

Revised Mins.
Approved by Senate
6/10/97

Minutes of a meeting of the Senate of Simon Fraser University held on Monday,
July 7, 1997 at 7:00 pm in Room 3210 WMC

Open Session

Present: Gagan, David, Acting Chair

Bawa, Parveen
Beattie, Suzan
Berggren, J. Len
Blaney, Jack
Boland, Larry
Chan, Albert
Clayman, Bruce
Cleveland, William
Coleman, Peter
D'Auria, John
Dobb, Ted
Dunsterville, Valerie
Emmott, Alan
Etherington, Lois
Gillies, Mary-Ann
Jones, Colin
Jones, John
Kanevsky, Lannie
Kirczenow, George
Martin, Jack (representing R. Barrow)
Mauser, Gary
Morris, Joy
Naef, Barbara
Nip, Harry
Overington, Jennifer
Parmar, Neelam
Percival, Paul
Perry, Tom (representing E. Alderson)
Peterson, Louis
Reed, Clyde
Shapiro, Stan
Tam, Lawrence
Whitbread, Katherine
Winne, Philip

Absent:

Baert, Jessica
Blazenko, George
Dahl, Veronica
Giffen, Ken
Hassan, Nany
Howlett, Michael
Lewis, Brian
Mathewes, Rolf
McInnes, Dina
Osborne, Judith
Pierce, John
Sanghera, Balwant
Segal, Joseph
Stubbs, John
Warsh, Michael
Wickstrom, Norman
Wong, Tim
Wortis, Michael
Yagi, Ian

In attendance:

French, Charlotte
Gee, Ellen
Gerolymatos, Andre
Poole, Gary
Williams, Peter

Watt, Alison, Director, Senate Secretariat
Heath, Ron, Dean of Student Services and Registrar
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 May 12, 1997

The Minutes were approved as distributed.

3. Business Arising from the Minutes

Referral was made to the item discussed under Other Business, and inquiry was made about the status of the Draft Policy on Religious Holidays and whether or not it would be presented to Senate for consideration. Senate was advised that the policy is still under discussion and that it will be presented to Senate in due course.

4. Report of the Chair

D. Gagan advised that as a result of previous arrangements, the President is currently on leave this semester, and the Associate Vice-President, Academic will be taking periods of leave until the end of September. He noted he would vacate the Chair for certain items on the agenda at which time the Vice-Chair of Senate, L. Etherington, would assume the Chair.

On behalf of Senate the Chair expressed congratulations to re-elected/newly elected Senators and welcomed the following new Senators to Senate: Dr. John Jones, School of Engineering Science; Dr. George Kirczenow, Department of Physics; Dr. Mary-Ann Gillies, Department of English; Dr. Parveen Bawa, School of Kinesiology; Ms. Joy Morris, Faculty of Science; Mr. Neelam Parmar, Faculty of Arts, Mr. Lawrence Tam, Faculty of Business Administration; Mr. Tim Wong, Faculty of Arts, Mr. Ian Yagi, Faculty of Arts; and Ms. Nany Hassan, Faculty of Applied Sciences.

The Chair was pleased to report and extend congratulations to three faculty members who have recently been elected Fellows of the Royal Society of Canada: Dr. Rosalie Tung, Faculty of Business Administration; Dr. Larry Dill, Department of Biological Sciences; and Dr. Michael Wortis, Department of Physics and member of Senate.

5. Reports of Committees

a) Senate Nominating Committee

i) Paper S.97-55 - Elections

Senate was advised that no further nominations were received with respect to the Senate Committee on Continuing Studies and the International Undergraduate Student Exchange Committee. Vacancies would be carried forward to the next meeting.

Senate's attention was drawn to the election report attached to S.97-55 which contained the results of the mail ballots for Senate committee positions and reference was made to the tie vote in the election to determine Regular/Alternate student positions on the Senate Appeals Board (SAB). Senate was advised that the candidates had agreed on which of them would be the Regular and Alternate members and there was no need for a second ballot. Therefore Harry Nip has been declared as the Regular member and Ian Yagi the Alternate member for terms of office from date of election to May 31, 1999.

With respect to the tie vote in the election of a second faculty member to the Senate Committee on University Teaching and Learning (SCUTL), Senate was advised that R. Mathewes had withdrawn his name and a second ballot was required to break the tie between I. Gordon and L. Weldon. [Election result: 2nd balloting resulted in the election of I. Gordon to SCUTL for term of office from date of election to May 31, 1999.]

- b) Senate Committee on University Teaching and Learning (SCUTL)
- i) Paper S.97-46 - Annual Report (For Information)

E. Gee, Department of Sociology/Anthropology and Chair of SCUTL and G. Poole, Director, Centre for University Teaching and Secretary of SCUTL were in attendance in order to respond to questions.

Senate was advised that the Committee is currently in the process of reviewing its terms of reference in order to determine its mandate and was in the process of organizing a workshop on course evaluations. The workshop, scheduled to take place on November 14th, is being organized by video satellite and will have as speakers two of North America's most recognized experts in the evaluation of teaching. More details will be available in the future in terms of promotion of the event. E. Gee advised that she will be going on leave in September and the Nominating Committee has been advised that a replacement is needed for the Chair.

K. Whitbread was pleased to see the Committee itself involved in creating its terms of reference and mandate and encouraged SCUTL to remain active and to keep up the good work.

- c) Committee to Review Undergraduate Admissions (CRUA)
- i) Paper S.97-48 - Report to Senate (For Information)

C. French, Director, Student Academic Resources and Secretary of CRUA was in attendance in order to respond to questions. Reference was made to the concerns about workload expressed when the committee was established and inquiry was made about this issue. Senate was advised that the division of

work between CRUA and the Senate Appeals Board has worked out very well and the workload for CRUA has not been a problem.

At this point, D. Gagan vacated the Chair in order to present agenda items d), e), and f). L. Etherington, Vice-Chair of Senate took over as Chair.

- d) Senate Committee on Academic Planning
- i) Paper S.97-49 - External Review - School of Resource and Environmental Management (For Information)

P. Williams, Director of the School of Resource and Environmental Management was in attendance in order to respond to questions.

Senate was advised that academic departments have been asked to prepare an academic planning report covering a three-year period describing how they intend to achieve their goals with the resources that will be available in that time frame. In the meantime, external reviews continue and it is expected that the outcome of the review will be incorporated in the academic planning report.

In response to an inquiry about the use of teaching assistants in REM, it was pointed out that the School has no undergraduate programs but there may be an opportunity, providing funding is available, for graduate students in the School to participate in the undergraduate environmental programs in the Arts and Science Faculties.

- ii) Paper S.97-50 - Centre for the Study of Government and Business

Moved by D. Gagan, seconded by B. Clayman

"that Senate approve and recommend approval to the Board of Governors, as set forth in S.97-50, the establishment of a Centre for the Study of Government and Business as a Schedule B Centre"

Senate was advised that this initiative involves cooperative activity between Simon Fraser University and the University of British Columbia and it is of considerable interest in the public policy area.

Question was called, and a vote taken.

MOTION CARRIED

- iii) Paper S.97-51 - SCAP Annual Report (For Information)

Senate received the Annual Report of the Senate Committee on Academic Planning for information.

iv) Paper S.97-56 - Research Institute on Southeastern Europe

Moved by D. Gagan, seconded by B. Clayman

"that Senate approve and recommend approval to the Board of Governors, as set forth in S.97-56, the establishment of the Research Institute on Southeastern Europe (RISE) as a Schedule A Institute"

A. Gerolymatos, Endowed Chair in Hellenic Studies, was in attendance in order to respond to questions.

Senate was advised that the establishment of the Institute was closely related to the recent appointment of A. Gerolymatos and provides an opportunity for a number of scholars at SFU with an interest in this area to develop research and other initiatives.

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Moved by D. Gagan, seconded by J. Blaney

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Inquiries were made with respect to the demand for the program and how the program would operate. Senate was advised that courses in the program are part of the regular non-credit offerings of the Writing and Publishing Program and are open to everyone. Students will be allowed to take individual courses based on their interest or the entire set of courses which would result in receipt of the Certificate. The program is offered on a cost recovery basis and will be of interest to people in the business and professional community as well as people in the publishing industry.

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Senate received information that SCUS, acting under delegated authority, approved the deletion of PHIL 214 as a requirement for computing science students.

- ii) Paper S.97-53 - Curriculum Revision - Joint Honors Program in Physics and Physiology (For Information)

Senate received information that SCUS, acting under delegated authority, approved a change to the electives and required courses for the Joint Honors Program in Physics and Physiology.

D. Gagan resumed the Chair at this point.

- g) Electoral Standing Committee

- i) Paper S.97-54 - Report (For Information)

R. Heath, Dean of Student Services and Registrar was in attendance in order to respond to questions.

As a member of the Electoral Standing Committee, S. Shapiro took exception to paragraph two. He explained that it was his understanding that the committee had agreed that a different location would be used next year and that the location in the Southeast Corner of the AQ no longer represented the central point of campus. Had costs allowed, the Committee would have wanted more polling stations but saw some merit in rotating locations. He reiterated that the Committee definitely wanted a change in location and suggested that perhaps the new Student Services Building was more central.

R. Heath accepted the above comments as a friendly editorial amendment to the report.

K. Whitbread, on behalf of the members of The Peak Collective, read a prepared statement to Senate expressing their concern about the wording of the report which they felt may have led students to believe that the student newspaper was involved in some wrong doing. R. Heath stressed that this was certainly not the intent of the report and that the 'Notice to The Peak' was in fact a desire for The Peak to print the notice in the student newspaper as a means of communicating the Committee's concerns to the general student body.

6. Other Businessi) Paper S.97-58 - Motions for Senate - Harassment PolicyMotion #1

Moved by J. D'Auria, seconded by G. Mauser

"In view of the adverse impact of the present harassment policy (GP 18) on the academic program of the University, it is moved that Senate recommend to the Board of Governors that Section 10 of the of policy document (GP 18) be placed in abeyance at this time"

Senate was advised that the proposers of the motion felt that Senate should have an opportunity to be involved in policy development in this area, and that raising the motions provides Senate with a chance to discuss these two important issues. It was felt that the existing policy had serious flaws and the motion would place the most serious part of that policy in abeyance while the University develops a new policy. Opinion was expressed that a serious weakness of Section 10 was the lack of reference to any mechanism of appeal from the decision or penalty imposed by the President. It was pointed out that although not widely publicized, students have the right to appeal to SCODA and while faculty and staff were afforded some protection through collective agreements, concern was expressed about the inequity of the appeal process.

J. Morris, on behalf of the Student Society Executive, read a prepared statement to Senate which expressed their deepest concern and strong opposition to the recommendation to place Section 10 in abeyance. They felt that without Section 10 there would be no disincentive to harassment on campus, and students whom they felt to be the most vulnerable and powerless group on campus would have no protection against harassment.

B. Clayman supported the views expressed by J. Morris regarding the power imbalance between members of the University, and confirmed that removal of section 10 of the policy would remove the avenue for remedial action. It was pointed out that there is a legal obligation for an employer to provide an environment that is free from harassment and having a process in place for responding to complaints of harassment mitigates or reduces an employer's liability.

It was pointed out that the University Act also provides to faculty and staff a mechanism of appeal to the Board of Governors. In other cases, recourse to the RCMP or the BC Human Rights Council and litigation in civil court are possible. It was pointed out that these latter processes take an extremely long

time to reach resolution and the University has no control of the process or its outcome.

K. Whitbread, on behalf of the Simon Fraser Public Interest Research Group (SF PIRG), read a prepared statement to Senate which expressed strong opposition to any attempt to dismantle the university's harassment policy as it was felt an attack upon the harassment policy was an attack upon students and others in less powerful positions on campus.

Concern was expressed about the secrecy, the lack of accountability and the infringement on academic freedom which some felt existed with the current policy, and opinion was expressed that a very clearly written and revised harassment policy was needed, and that suspension of Section 10 at this point would put in abeyance one of the most serious flaws.

J. Overington, on behalf of the Simon Fraser University's Women's Centre Collective, read a prepared statement to Senate which strongly opposed removal of Section 10. It was felt that a harassment policy without consequences would be ineffective and would leave students with no protection against harassment.

It was suggested that the concerns expressed by earlier speakers regarding Motion 1 were unfounded and that the motion should be adopted for the following reasons: It was stated publicly that under the present harassment policy the President simply has no flexibility. Placing Section 10 in abeyance would give the President that flexibility and would not prevent the President from taking disciplinary action as the President has authority to do so under the University Act. Striking Section 10 would not mean that harassers would not be punished, or that there would not be remedies for those who had been harassed.

Opinion was expressed that a flawed policy is not made better by striking out clauses, and simply putting a clause in abeyance in anticipation of a revised policy is not advisable. It was stressed that reactions to problems in an exceptional case should not be allowed to govern University policy, especially in light of the fact that the current harassment policy has been in use for a number of years without incident. Senate was advised that 97% of the harassment complaints that have been brought forward have been resolved to the satisfaction of the parties without recourse to formal proceedings.

Senators reiterated that no one, including the proposers of the motion, felt that the University should not have a harassment policy, but because of the serious flaws in the present policy steps needed to be taken to correct or put on hold the most serious flaws.

It was noted that approval of the motion did not provide any specific direction and suggestion was made that it would perhaps be better to forward a summary of the concerns that have been expressed on both sides of this issue to the Board for consideration.

Moved by A. Chan, seconded by J. D'Auria

"that the question be postponed indefinitely"

Senate was advised that Senate could debate both the main motion and the motion to postpone but a vote would first occur on A. Chan's motion as it took precedence over the original motion.

It was stressed that one of the objectives of raising the main motion was to send a strong message to those responsible for bringing forward a new and improved harassment policy and to provide Senate with an opportunity to express its concerns about the existing policy. It was noted that this had likely been accomplished through the current debate and support was expressed for the motion to postpone. Others also welcomed the current debate and expressed disappointment that the procedural motion was being used to deflect debate on the main motion.

In response to an inquiry about time frame with respect to the draft policy, Senate was advised that members of the campus community had been invited to submit their comments/opinions to the President by September 30. Following that a final draft would then be prepared taking these submissions into consideration. It is unlikely that a new policy would be available much before end of the year. Senators were reminded that all members of the University community could submit comments to the President's office, and that the draft policy is available on the Web.

Concern was expressed about the impact of recent publicity on SFU's reputation and considerable discussion ensued with respect to the kind of message which would be sent as a result of Senate action one way or the other.

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

MOTION TO POSTPONE
FAILED

Amendment moved by L. Peterson, seconded by G. Kirczenow

"to add to the end of the motion on the floor (Motion 1) 'and that the President use his authority under the University Act and the flexibility afforded to him to arrive at fair decisions' "

Opinion was expressed that the University Act provided flexibility to allow the President to arrive at decisions and he would no longer be constrained by Section 10 of policy GP 18.

Discussion then focussed on the information that 97% of the harassment complaints had been resolved to the satisfaction of the parties without recourse to formal proceeding. In response it was suggested that it wasn't clear whether the complaints were in fact resolved to the satisfaction of the parties. It was also pointed out that Motion 1 was only relevant to the remaining 3% of cases. Some Senators expressed the view that this meant that there would be little impact if Section 10 was put in abeyance. Other Senators argued that the absence of penalties or remedies might dissuade a person experiencing harassment from pursuing a complaint.

It was pointed out that students needed the direction the harassment policy provides and might feel uncomfortable having to rely on the University Act which provides no guidance as to process or consequences.

Discussion continued with respect to the message Senate would send out as a result of its action and a variety of opinions were expressed. Opinion was expressed that SFU needed to send a strong message that it believes in having an effective harassment policy and not be seen to rely on process dictated by the Government such as the University Act.

Question was called on the amendment,
and a vote taken.

AMENDMENT FAILED
(8 in favour, 21 opposed)

A request to have a roll call for the vote on the main motion was ruled out of order since the Rules of Senate only allow for vote by show of hands or secret ballot.

J. D'Auria announced that he wished to withdraw his motion.

Moved by P. Percival, seconded by A. Chan

"that Senator D'Auria be allowed to withdraw the motion"

Objection was raised about the legality of withdrawing a motion following such a lengthy debate and discussion ensued with respect to procedural process.

The Chair ruled that he would allow a vote on the motion.

Question was called on the motion to permit withdrawal, and a vote taken.

MOTION FAILED
(13 in favour, 17 opposed)

Question was called on Motion #1 (as it appears unamended in Senate paper S.97-58), and a vote taken.

MOTION FAILED
(5 in favour, 25 opposed, 2 abstentions)

Motion #2

J. D'Auria attempted to place an amended version of Motion 2 on the table, but this was not allowed because it was not the version considered by SCAR.

Moved by J. D'Auria, seconded by S. Shapiro

"It is moved that Senate recommend to the Board of Governors that any new or revised harassment policy be brought to Senate for consideration before being implemented."

The motion was generally supported as there was a strong belief that Senate should be involved in developing the new policy.

Due to serious concerns with the existing policy, there appeared to be a feeling that the new policy should be put in place as expeditiously as possible, and concern was expressed about the possible delays caused by having both Senate and the BOG consider the policy prior to implementation. Senators were reminded that they could be involved in the development of the new policy by response through direct contact with the President's office. The benefit of having an open debate on the floor of Senate as opposed to the submission of individual comments with no feedback was pointed out.

An amendment by A. Chan to add the following sentence to the motion "It is the intent of Senate that the President should submit the revised harassment policy to Senate as soon as possible before submitting it to the Board of Governors" failed for lack of a seconder.

Question was called on Motion #2 and a vote taken.

MOTION CARRIED

Raising a question of privilege and referring to recent reports in the press, P. Percival requested clarification from C. Jones, Dean of Science, about the awarding of credit in an incompleting course or promise of a degree to a student for compensation for harassment. Senate was advised that an aegrotat grade, a compassionate pass, can be awarded if a student in a course is

passing the course but is unable to complete the course because of extenuating circumstances. In such cases the Instructor recommends the compassionate pass through the Chair and the Chair would then forward it in the normal way. C. Jones indicated that he was not aware of any exceptions to the normal practice surrounding the waiving of requirements for a course for a degree or the awarding of an aegrotat grade.

7. Information

The next regularly scheduled meeting of Senate will take place on Monday, August 11, 1997.

Secretary's Note: The August meeting of Senate was cancelled due to a lack of agenda items.

The Open Session adjourned at 9:30 pm and the Assembly took a brief recess prior to moving into Closed Session.

Alison Watt
Director, Secretariat Services

Approval of mins. tabled
to S.M. Oct 6/97 by
Senate on Sep 15/97

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R. Heath accepted the above comments as a friendly editorial amendment to the report.

K. Whitbread, on behalf of the members of The Peak Collective, read a prepared statement to Senate expressing their concern about the wording of the report which they felt may have led students to believe that the student newspaper was involved in some wrong doing. R. Heath stressed that this was certainly not the intent of the report and that the 'Notice to The Peak' was in fact a desire for The Peak to print the notice in the student newspaper as a means of communicating the Committee's concerns to the general student body.

6. Other Businessi) Paper S.97-58 - Motions for Senate - Harassment PolicyMotion #1

Moved by J. D'Auria, seconded by G. Mauser

"In view of the adverse impact of the present harassment policy (GP 18) on the academic program of the University, it is moved that Senate recommend to the Board of Governors that Section 10 of the of policy document (GP 18) be placed in abeyance at this time"

Senate was advised that the proposers of the motion felt that Senate should have an opportunity to be involved in policy development in this area, and that raising the motions provides Senate with a chance to discuss these two important issues. It was felt that the existing policy had serious flaws and the motion would place the most serious part of that policy in abeyance while the University develops a new policy. Opinion was expressed that a serious weakness of Section 10 was the lack of reference to any mechanism of appeal from the decision or penalty imposed by the President. It was pointed out that although not widely publicized, students have the right to appeal to SCODA and while faculty and staff were afforded some protection through collective agreements, concern was expressed about the inequity of the appeal process.

J. Morris, on behalf of the Student Society Executive, read a prepared statement to Senate which expressed their deepest concern and strong opposition to the recommendation to place Section 10 in abeyance. They felt that without Section 10 there would be no disincentive to harassment on campus, and students whom they felt to be the most vulnerable and powerless group on campus would have no protection against harassment.

Suggestion was made that removal of Section 10 would not prevent the President from taking disciplinary action as the President has authority to do so under the University Act. It was pointed out that the University Act also provides to faculty and staff a mechanism of appeal to the Board of Governors. In other cases, recourse to the RCMP or the BC Human Rights Council and litigation in civil court are possible. It was pointed out that these latter processes take an extremely long time to reach resolution and the University has no control of the process or its outcome.

B. Clayman supported the views expressed by J. Morris regarding the power imbalance between members of the University, and confirmed that removal of section 10 of the policy would remove the avenue for remedial action. It

was pointed out that there is a legal obligation for an employer to provide an environment that is free from harassment and having a process in place for responding to complaints of harassment mitigates or reduces an employer's liability.

K. Whitbread, on behalf of the Simon Fraser Public Interest Research Group (SF PIRG), read a prepared statement to Senate which expressed strong opposition to any attempt to dismantle the university's harassment policy as it was felt an attack upon the harassment policy was an attack upon students and others in less powerful positions on campus.

Concern was expressed about the secrecy, the lack of accountability and the infringement on academic freedom which some felt existed with the current policy, and opinion was expressed that a very clearly written and revised harassment policy was needed, and that suspension of Section 10 at this point would put in abeyance one of the most serious flaws.

J. Overington, on behalf of the Simon Fraser University's Women's Centre Collective, read a prepared statement to Senate which strongly opposed removal of Section 10. It was felt that a harassment policy without consequences would be ineffective and would leave students with no protection against harassment.

Opinion was expressed that a flawed policy is not made better by striking out clauses, and simply putting a clause in abeyance in anticipation of a revised policy is not advisable. It was stressed that reactions to problems in an exceptional case should not be allowed to govern University policy, especially in light of the fact that the current harassment policy has been in use for a number of years without incident. Senate was advised that 97% of the harassment complaints that have been brought forward have been resolved to the satisfaction of the parties without recourse to formal proceedings.

Senators reiterated that no one, including the proposers of the motion, felt that the University should not have a harassment policy, but because of the serious flaws in the present policy steps needed to be taken to correct or put on hold the most serious flaws.

It was noted that approval of the motion did not provide any specific direction and suggestion was made that it would perhaps be better to forward a summary of the concerns that have been expressed on both sides of this issue to the Board for consideration.

Moved by A. Chan, seconded by J. D'Auria

"that the question be postponed indefinitely"

Senate was advised that Senate could debate both the main motion and the motion to postpone but a vote would first occur on A. Chan's motion as it took precedence over the original motion.

It was stressed that one of the objectives of raising the main motion was to send a strong message to those responsible for bringing forward a new and improved harassment policy and to provide Senate with an opportunity to express its concerns about the existing policy. It was noted that this had likely been accomplished through the current debate and support was expressed for the motion to postpone. Others also welcomed the current debate and expressed disappointment that the procedural motion was being used to deflect debate on the main motion.

In response to an inquiry about time frame with respect to the draft policy, Senate was advised that members of the campus community had been invited to submit their comments/opinions to the President by September 30. Following that a final draft would then be prepared taking these submissions into consideration. It is unlikely that a new policy would be available much before end of the year. Senators were reminded that all members of the University community could submit comments to the President's office, and that the draft policy is available on the Web.

Concern was expressed about the impact of recent publicity on SFU's reputation and considerable discussion ensued with respect to the kind of message which would be sent as a result of Senate action one way or the other.

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

MOTION TO POSTPONE
FAILED

Amendment moved by L. Peterson, seconded by G. Kirczenow

"to add to the end of the motion on the floor (Motion 1) 'and that the President use his authority under the University Act and the flexibility afforded to him to arrive at fair decisions' "

Opinion was expressed that the University Act provided flexibility to allow the President to arrive at decisions and he would no longer be constrained by Section 10 of policy GP 18.

There was discussion about the fact that 97% of cases are settled without recourse to formal proceedings. Some Senators expressed the view that this meant that there would be little impact if Section 10 was put in abeyance.

Other Senators argued that the absence of penalties or remedies might dissuade a person experiencing harassment from pursuing a complaint.

It was pointed out that students needed the direction the harassment policy provides and might feel uncomfortable having to rely on the University Act which provides no guidance as to process or consequences.

Discussion continued with respect to the message Senate would send out as a result of its action and a variety of opinions were expressed. Opinion was expressed that SFU needed to send a strong message that it believes in having an effective harassment policy and not be seen to rely on process dictated by the Government such as the University Act.

Question was called on the amendment,
and a vote taken.

AMENDMENT FAILED
(8 in favour, 21 opposed)

A request to have a roll call for the vote on the main motion was ruled out of order since the Rules of Senate only allow for vote by show of hands or secret ballot.

J. D'Auria announced that he wished to withdraw his motion.

Moved by P. Percival, seconded by A. Chan

"that Senator D'Auria be allowed to withdraw the motion"

Objection was raised about the legality of withdrawing a motion following such a lengthy debate and discussion ensued with respect to procedural process.

The Chair ruled that he would allow a vote on the motion.

Question was called on the motion to permit withdrawal, and a vote taken.

MOTION FAILED
(13 in favour, 17 opposed)

Question was called on Motion #1 (as it appears unamended in Senate paper S.97-58), and a vote taken.

MOTION FAILED
(5 in favour, 25 opposed, 2 abstentions)

Motion #2

J. D'Auria attempted to place an amended version of Motion 2 on the table, but this was not allowed because it was not the version considered by SCAR.

Moved by J. D'Auria, seconded by S. Shapiro

"It is moved that Senate recommend to the Board of Governors that any new or revised harassment policy be brought to Senate for consideration before being implemented."

The motion was generally supported as there was a strong belief that Senate should be involved in developing the new policy.

Due to serious concerns with the existing policy, there appeared to be a feeling that the new policy should be put in place as expeditiously as possible, and concern was expressed about the possible delays caused by having both Senate and the BOG consider the policy prior to implementation. Senators were reminded that they could be involved in the development of the new policy by response through direct contact with the President's office. The benefit of having an open debate on the floor of Senate as opposed to the submission of individual comments with no feedback was pointed out.

An amendment by A. Chan to add the following sentence to the motion "It is the intent of Senate that the President should submit the revised harassment policy to Senate as soon as possible before submitting it to the Board of Governors" failed for lack of a seconder.

Question was called on Motion #2 and a vote taken.

MOTION CARRIED

Raising a question of privilege and referring to recent reports in the press, P. Percival requested clarification from C. Jones, Dean of Science, about the awarding of credit in an incompleted course or promise of a degree to a student for compensation for harassment. Senate was advised that an aegrotat grade, a compassionate pass, can be awarded if a student in a course is passing the course but is unable to complete the course because of extenuating circumstances. In such cases the Instructor recommends the compassionate pass through the Chair and the Chair would then forward it in the normal way. C. Jones indicated that he was not aware of any exceptions to the normal practice surrounding the waiving of requirements for a course for a degree or the awarding of an aegrotat grade.

7. Information

The next regularly scheduled meeting of Senate will take place on Monday, August 11, 1997.

Secretary's Note: The August meeting of Senate was cancelled due to a lack of agenda items.

The Open Session adjourned at 9:30 pm and the Assembly took a brief recess prior to moving into Closed Session.

Alison Watt
Director, Secretariat Services