's motion with regard to this issue would be presented to Senate at its next meeting.

4. Report of the Chair

Honorary Degrees

The Chair reported that on March 10, 2000 a special ceremony to award Julie Payette an honorary degree would take place at Centennial High School in Coquitlam. Ms. Payette was also scheduled to give a public lecture on the main campus at SFU in the afternoon of the same day. Details would be published at a later date.

The Chair further reported that the following honorary degree recipients would be awarded degrees at the June Convocation: Edward Broadbent, Joseph Gosnell, Judith Marcuse, Madam Justice Beverley McLachlin, Kenneth Spencer and David Suzuki. John Ralston Saul and John Kerr were scheduled to receive degrees at the October ceremonies.

5. Reports of Committees

a) Senate Nominating Committee

i) Paper S.00-17 – Elections

The following are the results of elections to Senate committees:

Senate Library Committee (SLC)

One Graduate Student (at-large) to replace Thomas du Payrat for term of office from date of election to May 31, 2001.

Elected by acclamation: Jeff Powell

Committee to Review University Admissions (CRUA)

One Graduate Student (at-large) to replace Nadeane Trowse as the Alternate member from date of election to May 31, 2000.

Elected by acclamation: Jeff Powell

Senate Committee on International Activities (SCIA)

One Graduate Student (at-large) to replace Kevin Hewitt from date of election to May 31, 2000.

No nominations received. Vacancy will be carried forward.

Senate Committee on Agenda and Rules (SCAR)

One Senator (at-large) to replace Rolf Mathewes for term of office from date of election to May 31, 2001.

Elected by acclamation:

Mary Ann Gillies

b) Senate Committee on Agenda and Rules

i) Paper S.00-18 – Guidelines affecting students in the event of a labour dispute or other disruption

Moved by J. Munro, seconded by J. Osborne

“that Senate approve the Guidelines Affecting Students and Courses in the Event of a Labour Dispute or other Major Disruption, as set forth in S.00-18”

Senate was advised that at the time the paper was drafted, SFU was facing the possibility of strike action and it was felt that it would be worthwhile to have a set of guidelines to give to students should there be a disruption of classes in the future. Senate was advised that the guidelines reflected past practice and various sections of existing university policies.

Concern was expressed that the policy required students to notify course instructors if they chose not to cross a picket line but instructors were not required to inform students. It was pointed out that the proposed guidelines were intended as an informational document for students. The strike policy pertaining to faculty members required instructors to advise the university 36 hours after strike notice was issued if they were not going to meet their classes. This information would then be made available to students by posting on the university's web site.

Question was called, and a vote taken.

MOTION CARRIED

ii) Paper S.00-19 – Research Ethics Policy Revisions (For Discussion)

Moved by B. Clayman, seconded by W. Davidson

“that Senate move into quasi-committee of the whole”

Question was called, and a vote taken.

MOTION CARRIED

Senate was advised that the intent was to have a general discussion of the policy following which either the Vice-President Research and the Task Force or an ad hoc committee of Senate would determine if changes were necessary and a revised policy would then come back to Senate for further consideration and approval.

Since it was expected that debate/discussion would be fairly lengthy, the Chair advised that Senate's rule that a person speak only twice to a particular issue would

be enforced and, provided there were no objections, a five minute time limit would also be enforced for each speaker. There were no objections to this procedure.

The following members of the Task Force were present at the meeting and available to respond to questions: E. Gee (Chair), C. MacKenzie, and P. Winne.

The following faculty members were in attendance as guests in order to make a presentation to Senate with regard to the policy: E. Fattah, R. Gruneau, S. Hart, J. Lowman, T. Palys.

Senate was presented with background information with respect to the process involved in relation to the development of the Tri-Council Policy Statement, and the process followed by the Task Force in relation to the proposed Ethics Policy revisions.

Differences between the existing policy and the revised policy were pointed out as follows: more types of research and researchers would be subject to ethics review, increased bureaucracy as a result of required audits and annual reports, the administrative structure of the ethics review process would now be more autonomous from the administration of the university, the articulation of ethical principles was part of the policy, emphasis was placed on non-adversarial relationships between researchers and ethics review personnel, and issues relating to confidentiality in relationship to the law were now included.

The following concerns, opinions and suggestions were expressed by guests and Senators during presentations and discussion that ensued:

- revised policy was an improvement over existing policy
- good idea to review the revised policy in two years time
- perceived need for ethics education and an educational campaign should be organized to inform the university community of the content and mechanisms of the review process
- organization of seminars and workshops to help researchers understand and accept ethics policy and its requirements
- an important aspect in the supervision of graduate students was the responsibility of faculty members to protect both students and research participants from potential harm when approving research topics and research methods; this was not seen as impinging on academic freedom
- research ethics policies can not promote the concept of absolute confidentiality since absolute privilege or absolute confidentiality does not exist in the law
- limits of confidentiality should be recognized
- consent forms for dealing with human subjects should provide expectations in terms of protection of privacy and confidentiality but should explicitly acknowledge that absolute confidentiality can not be assured
- particular forms/methods of research may not be well understood or well represented by members of an ethics committee and specialized committees should be formed
- creation of specialized or new committees for each claim that the research was qualitatively different would be unworkable and slow down the process

- encourage and make funding available for instruction in research ethics within graduate programs
- past issues that arose (Ogden case) with respect to confidentiality and whether research ethics should be subjugated to law not resolved by revised policy
- Tri-council code seen to be a threat to academic freedom depending on individual interpretation
- final draft should acknowledge that there are principles that go across disciplines, but there is considerable disciplinary and methodical diversity and ethics review personnel and review committees need to be sensitive to these differences
- ad hoc committee should be established to consider issues rather than referral back to the Task Force; the ad hoc committee should identify issues and concern but have a fairly focussed purpose rather than trying to reinvent the policy
- Tri-council policy seen to be biased in a biomedical direction and insensitive particularly to qualitative research in the Social Sciences
- information on how other universities have responded to the imposition of the Tri-council policy on their institutions would have been helpful
- policy not appropriate or sensitive to the diversity of research methods in the Humanities and Social Sciences
- well articulated guidelines are essential to govern implementation, adjudication, and appeal
- overly centralized structure of decision-making may substantially limit academic freedom
- policy undermines existing ethics guidelines and established conditions of peer review within individual disciplines
- inherent contradictions within the policy about how research subjects are defined which made it difficult to determine how to apply it to individual research
- wording in Sections 3.1.f, especially the last two bullets, and 3.2 too vague
- Co-op Education, referred to in Sections 4.1 and 6.2, should not be included the policy
- policy seen as being excessive; principle investigator should have responsibility for ethics research approval and, once given, all persons working on the project should then be covered and protected
- subjecting all research to a policy driven by the requirements of the Tri-Council was unreasonable; the university should state its own position of what constituted appropriate research ethics and only Tri-council funded research should be subject to Tri-council guidelines
- State initiative such as the Tri-Council policy undermines the autonomy of Provincial powers and the autonomy of individual university administrations
- agreement with recommendation not to create two REBs but should have at least two REAs, one for methods and qualitative research, the other for quantitative research
- the scope of work envisioned for REA deemed unrealistic
- successful implementation of policy requires development of effective audit and monitoring mechanisms and the provision of negative repercussions for deliberate violations and intentional non-compliance of policy; these should be part of the policy, not left to the REB

As a result of the following motion, Senate moved out of quasi-committee of the whole.

Moved by J. Osborne, seconded by B. Clayman

“that the draft research ethics policy be referred to an ad hoc committee of Senate with the members of SCAR reporting back to the next meeting of Senate regarding the terms of reference and membership of the committee”

In response to an inquiry as to whether there was any connection or interplay between the Tri-Council statement and the document on the commercialization of university research, Senate was advised that although they had totally independent genesis there was some overlap, and since they both came from the Federal Government there was likely some general in-principle motivation.

In response to an inquiry as to what Senate had in mind with respect to the size and composition of the ad hoc committee, should it be approved, the following suggestions/comments were made:

- broad consensus across campus was required, therefore consultations outside of Senate must take place
- at least one faculty member from each Faculty
- two undergraduate and two graduate students
- should be a relatively small focus group who would receive input and bring something back to Senate fairly quickly

Question was called, and a vote taken.

MOTION CARRIED

The Chair acknowledged the enormous amount of time and work done by the Task Force and on behalf of Senate and the University, extended appreciation and thanks to each member.

iii) Paper S.00-20 – Final Report – Senate Review Committee

Moved by J. Reader, seconded by C. Steinbach

“that Senate move into quasi-committee of the whole”

Question was called, and a vote taken.

MOTION CARRIED

The intent was to have a general discussion and then move out of quasi-committee of the whole to consider each of the 12 motions outlined in Paper S.00-20.

It was pointed out that as a result of previous Senate consideration, there were significant revisions to Section 7 dealing with Senate committees. Senate’s attention was directed to the additional responses that the committee received noted at the bottom of page 7 of the report.

The following members of the Task Force were present at the meeting and available to respond to questions: J. Munro (Chair), M.A. Gillies, J. Waterhouse, D. Preece, and A. Watt (Secretary).

Discussion ensued and the following points were made:

- afternoon meetings difficult for students to attend
- experiment of one year for afternoon meetings too long; one or two semesters more appropriate
- clarification of process with regard to student nominations to Senate committees; Student Society versus Senate Nominating Committee
- possibility of allowing Professor Emeritus to run in elections for faculty senators due to the large turnover of senior faculty retirements
- concern about the removal of the Library representative from SCUS and SGSC
- concern about SCUS and SGSC reporting directly to Senate
- concern about proposed membership of SCUS; none of the members have a direct connection/experience with Senate

Moved by J. Reader, seconded by S. Al-Natour

“that Senate move out of quasi-committee of the whole”

Question was called, and a vote taken.

MOTION CARRIED

Motion #1

Moved by J. Munro, seconded by J. Waterhouse

“that Senate adopt Section VI of the SRC Report as a statement of purpose for Senate to become Section II of the Rules of Senate”

In response to an inquiry about whether mention of the University Act should be part of the statement, Senate was advised that the first sentence comes from the Act itself and that the Act is referred to in the preamble to the Rules of Senate.

Question was called, and a vote taken.

MOTION CARRIED

Motion #2

Moved by J. Munro, seconded by M.A. Gillies

“that Senate direct the Senate Committee on Agenda and Rules to prepare an agenda-setting motion that incorporates recommendations A.1, A.2 and A.5 in Section V of the Rules of Senate”

In response to a request for clarification, Senate was advised that Section V of the Rules of Senate dealt with meetings and SCAR was being asked to prepare a motion for Senate approval which would amend Section V to incorporate recommendations A.1, A.2 and A.5.

Question was called, and a vote taken.

MOTION CARRIED

Motion #3

Senate was advised that further work was required on the composition of ~~the two~~ ^{SCUS + SOSC} committees and request was made by the Chair of the SRC that this motion be held over to the next meeting of Senate.

Motion #4

Moved by J. Munro, seconded by J. Waterhouse

“that Senate agree to the restructuring of the Senate Committee on Academic Planning into the Senate Committee on University Priorities as proposed in Section B.1.ii of the SRC report”

Inquiry was made as to the rationale for the proposed constituency of the new committee. Senate was advised that the reduced ^{membership} composition reflects the change in responsibility from academic planning and was an attempt by the SRC to address a perception of domination by administrators on ^{Senate} the committee.

Amendment moved by M. Smith, seconded by R. Russell

“that the number of Deans be decreased by one and the number of faculty be increased by one”

It was noted that although the SRC had felt that it was not necessary to have every Dean on the Committee, reducing the Deans too much would likely have a negative impact on the effectiveness of the committee. Opinion was expressed that if the proposed amendment passed, there would still be four administrators and five faculty which was more representative of the University and Senate; it was also noted that Deans could attend for the purpose of information at any time. It was pointed out that the University has moved towards a more decentralized system of planning and since Faculty plans were an important part of university priorities, it would be a mistake to limit the representation of Deans.

Question was called, and a vote taken.

AMENDMENT DEFEATED

Amendment moved by J. Reader, seconded by C. Steinbach

“that the membership be changed from ‘four Faculty Senators, with no more than two from any Faculty’ to ‘one Faculty Senator from each Faculty’

It was pointed out that the amendment would increase the number of faculty by one but would ensure representation from each Faculty, without requiring each Dean to be a member.

Opinion was expressed that the membership of a committee often determined the way the committee formed an opinion and the SRC had proposed the composition of SCUP to avoid elections resulting in skewed distributions in terms of representation from Faculties.

Question was called, and a vote taken.

AMENDMENT CARRIED

Question was called on the main motion,
and a vote taken.

MAIN MOTION (AS AMENDED) CARRIED

Motion #5

Moved by J. Munro, seconded by M.A. Gillies

“that Senate agree that the Senate Committee on University Budget be abolished and that its functions be performed by the Senate Committee on University Priorities as proposed in Section B.1.iii of the SRC report”

Senate was advised that SCUB had been criticized by its members as not being effective and the SRC felt it might work better if its responsibilities were merged with the Senate Committee on University Priorities.

Question was called, and a vote taken.

MOTION CARRIED

Motion #6

Moved by J. Munro, seconded by J. Waterhouse

“that Senate agree to the restructuring of Library Penalties Appeal Committee as proposed in Section B.1.iv of the SRC report”

Senate was advised that the intent was to change the LPAC from an independent committee to a subcommittee of the Senate Library Committee with a subset of the overall members of the SLC making up the membership of the LPAC.

Question was called, and a vote taken.

MOTION CARRIED

Motion #7

Moved by J. Munro, seconded by M.A. Gillies

“that Senate agree that the Senate Committee on Honorary Degrees be abolished and replaced by the Senate Committee on University Honours as proposed in Section B.1.v of the SRC report”

Senate was advised that this recommendation had not been part of the original draft report because the committee had not yet reached agreement. The intent was to have the committee meet regularly through the year rather than on a periodic basis and to deal with ‘ceremonial’ type honours. Which specific honours should be included would be specified in the new terms of reference.

Question was called, and a vote taken.

MOTION CARRIED

Motion #8

Moved by J. Munro, seconded by J. Waterhouse

“that Senate agree to the restructuring of the Senate Committee on Enrolment Management and Planning as proposed in Section B.1.vi of the SRC report”

Senate was advised that the proposal changed the composition of the committee and made it a committee which reported directly to Senate.

Question was called, and a vote taken.

MOTION CARRIED

Motion #9

Moved by J. Munro, seconded by M.A. Gillies

“that Senate charge all restructured committees to submit revised terms of reference by June, 2000 as proposed in Section B.2 of the SRC report”

It was pointed out that Senate committees existed because of Senate’s desire for them to do a specific task, and concern was expressed about committees drawing up their own terms of reference. The motion was changed as follows:

“that Senate charge all restructured committees to submit revised terms of reference for the approval of Senate by June, 2000 as proposed in Section B.2 of the SRC report”

Question was called, and a vote taken.

MOTION CARRIED

Motion #10

Moved by J. Munro, seconded by J. Waterhouse

“that Senate add the committee recommendations concerning vice chairs, quorums, nomination and open meetings to Section VI of the Rules of Senate, as proposed in Sections B.3, 4, 5 and C.4 of the SRC report”

Senate was advised that the intent of the motion was to bring consistency to the practices of Senate committees.

It was pointed out that motion #11 specifically targetted the recommendations made within B.5 and clarification was requested as to why it was included in motion 10. Senate was advised that B.5 was in the motion by mistake and reference to it should be deleted. The motion would now read

“that Senate add the committee recommendations concerning vice chairs, quorums, and open meetings to Section VI of the Rules of Senate, as proposed in Sections B.3, B.4 and C.4 of the SRC report”

Opinion was expressed that some Senate committees such as the Adjudication committees could not have open meetings; it was noted that the recommendation specified 'if appropriate'.

Question was called, and a vote taken.

MOTION CARRIED

Motion #11

Moved by J. Munro, seconded by J. Waterhouse

"that Senate change the method of selection for all Senate committees so that all candidates, except ex-officio members, are nominated by the Senate Nominating Committee as proposed in Section B.5 of the SRC report"

Senate's attention was drawn to the change of language in the motion from the wording on Senate paper S.00-20

Concern was expressed that the Student Society would be left out of the process of nominating students for positions on Senate committees. It was noted that the normal protocol was to notify SFSS of vacancies and approach them for nominations. Inquiry was made if that process should be enshrined in the motion in any way. No formal amendment was made but the Chair made assurances that the same process would continue.

Opinion was expressed that it was unclear as to how nominations were handled by the SNC. If the motion passed there would be no way for someone to become a member of the committee except if nominated by the SNC and concern was expressed that a perception of committee manipulation might arise if the SNC were always to put forward the exact number of nominations. Senate was advised that the practice of the SNC was to put forward as many nominations as were received but many times it had difficulty filling all vacancies. It was also pointed out that the terms of reference of the SNC specifically stated that the committee should attempt to bring forward more than the minimum number of names.

Question was called, and a vote taken.

MOTION CARRIED

Motion #12

Moved by J. Munro, seconded by M.A. Gillies

"that Senate authorize a change in Senate's meeting time for a one year period beginning June 1, 2000 as proposed in Section C.3 of the SRC report"

In response to an inquiry as to who would make an evaluation/decision at the end of the one year period, Senate was advised that Senate itself would be required to address this issue.

Concern was expressed that it would be much more difficult for students and lay senators to attend late afternoon meetings.

It was pointed out that one of the reasons for moving to an earlier time was an attempt to include representation from individuals who might be interested in participating in the governance of the University but found it difficult to attend evening meetings due to family or other obligations outside the university.

Opinion was expressed that having the possibility for informal discussion at Senate dinner was an excellent opportunity to inform oneself of the issues and, although this could be done in other ways, having a collective discussion with colleagues was extremely useful.

Brief discussion followed with respect to the one-year period of time proposed. Some Senators felt it was too long, some felt it was too short.

The Chair reminded Senate of its rule that Senate meetings must conclude at 10:00 pm unless a motion was approved by the majority to extend the time.

Moved by C. Steinbach, seconded by L. Boland

“that the meeting time be extended to 10:30 pm”

Question was called, and a vote taken.

MOTION CARRIED

Amendment moved by M. Benezra, seconded by S.Y. To

“that the period of time be changed from one-year to one semester in the Fall semester”

Question was called, and a vote taken.

AMENDMENT DEFEATED

The possibility of starting the meetings at 5:30 pm rather than 3:30 pm was suggested.

It was pointed out that many faculty teach in the evening and there are many students who have classes in the evening; there might be an entire different pool of candidates who put themselves up for election if Senate meetings were held earlier. Reference was made to the earlier comment about the large number of senior faculty who would be retiring and it was suggested that earlier meetings might be one way of accommodating newer faculty members into Senate.

Question was called on the main motion, and a vote taken.

MOTION DEFEATED

The Chair wished to acknowledge the work of the ad hoc committee and extended thanks and appreciation on behalf of Senate and the University.

6. Other Business

a) Paper S.00-21 – Senate membership – Notice of vacancy (For Information)
Senate received notice that D. Crossley had resigned from Senate effective immediately and a by-election to seek a replacement to fill his position would be issued in February at the same time as the regular call was issued for the annual election of students to Senate.

7. Information

Date of the next regular meeting of Senate is scheduled for Monday, March 6, 2000.

Open Session adjourned at 10:05 pm; Senate moved directly into Closed Session.

Alison Watt
Director, University Secretariat