

SIMON FRASER UNIVERSITY
MEMORANDUM

TO: Senate

FROM: Senate Committee
on Agenda and
Rules

RE: Notice of Motion - Proposed Changes to
Rules of Senate - ~~NOT FOR DISCUSSION~~

DATE: January 16, 1991

The motion to amend the Rules of Senate is set out on page one of this report.

Section VIII of the Rules of Senate, establishes the following procedure for Amending the Rules of Senate

"Alterations of these Rules of Senate shall require written notice at a regular meeting of Senate prior to the meeting at which a vote on the proposed alteration is taken, which vote shall require an affirmative vote by two-thirds of the voting members present to carry".

Accordingly, this motion to amend the Rules of Senate will be included in the agenda for the next meeting of Senate.

Report of the Ad Hoc Committee to
Examine the
Meeting Time of Senate

It is the unanimous recommendation of the Ad Hoc Committee that the meeting time of Senate be changed from 7:00-10:00 P.M. to 3:00-5:15 P.M. Such changes require a formal revision of the *Rules of Senate*, and thus we propose the following motion (changes underlined):

THAT sections V.A.6 and V.A.7 of the *Rules of Senate* be changed as follows:

From: V.A.6 Meetings will be called to order at 7:00 P.M.

V.A.7 The open session of any regular meeting normally shall terminate not later than 10:00 P.M. The time may be extended at any meeting by successful motion for extension, such motion requiring only a simple affirmative majority of those who vote.

To: V.A.6 Meetings will be called to order at 3:00 P.M.

V.A.7 The open and closed sessions of any regular meeting normally shall terminate not later than 5:15 P.M. The time may be extended at any meeting by successful motion for extension, such motion requiring only a simple affirmative majority of those who vote.

Note 1: A change in the *Rules of Senate* requires a two-thirds majority vote.

Note 2: These are changes only to the *regularly scheduled* meeting times. No changes are being made to the conditions, or times, for calling special meetings (Sections V.B.1 and V.B.2).

Note 3: These changes are to take effect beginning June 1991.

Note 4: Certain associated details, e.g. scheduling dinner, etc., which do not require any change to the *Rules of Senate*, are discussed in "Details" (p. 5 below).

PREAMBLE

Asking Senate to change its regular meeting time is somewhat like asking a legislature to vote itself a cut in pay: members have become used to, and have geared their lives to, the comfortable status quo. It is clear that every member of Senate is able to attend (most) meetings at the presently scheduled time. Each knew of the meeting time in advance and would not have run for a seat on Senate unless able to attend at the scheduled hour. Obviously, then, in asking Senate to change its meeting time, we are asking a group of persons, all of whom are at least 'agreeable' to the present meeting time, to effect a change. In short, we are asking that Senators vote for a meeting time which may be considerably less congenial, perhaps even a practical impossibility, for some of them personally. And yet, we must remember that we are voting not only on behalf of sitting members of Senate, but on behalf of all of those who are not on Senate just because the present meeting time is impractical for them.

A bit of history on this matter might be useful.

CHRONOLOGY

- The first Senate of the University is created on August 5, 1965 by the Board of Governors under the authority of the Universities Act then in effect. (This Senate comes into being about one month before the first student matriculates.) There are no students on the original Senate.
- Senate meetings, all of which are closed, are held in the afternoons at various times, e.g. at 3:30 P.M. in Nov. 1965 and at 1:30 P.M. in some months in 1966.
- Monday is chosen for the meeting day of Senate *circa* March 1966.
- A motion before Senate on Jan. 25, 1967 suggests that, because meetings have become so lengthy, Senate break "for dinner at 5:30 or so rather than meeting for lunch". (This motion is approved Feb. 6, 1967)
- On Feb. 6, 1967 (at a meeting starting at 1:30 P.M.) Senate approves seating three students on the Senate. At this same meeting, there is a motion to open the meetings of Senate. A very lengthy discussion follows. The latter motion fails.
- Three students are seated on Senate, June 1967. Meeting time is changed to 7:00 P.M.
- In early 1968, visitors are permitted to attend Senate meetings by requesting a special visitor's pass. In midyear, by informal agreement at Senate, the pass system is abolished and visitors can be seated without prior authorization, room allowing.
- On March 6, 1972, Senate formally approves visitors at open sessions.
- (At some time between June 1967 and Jan. 1976, the meeting time is changed to 7:30 P.M.)
- On Jan. 12, 1976, Senate sets its meeting time back to 7:00 P.M.
- On March 1, 1976 Senate approves the current section V.A.7 of the *Rules*, viz. regarding the nominal 10:00 P.M. stopping time.

The Monday meeting day for Senate was chosen in 1966; the evening time for meetings, in June 1967; the 7:00 P.M. starting time, in Jan. 1976; and the nominal 10:00 P.M. stopping time, in March, 1976.

BACKGROUND

The evening meeting times of Senate and the Board of Governors are an anomaly at Simon Fraser University. No other bodies/committees have their *regularly scheduled* meeting times in the evening. Of course some committees occasionally do meet during an evening; but these are usually special meetings, not regularly scheduled ones.

The highest academic decision-making body on campus is the Senate. Senate decides on matters of courses, programs, degrees, degree requirements, continuation requirements, enrollment targets, enrollment restrictions, etc. These are matters of the utmost concern and consequence within the University. Decisions taken in Senate have immediate and significant impact on both the academic and personal lives of faculty members, students and staff. (In the Minutes of Feb. 2, 1967, K.E. Rieckhoff – in recommending both that students be seated on Senate and that its meetings be opened – referred to the Senate as “the ruling body of the University”.)

Because of its pinnacle role in academic decision-making, Senate must be scrupulous in ensuring the widest possible accessibility, across the University community, to its seats.

The current Universities Act (1963, c. 52, s. 1) stipulates a variety of formal conditions that candidates for seats on Senate must satisfy. But there are a number of informal ones which, although just as central in each person's decision whether to seek a seat on Senate, are easy for Senate to overlook. One such is a candidate's being able to attend Senate meetings at their regularly scheduled time.

Many persons are, obviously, able to attend Senate at its present meeting time, Monday at 7:00 P.M. But in setting a meeting time, the goal of Senate must not be simply to maximize the number of *persons* able to attend its meetings. For example, if there were some time when students alone could attend Senate meetings but faculty members could not (perhaps because of some contractual obligation to attend some Faculty meeting) and were Senate to schedule its meeting for that very time, it would immediately be perceived to be egregiously inappropriate. It is not sufficient that a meeting time be chosen which maximizes the total number of persons running for seats. It is essential, too, to guarantee that certain important *constituencies* within the University community are not de facto disenfranchised.

(There is, as well, a second matter of concern, viz. the attendance of visitors at the open sessions. Evening meetings tend not to attract visitors. Most students and faculty members who are on-campus in the evenings are in classes. In daylight hours, however, many students and faculty members have schedules with uncommitted blocks permitting them relatively easy attendance as visitors at Senate's open sessions.)

The present meeting time, in the evening, has proven to be a very major obstacle to a very large and important constituency in their securing representation on Senate. A casual, informal, examination of Senate reveals an *underrepresentation* of persons who are their family's principal caregiver. Female faculty members, too, are underrepresented (some of whom have told the Ad Hoc Committee that they are not prepared to take public transportation late at night and then to walk on darkened streets). Indeed, looking at it the 'other way around', one might say that the present Senate is overrepresented by persons who are in the privileged position of being able to have an evening free during the week to donate to the University. Vast numbers of our community are not so privileged and hence cannot make their voices heard on Senate. Intentionally or not, Senate has a membership drawn exclusively from those who are privileged or fortunate enough to have or to be able to arrange a Monday evening free to donate to the University. Unfortunately, a very great number of our community – indeed entire, important, constituencies – do not fall into this special class.

Doubtless it was not the intention, in setting an evening meeting time, to institute a policy which was de facto discriminatory. Indeed, it may be that choosing an evening meeting time 24 years ago was the – then – best compromise possible. (In 1967 there were no evening classes.) But we need not trouble ourselves about this historical matter. For the simple fact is that the evening meeting time has become seriously de facto discriminatory, even though it may have been originally benign to the highest degree.

Situations change. And at Simon Fraser University, in 1991, the evening meeting time is both in fact, and perceived to be, non-egalitarian.

There can be no perfect solution. No matter what time the meeting of Senate is set, some identifiable group within the University community will be disadvantaged. We already know, for example, that evening meeting times are much more convenient for the bulk of alumni than are daytime meeting times. Switching to afternoon meetings will, unquestionably, result in fewer alumni being able to run for Senate seats. (But one must also bear in mind that there are some 16,000 eligible alumni; that particular constituency will continue to be significantly enfranchised and represented even if the meeting time were to change to normal working hours.) And a few faculty members, too, have told us of difficulty they would have altering their schedules to allow attendance at an afternoon sitting.

How, then, can one rationally make such a Solomonic decision? While any meeting time chosen will benefit some constituencies on campus, it will disadvantage others. The decision must rest on judging the *relative* disadvantages.

IF WE COULD START AFRESH...

If the Senate had no history, if, that is, we were now for the first time instituting a Senate and we – the entire University community, not just the present members of Senate – were asking ourselves what would be the optimal meeting time, it is exceedingly unlikely that we would choose an evening time. Just as for virtually every other body/committee on campus, and for precisely the same reasons, we would choose a morning or afternoon meeting time. Powerful arguments would be needed to justify an evening meeting time; and there just are not any.

“BUT THE UNIVERSITY NOW RUNS UNTIL 9:30 P.M. HOW CAN SCHEDULING SENATE MEETINGS DURING TEACHING HOURS BE UNFAIR?”

On the face of it, it may appear that with the University extending its normal teaching hours to 9:30 P.M. and with the 7:00 P.M. meeting time for Senate now falling squarely within the teaching day at the University, the complaint of disenfranchisement is undercut.

True enough, the University has extended its teaching hours. But neither the University nor the rest of the world has similarly extended its working day. Nonteaching staff at the University still leave at 4:30 P.M.; child care services close at 5:30 P.M.; buses run less frequently in the evenings; streets are dark; children still expect to be fed between 5:00-7:00 P.M.; spouses are at home in the evening; the evening is still the favored time of day for parents and children to spend time together; etc.

To be sure, the University has extended its teaching day. But having done so has complicated the lives of many persons, not rendered them easier.

As evidence we cite a petition, signed by 31 members of Faculty, which bemoans the 7:00 P.M. meeting time as “an inconvenience and a deterrent for many persons”. One respondent explained at length:

Standard working times (Monday to Friday, 9 A.M. to 5 P.M.) are those almost universally reserved for work, during which a typical working person has child-caring arrangements and no other commitments than work. Working persons who are able to meet at 7 P.M. for work purposes are, most likely, also able to meet during regular work hours. The converse, however, is not true for many people, including: a) single parents; b) fathers and mothers who are co-parenting on the equal responsibility basis that psychological health requires; c) mothers who, for whatever reason, find themselves in an inescapable traditional role as principal care-givers, even when the father is around; and d) people who are committed to other activities after work.

By far, the greatest number of respondents to the Ad Hoc Committee's request for input from the University Community submitted letters in favor of moving the meeting time into normal working hours. For *most* individuals and constituencies in the University community, attending morning or afternoon meetings is easier than attending evening meetings: children are in school or child care facilities; streets are lighted; meals need not be prepared; etc.

THE POSSIBILITY OF SPECIAL ACCOMMODATION FOR CERTAIN MEMBERS OF SENATE

The Committee looked very carefully at the possibility of making special services available to those members of Senate for whom the 7:00 P.M. meeting time is particularly difficult. For example, we examined the possibility of having baby-sitting services available on campus during the Senate meetings; the possibility of making available a chauffeured van at the end of meetings to take Senators home who did not themselves have their own transportation and who were unwilling to take public transportation late at night; etc.

While any and all of these possibilities were seen to be ameliorating to some degree, none of them was seen to be as attractive or practical as moving the meeting time to the daytime hours. For example, baby-sitting services on campus might at first be thought – by disinterested nonparticipants – to be an obvious, attractive and viable solution; but they are not an especially attractive solution to parents. It is one thing to have children baby-sat in their own homes; it is quite another matter to have children baby-sat in an institutional setting where those children will have to be awakened at 9:00-10:00 P.M. to be taken home. Although such a solution may seem possible in the abstract, it can reasonably be anticipated that virtually no parents would avail themselves of it. It would in the end turn out to be a foreseeably empty gesture.

The second suggestion proved no better. Providing personal transportation turns out to be an extraordinarily complex affair providing an opportunity for abuse and setting an undesirable precedent within the University. Again, the simpler solution, by far, is to choose a meeting time which would obviate the *need* for such a special service.

THE STRICTNESS OF THE PROPOSED 5:15 P.M. STOPPING TIME AND THE SENATE AGENDA

For the change in Senate's starting time to have even the possibility of attracting new constituencies to Senate, it will be necessary to observe the 5:15 P.M. stopping time fairly zealously (the day-care facilities on campus close promptly at 5:30 P.M.).¹ For this to be practicable, the Senate agenda will have to be arranged – as has become the practice of the Senate Committee on Agenda and Rules (SCAR) – so that items requiring immediate attention, e.g. those for which a deadline is imminent, will be placed at the top of the agenda and all items which can be postponed if the need arises will be placed lower down on the agenda.

In accepting the motion to change Sections V.A.6 and V.A.7 of its *Rules*, Senate will be endorsing the intention to end its meetings, except under pressing needs, promptly by 5:15 P.M. If the expected 5:15 P.M. stopping time were to be frequently extended, the very purpose of having moved the meeting to normal working hours would be frustrated.

1. At the time of this report, during the previous two calendar years (Jan. 1989 – Nov. 1990), Senate met 18 times. Only two of those 18 meetings lasted beyond 2 hours 15 minutes, the time now being proposed for future Senate meetings. (The mean time of those 18 meetings was 1:51; the median, 1:37; and the mode, the interval 1:31-2:15.)

WHAT HAPPENS IF THE EXPERIMENT DOES NOT ATTRACT THE PRESENTLY DISENFRANCHISED?

Senate is being asked, as a body, to approve a major change in its historical manner of operation. Such a change will affect every member of Senate. Indeed, it will may inconvenience a substantial number of members. And the justification being offered is that this is for 'the greater good of the larger University community', both as a way of putting into practice a social principle and as a way of making the University a more democratic institution. "But", it might be objected, "can we realistically expect to bring about the latter? Might we not go to a very considerable amount of trouble, both personally and collectively, only to find in the end that very few members of the presently disenfranchised groups actually avail themselves of the opportunity to run for Senate? Might we not find that all our social engineering, in the end, comes to naught?, that after making such a considerable change, the makeup of Senate will be found to be little different from that currently?"

The reply to this is that the *principle* involved is important enough, quite by itself, to warrant the change. It will be grand if the change in meeting time does bring new constituencies into the membership of Senate. But even if it does not, the University has a moral obligation to organize itself in such a way as to demonstrate that it is a democratic institution. ~~For the University is a moral force in the community,~~ not just in what it teaches in the classroom, but in what it practices in its operation. Even if changing the meeting time of Senate does not have the desired effect of bringing a greater cross-section of our community onto Senate, it is essential to create policies which at least allow that to happen. We cannot be a moral force if our policies de facto discriminate against substantial constituencies in our University community.

DETAILS

Changes in policy invariably necessitate changes in practice.

The proposed change in meeting time will warrant certain changes in the operation of Senate and in its perquisites. The President and the Registrar of the University have agreed that if the meeting time of Senate is changed to 3:00 P.M. with a nominal stopping time of 5:15 P.M. (for both sessions), then:

- There will be a Tea for Senators in Senate Chambers preceding the meeting, from 2:30 P.M. to 3:00 P.M.
- The Senate Dinner will follow, rather than precede, the meeting, at 6:00 P.M.
- To encourage participation of off-campus members of Convocation, the Registrar will send Certificates of Commendation to all such Senators and a differently worded Commendation to their employers thanking them for their community service in allowing their employee(s) to attend Senate meetings.
- Senators who are staff employees of the University are to be given paid release time to attend Senate meetings and Senate committee meetings which occur during their regular working hours.

Respectfully submitted,

Norman Swartz, Chairman
Ron Heath
Karen Reich
Mary Lynn Stewart
Michael Warsh