From: Marc Richard

Sent: Monday, November 09, 2009 9:43 AM

Cc: Marc Richard

Subject: Senate Meeting Report, 2009-11-04

Colleagues,

The following is a summary of the Senate meeting which took place on Wednesday, November 4, 2009.

The meeting began with Principal Munroe-Blum welcoming Mr. Stephen Strople to his first meeting of Senate as the University's new Secretary-General.  Dean Grant next presented a resolution on the death of Professor Wallace Earl Lambert.

Senate adopted the minutes of the last Senate meeting (not yet posted), the report of the Steering Committee (<http://www.mcgill.ca/files/senate/09-10-04SteeringReport.pdf>) and the agenda (<http://www.mcgill.ca/files/senate/SenateAgendaNovember42009.pdf>).

Further to item 6 of the Steering report, a student Senator suggested that the planned report on the academic implications of self-funded programs, which is slated for completion at the end of the academic year, be finished instead by the end of January 2010 and presented to Senate in February.  Provost Masi answered that it was not feasible for the report to be completed by this early date.  Principal Munroe-Blum indicated that the Administration would undertake to have the report ready before the end of the academic year if possible.

Further to the adoption of the agenda, Senator Richard noted that the Senate Calendar of Business gave today as the target date for the draft revisions to the Code of Conduct for Users of McGill Computing Facilities to be presented to Senate.  Provost Masi answered that the Senate Calendar of Business is a guideline to the Steering Committee, and that the inclusion of items in a particular meeting's agenda depends on what other items must be included.  Senator Richard indicated that questions concerning the code governing the use of McGill computing facilities had been asked twice previously in Senate -- on April 15, 2009, and a year earlier on April 16, 2008 -- and that the Administration had undertaken last April to bring the matter before Senate in the fall of 2009.  He asked whether this time frame was still regarded as achievable.  Deputy Provost Mendelson answered that the draft of the revised document was nearly finished, but that some further consultation is still needed before it is ready for presentation to Senate; this will be done as soon as possible.

In the opening section of her remarks from the Chair, Principal Munroe-Blum provided an update on H1N1 preparations and policies.  As has been reported in campus media, an online H1N1 self-reporting form is now available to students and staff (<http://www.mcgill.ca/health/h1n1/selfreporting/>).  For students, this form is the equivalent to a doctor's certificate.  For staff, the updated Health and Wellness website (<http://www.mcgill.ca/health/>) reflects the latest policies on this subject.  The Principal indicated that staff members with H1N1 symptoms will have their first two days of absence classified as paid incidental illness days, and that thereafter they will be placed on short-term disability without the need for a medical certificate.  If the staff member’s absence extends beyond seven days, he or she will be expected to provide a medical certificate, as is explained on the Health and Wellness site's Work Absence FAQ page (<http://www.mcgill.ca/health/staff/absencefaq/>).

The Principal asked if there were any questions pertaining to this first section of her remarks.  Senator Richard thanked the Administration for having updated on the previous Wednesday the website to which the Principal referred, but noted that some academic units continued to require staff to provide a doctor's note beginning on the third day of absence, on the grounds that they were never officially told otherwise.  He asked whether such official notification would be sent out, so that the new policy would be followed.  The Principal asked Provost Masi to take the matter under advisement, adding that she believed that there had been ongoing communication on this subject.

The Principal next discussed government relations, noting that the federal budget season is approaching and that the AUCC and the G13 were focusing on the topic of what investments should be made in postsecondary education.  She then turned to the subject of the robbery which occurred late Monday in Burnside Hall, resulting in an intervention by campus security and Montreal police and the evacuation of the building.  An investigation into this robbery is now in progress.  Principal Munroe-Blum noted that some resistance to the evacuation had been encountered, and she urged members of the McGill community to cooperate with directives from security personnel when an emergency occurs.  She also encouraged owners of laptops to register their computers with McGill's "STOP" crime prevention program (<http://www.mcgill.ca/security/services/stop-schedule/>).

The Principal concluded by reminding Senate that she is chairing Advisory Committees for the Selection of a Provost (<http://www.mcgill.ca/secretariat/advisory/membership/provost/>) and of a Vice-Principal (Research and International Relations) (<http://www.mcgill.ca/secretariat/advisory/membership/viceprincipalresearchandinternationrelations/>).  Members of the McGill community are invited to provide written comments in confidence by the submission deadline of November 13, 2009.

In the period for formal questions, Senator Hebert posed a question on the Advisory Committees for the Selection of a Trenholme Director of Libraries and of a Dean of the Desautels Faculty of Management (<http://www.mcgill.ca/files/senate/QuestionAdvisoryCttees.pdf>).  Secretary-General Strople answered that the submission deadline for comments to both committees is December 4, 2009.  The Advisory Committees section of the Secretariat's website (<http://www.mcgill.ca/secretariat/advisory/membership/>) has now been updated to list all the current committees and to delete the ones which are no longer in place.  The Secretary-General added that this site will be updated in a more timely manner in the future.

Deputy Provost Mendelson next presented a proposed revision of McGill's anti-doping policy (<http://www.mcgill.ca/files/senate/D09-06anti-doping-policy.pdf>).  Senator Bartlett-Esquilant asked what rate of false positives is generated by tests for banned substances.  Mr. Drew Love answered that McGill is not involved in the sample testing procedures and simply hears about the small number of cases which are in violation.  Senator Bartlett-Esquilant noted that suspensions are imposed on the basis of a positive "A" sample, and asked how a student will be compensated for this suspension if the "B" sample comes back negative.  Deputy Provost Mendelson answered that this aspect is not determined by McGill but rather by the various sports-governing bodies.

Senator Robaire asked if any information was available on the inappropriate use of drugs on campus by individuals other than athletes. Deputy Provost Mendelson answered that this was an interesting but broad question , and went on to say that nothing in the student code of conduct specifically prohibits the use of drugs on campus, other than the code's provisions regarding illegal activities.  As far as staff members are concerned, this would be covered elsewhere.  Professor Mendelson added that he would be happy to provide a more detailed answer if a more specific question was submitted.  The revised anti-doping policy was then voted on and approved.

Associate V.-P. Nicell next gave a PowerPoint presentation (not yet posted) to introduce a draft Sustainability Policy document (<http://www.mcgill.ca/files/senate/D09-17SustaibilityPolicy.pdf>) for discussion.  Feedback from members of the McGill community on this draft document is invited and welcome.  Senator Saroyan noted that the document gives no specific targets, and she asked how success will be measured for the proposed policy.  V.-P. Nicell answered that the first step will be to choose indicators, after which the community will be consulted to determine what is achievable.

V.-P. Thérien next presented for discussion a draft Regulation on the Conduct of Research (<http://www.mcgill.ca/files/senate/D09-18PolicyConductResearch.pdf>) which would bring together and clarify the current policies and regulations in this area (other than those dealing in detail with human and animal subject research) and address a number of issues on which current policies and regulations are silent.  In his introductory remarks, V.-P. Thérien commented on the disappearance of the clause dealing with funding from military sources, saying that no satisfactory revised phrasing was found for this element.  He noted that secret research is prohibited at McGill, and that publication of research results is mandatory, and thus that these stipulations would make it unlikely that a researcher could gain access to sensitive military funding.  The G13 is not making any moves towards restricting militarily-funded research, since the G13's position is that research must be legal and must be able to pass an ethical board review.

Senator Robaire said that the current draft of the document is much improved but that it has many problems, of which he gave a few examples.  These included the overly broad definition of "data" (which encompasses ideas and concepts, and which the policy requires researchers to preserve for seven years); the reference in 1.14 to all institutions affiliated with the University (which should be deleted unless buy-in can be obtained from them); and the fact that "hazardous research" (to which several references are made) is not defined.  Senator Wolfson was concerned that some of the provisions concerning data release might contradict the consent forms signed by subjects of human research.  Senator White noted that the definition of plagiarism is different for students and for other groups, and suggested that the extent to which the University owns data should be clarified.  Senator Harpp felt that the five-year review window mentioned in article 16.1 was too long, and that a review in three years or so would be preferable.

Senator Sieber made a number of comments.  She noted that article 4.6, which states "A Researcher shall not remove original Data from the department or research unit in which they were generated without the prior approval of the Chair," raised the prospect that researchers might have to start living in their offices while working on a project.  The requirements that researchers obtain all the necessary approvals before starting research (e.g. article 3.5) could create timing issues, and could be interpreted as meaning that a researcher who does field work might have to obtain permission from the departmental chair before going into the field.  Regarding article 4.6.4, she pointed out that in Canada certain forms of geographic data are under Crown copyright, and thus that such data or any derived data can never be owned by a researcher.

Senator Grütter drew attention to the fact that "publication" is not defined, and asked how researchers were supposed to store data for seven years and ensure that, at the end of that time, they had the necessary hardware to read data from storage media which may have become obsolete.  He also asked who would pay for this storage.   Senator Butler likewise asked if some sort of archival space would be made available by the University.  V.-P. Thérien acknowledged that the logistics of long-term data storage were indeed problematic and that there were no magical solutions, but he added that discussions on implementation mechanisms were ongoing with the granting councils and with the McGill community.  Concepts such as national storage are among the solutions being explored.  Associate Provost Foster remarked that the granting councils vary in their data retention requirements, with one of these requiring that data be retained in perpetuity.

On the subject of military research, some student Senators expressed the concern that article 7.4.1 offered a loophole which would allow a researcher to keep research secret.  Senator Dooley asked why the existing box-check reporting process for military research had not been included in the new policy.  V.-P. Thérien answered that McGill was aligning itself with other G13 universities.  He noted that the box-check was confusing because it asked if the research in question had any military applications, a phrasing which caused people in similar research areas to give divergent answers.   Senator Wolf felt that McGill should be a leader on ethical issues and that it would be regressive to remove the military funding clause in order to be in keeping with the G13.  V.-P. Thérien responded that it would be making the wrong equations to say that military funding is inherently bad and that non-military funding is inherently good, and therefore that he was not in favour of introducing additional bureaucratic steps to deal with this issue.

Senator Janda remarked that McGill has had some sad history in the area of inappropriate military research, notably the research conducted by Dr. Donald Ewen Cameron at the Allan Memorial Institute.  Senator Janda felt that McGill needed to find reasonable ways to monitor its involvement in military research without getting into the question of whether military research is inherently bad.  Senator Wolfson drew attention to the fact that Dr. Cameron's experiments were actually funded by the C.I.A., not by the military.  Principal Munroe-Blum concurred with Senator Wolfson, saying that this illustrated that what was important was the appropriateness of the research project itself and not the source of its funding.  Associate Provost Foster added that there are now proper controls in place for research with human subjects.

At the close of the discussion, V.-P. Thérien indicated that the draft policy document will return to Senate before the end of the year.  The Principal invited anyone who has additional comments on the draft policy to communicate these to Associate Provost Foster.

Provost Masi next presented the 415th report of the Academic Policy Committee (<http://www.mcgill.ca/files/senate/D09-19415thAPCReport.pdf>), which was approved.  On the subject of the departmental name change in the report, Senator Janda asked if the change had been approved by the Faculty of Medicine's faculty council and asked how the proposal had come before Senate.  Provost Masi answered by describing the process which such proposals follow to receive Senate approval.

Senate next received for information the Report of the Board of Governors to Senate (<http://www.mcgill.ca/files/senate/D09-20ReportfromBoardofGovernors.pdf>).  Senator Neilson asked if someone could describe what sort of discussion the item on the self-funded MBA program had undergone at the Board.  Dean Todd answered that the proposal was presented to the Board's Executive Committee and was discussed, with the Board's focus of interest being the financial implications of the proposal.  Principal Munroe-Blum added that issues of accessibility and quality were also discussed.

As its final order of business, Senate received for information the 2008-2009 annual report on the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law (<http://www.mcgill.ca/files/senate/D09-16AnnualReportHarassmentPolicy.pdf>) and the 2008-2009 annual report of the Joint Senate-Board Committee on Equity (<http://www.mcgill.ca/files/senate/D09-21JSBCE.pdf>).  Associate Provost Foster noted on this last point that the Subcommittee on Race and Ethnic Relations is in the process of being re-established.

The next Senate meeting will be held on Wednesday, December 2, 2009 .  If you have any questions, please get in touch with us.

Regards,

Your librarian Senate reps,

Jodie Hebert

Joan Hobbins

Marc Richard