



# Memorandum

**Secretariat**

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**TO:** Senate

**FROM:** Ms. Edyta Rogowska, Secretary General

**SUBJECT:** Notice of Motion to Amend the Standing Rules of Procedure Governing the Proceedings of the Senate of McGill University

**DATE:** October 21, 2020

**DOCUMENT #:** D20-09

**ACTION REQUIRED:**  INFORMATION    APPROVAL/DECISION

**ISSUE** As required by section XIV of the Standing Rules of Procedure, Governing the Proceedings of the Senate of McGill University (the “Rules”), a notice of a motion to amend the Rules is presented to Senate for information.

The proposed amendments to the Rules are being presented at this time for information and discussion to obtain feedback from Senate.

**BACKGROUND & RATIONAL** Further to a commitment made in March 2019, the Steering Committee’s governance processes were reviewed in Fall 2019, focusing particularly on the review of questions and motions.

Following the review, the Steering Committee approved [Guidelines](#) for the Review of Questions and Motions (“Guidelines”) on November 26, 2019, which were shared with Senate on December 4, 2019. This review was done with the understanding that the Guidelines would be recognized in the Steering Committee’s Terms of Reference and in the Rules.

**Review of the Rules**

The current Rules were approved by Senate on September 12, 1973. They are a consolidation of the Standing Rules of Procedure adopted in 1944, the Report on the Implications of Open Meetings adopted in 1968, the Rules on the Rights of Senate adopted in 1971 and various other rules adopted prior to 1973. Only minor amendments have been made to the Rules by Senate since their approval

A working group was formed to review the Rules in Winter 2020. In addition to recognizing the Guidelines in the Rules, the working group agreed to update the Rules to reflect current practices that had not been formally incorporated into the document.

**PRIOR CONSULTATION** Working Group; Legal Services; Senate Steering Committee.

**SUSTAINABILITY  
CONSIDERATIONS**

N/A

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**IMPACT OF  
DECISION AND  
NEXT STEPS**

Approval by Senate at the November Senate meeting.  
Review of the Steering Committee's Terms of Reference.

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**MOTION OR  
RESOLUTION  
FOR APPROVAL**

The following is a notice of motion, presented for information. The motion for approval will be presented at the November 2020 meeting of Senate:

*Be it resolved that Senate approve the proposed amendments to the Standing Rules of Procedure, Governing the Proceedings of the Senate of McGill University as presented in Appendix C.*

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**APPENDICES**

Appendix A: Summary of Proposed Amendments to the Rules  
Appendix B: Proposed Amendments to the Senate Standing Rules of Procedure (tracked changes)  
Appendix C: Proposed Amendments to the Senate Standing Rules of Procedure (clean)

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## SUMMARY OF PROPOSED AMENDMENTS TO THE RULES

Key amendments being proposed to the Rules at this time are summarized below.

### New Additions:

- Procedural **resolutions adopted by Senate** over the years, including livestreaming of meetings, approved March 19, 2014 (see s. 3), time of meetings, approved May 18, 1994 (see s. 4.2) and Senator Attendance (see s.5), approved May 7, 1997 and May 14, 2014.
- Various provisions regarding **electronic meetings** and **electronic voting** (see s. 4.3, 6.3, and 13) to allow for more flexibility in the conduct of meetings.
- Language regarding **discussion items**, as the Rules only described allocation of time for agenda items and duration of interventions with respect to approval items (see s. 17 and 18).
- Language regarding **confidentiality** (see s. 2, 6.3, 8, 22 and 24).
- A section on **Conflicts of Interest** (see s. 12).
- A section on **Points of Order**, based on *Robert's Rules of Order*, (see subs. 19.1) to raise awareness on the use of this mechanism.

### Changes to Existing Procedures:

- The time limit for the **duration of interventions** was slightly decreased, taking into account the time generally allocated for items and the fact that documents are normally distributed in advance of meetings (see s. 17).
- The **reference to *Robert's Rules of Order*** was changed to refer to the most recent edition (see s. 21). This will eliminate the need to update the Rules each time a new edition is available.

### Housekeeping Amendments:

- Updates to **reflect current practices**, notably with respect to the following matters are proposed:
  - Number of spectators that can be accommodated in the Senate chamber and the procedure for admission passes (s. 2)
  - Frequency of Senate meetings (s.4.1)
  - Distribution and availability of Senate and Senate Standing Committee documents (s. 6, 22 and 24)
  - Question and Motion Period (s. 9)
  - Meetings and minutes of Senate Standing Committees (s.24)
  - Steering Committee mandate and composition (s. 23)

- Revised **numbering and terminology**, particularly to:
  - Modernize language (e.g. removal of Latin phrases in s. 20)
  - Replace Roman numerals with Arabic numerals for ease of reference
  - Ensure uniformity of terminology (e.g. ‘Senators’ instead of ‘members of Senate’)
  - Capitalize defined terms (e.g. Chair)
- Corrected **Typographical Errors** and Eliminated **Redundancies**
  - For example, as members of the University community, representatives of the Alumni Association may attend Senate meetings. It is therefore unnecessary to specify that they are entitled to attend as members of the audience. (see s. 2)
- **Clarified existing practices**, notably with respect to the following processes:
  - Granting of speaking rights to committee chairs for presentation of reports (s.2)
  - Distribution of Senate documents (s. 6 )
  - Question and Motion Period (s. 9)
  - Appointment of a temporary Chair (s. 10)
  - Powers and duty of the Chair (s. 10 regarding voting, s.17 regarding closing debate; s. 18 regarding judging the relevancy of an argument or commentary; subs. 19.2 regarding rulings on questions of procedure)
  - Process for nominations and elections to committees and other bodies (s. 25)

**STANDING RULES OF PROCEDURE, GOVERNING THE PROCEEDINGS  
OF THE SENATE OF MCGILL UNIVERSITY**

(Hereinafter, the “Rules”)

**H1. Enacting Clause:**

The proceedings of Senate are governed by the Statutes of McGill University (as enacted in 1939, and re-enacted or amended by the Board of Governors from time to time) insofar as they are applicable; in particular, with reference to the following:

- Regular and Special Meetings (Articles 6.4.1, 6.4.2)
- Constitution of Quorum (Article 6.3.1)
- The Chair ~~and His/Her Powers~~(Article 3.7)
- The Secretary-General (Article 5.1)
- Appointment of Committees (Article 6.3.15)
- Granting of Honorary Degrees (Article 13.2.2)
- Amendment of Statutes (Article 15)

**H2. Open Meetings of Senate and ~~Spectator~~ Attendance Conditions:**

Although certain items on the Senate agenda may require confidential treatment (see section 8), Senate meetings are normally open meetings. An "open" meeting is one that is open to observation by any member of the University community and accredited press, subject to limitations of space, and good conduct, ~~and special consideration of confidentiality.~~ ~~Representatives of the Alumni Association who serve on Senate committees are also entitled to attend meetings of Senate as members of the audience.~~

The number of spectators and members of the press will be limited to the capacity of the room in which a Senate meeting is held. Admission of spectators and members of the press will be on first-come, first-accommodated basis. Seating may also be reserved prior to a meeting by contacting the Secretariat.

No external person should ~~ever~~ be asked to address Senate without the proposal having been approved at a meeting of Senate or of the Steering Committee.

~~In view of the increase in the numbers of members of Senate committees attending meetings of Senate when the reports of their committees are being discussed, a general policy should be that where the chair of a committee is not a member of Senate, he or she be invited to sit with Senate and act as the committee's spokesperson in the consideration of its report. Committee reports are normally presented to Senate by the committee's Chair. If the committee Chair is not a Senator, he or she will be invited to the Senate meeting and granted speaking rights to present the report and act as the committee's spokesperson. The o~~Other members of the committee ~~desiring to be present should be~~ welcome to attend the Senate meeting in the ~~seating~~ areas reserved for spectators and ~~would~~could, if Senate so desired, be invited to participate in the discussion.

### **III. Spectator and Press Attendance:**

~~Meetings of Senate should be set up to provide room for about 60 spectators. Seating arrangements should be such as to allow senators to conduct their deliberations in comfort and without any undue sense of restraint. Since even 60 places may not be sufficient to permit admittance to all who might seek it, a system of passes should be established. Any member of the University community should be able to obtain (or reserve) a pass from the Secretary's office on the morning of the day of a Senate meeting, and any passes that remained would be available at the door just before Senate meets.~~

~~Ten admission passes shall be reserved for the press to be distributed by the University Relations Office. A press table shall be provided. Neither senators nor spectators, including members of the media, are permitted to use devices at Senate meetings for the purpose of recording sound or images. Furthermore, communicating or posting the deliberations of Senate is prohibited during meetings, except with the express permission of Senate.~~

### **3. Recording of Senate meetings**

~~The open sessions of Senate meetings may be livestreamed by the University and accessible to members of the McGill community on the Senate website. The livestream of each open session will be accessible until the minutes of the meeting are approved. No other recording, communication or transmission of sound or images of the deliberations of Senate is allowed during meetings, except with the express permission of Senate.~~

### **IV. Frequency and Time of Meetings:**

#### **4.1 Frequency of Meetings**

~~Based on article 6.4.1 of the Statutes, Senate shall will normally meet twice-once a calendar month during the academic session (i.e. from September to May). The Steering Committee is shall be empowered to call special meetings or to cancel scheduled meetings of Senate, as required, bearing in mind, however, that Article 6.4.1 of the Statutes states in part that "regular meetings of the Senate shall be held at least once a calendar month throughout the University session," and thatBased on Article 6.4.2 of the Statutes, states in part that "special meetings may be summoned by the Principal according to discretion and must be summoned on the request of any ten members of the Senate."~~

#### **4.2 Time of Meetings**

~~Senate meetings normally commence at 2:30 p.m. and adjourn no later than 6:10 p.m.~~

#### **4.3 Meetings held by Electronic Means**

~~The Steering Committee may recommend that a meeting, or a part thereof, be held (1) remotely by means of equipment enabling virtual participation or (2) by electronic vote.~~

If a meeting is held remotely, access to Senate’s open session proceedings by spectators and members of the press may be permitted through a process established by the Secretariat.

Meetings conducted entirely by means of an electronic vote will only include Senators.

#### **V5. Senator Attendance (Elected Members)**

Senators who will be on leave from the University for a period longer than three months or unable to attend Senate for a period of the same length should normally resign and the competent body will select a successor following the procedure described in section 6.1.2.2 of the Statutes.

If Senators do not attend three consecutive meetings of Senate, or five meetings in a governance year, without sufficient reason, their seat will be deemed vacant by the Secretary and the competent body will select a successor following the procedure described in section 6.1.2.2 of the Statutes.

#### **V16. Notice of Meetings and Meeting Documents:**

##### **6.1 Notice of Meetings**

Written notice of regular meetings will ~~shall~~ be mailed, normally in electronic format, or delivered to ~~members-Senators~~ by the Secretary at least ~~five~~ clear calendar days in advance. As per article 6.4.2 of the Statutes, notice of special meetings will be sent at least ~~three~~ calendar days in advance.

The notice both of regular and of special meetings shall contain a list of the items of business to be discussed; and the nature or subject matter of any report or other item upon which action is to be taken by the Senate shall, where possible, be clearly specified.

If any report be submitted to Senate without the subject matter thereof having been clearly specified in the notice of the meeting, then one-quarter of the members present shall be entitled to require that action by Senate on such report or any part thereof be deferred until the next meeting.

#### **VI. Order of Business:**

##### **6.2 Agenda and Meeting Documents (Open Session)**

The ~~A~~agenda, together with ~~all~~ related documents, ~~should~~ shall will be distributed to ~~s~~Senators; and, also be placed in a number of public repositories where they could be examined by interested ~~members of the University~~ with the exception of draft meeting minutes, will be posted on the Senate website or otherwise made publicly available. The ~~A~~agenda and documents should be circulated at least ~~five~~ four calendar days in advance of the meeting. The meeting minutes will be posted on the Senate website or otherwise made publicly available once they have been approved by Senate.

### **6.3 Meeting Documents (Confidential Session)**

Confidential documents will not be distributed but made available for consultation in the Secretariat by Senators only. In the case of remote meetings and meetings conducted by electronic vote, confidential documents will normally be made available to Senators on a secure and access-restricted platform.

### **17. Order of Business**

The order of business at regular meetings ~~shall~~will be as follows:

- ~~Resolutions on the death of~~Memorial Tributes for members or ~~friends distinguished~~colleagues of the University
- Reports of the Steering Committee
- Adoption of the Agenda
- Business Arising from the Minutes
- ~~Chair's Remarks~~
- Part A (i) ~~Motions and~~ Questions by ~~Members of Senate~~ Senators  
(ii) Motions by Senators
- Part B - Motions and Reports from Organs of University Government
- Other Business

The order of business at special meetings ~~shall~~will follow the order of the items contained in the notice calling the meeting.

The order of business at any meeting, as fixed by the above, may be changed by a majority vote of those present at such meeting. When considering the adoption of the ~~Senate~~Aagenda, there are to be no amendments permitted to alter the order of questions and motions in the ~~Q~~question and motion ~~P~~period, all questions and motions to be considered in the order in which they are submitted prior to the meeting of Senate.

### **VIII. Confidential Sessions of Senate Meetings:**

In most cases, there should be advance knowledge of items that require confidential treatment and they should be so specified in the Steering Committee's Report or on the ~~A~~Aagenda. Since the motions to adopt the recommendations of the Report of the Steering Committee and the ~~A~~Aagenda are debatable, any reservation about confidentiality should be ~~aired~~raised and settled at this stage. Once the ~~A~~Aagenda is adopted, Senate should automatically move into closed session when the item "Confidential Business" is reached, and ~~the~~all spectators should retire from the meeting. This would not preclude the presentation of a procedural motion to have a particular item transferred to "Confidential Business." "Confidential Business" would be minuted in an Appendix to the Minutes of Senate, accessible only to ~~members of Senate~~Senators; but the minutes themselves would indicate the general nature of the confidential items and the reasons for them being considered confidential.

Current and former Senators will ~~shall~~ respect the confidentiality of information received in the performance of their duties, as well as the confidentiality of Senate's ~~the~~ deliberations.

At the conclusion of a confidential session there ~~shall~~ may be, if appropriate, a ~~motion~~ resolution concerning whether any ~~resolutions adopted~~ motions passed by Senate during the confidential session, or any part of them, ~~should~~ shall be made public.

## **VIII9. Questions Periodsand Motions by Members of Senate Senators:**

### **9.1 Submission of Questions and Motions**

Any Senator may submit a written question or motion, on templates established by the Secretariat, to the Secretary for review by the Steering Committee. The Steering Committee has the delegated authority of Senate to make a determination on the admissibility of questions and motions. The Senate Steering Committee is responsible for developing guidelines for the review of questions and motions.

### **9.2 Time Allocation**

As the first item under Part "A" of the Senate Agenda, a question and motion period limited to thirty minutes is to be scheduled. Questions Items that remain ~~unanswered~~ unaddressed at the end of the thirty minutes ~~will~~ shall be tabled until the conclusion of Part "B" of the Agenda to be ~~answered~~ addressed then, if time permits. Items remaining unaddressed will be added to the agenda of the subsequent meeting.

### **9.3 Questions**

~~Any senator may deliver a written question to the Secretary before any Senate meeting addressed to either the Principal, the vice principals, or the chairs of any Senate committees. With the consent of the questioner, the questions may be referred by the recipient to any member of Senate who would be more directly responsible for the information required in the reply.~~

Written questions and responses will normally be circulated to Senators in advance of the meeting. During the question and motion period, the Senator(s) who submitted the question will be permitted to ask one or more supplementary questions, after which, all other Senators will have the same opportunity. anyone who has received a written enquiry will read the question and may reply immediately or defer a reply until the next regular meeting of Senate. Any senator may ask the recipient one or more supplementary questions relating thereto, but nNo debate is to be permitted of either the question or the ~~answer~~ response.

In the case of questions directed to the Principal, the Secretary ~~shall~~ will assume the chair of Senate for the duration of ~~the question and its reply, and~~ any supplementary questions and their replies. ~~In order to distinguish more properly the suitability of questions submitted for the Question Period, the following guidelines should be used by members of Senate where possible:~~

~~The intent and purpose of the Question Period is similar to that of the Parliamentary Question Period, and should not be generally used as an opportunity to solicit opinions of individuals, to pose highly speculative questions, or to request information which is readily available through other sources. Each question should be capable of standing on its own, and supplementary questions should only be posed during the Question Period once the respondent has replied to the original question.~~

~~Steering Committee shall direct members who submit questions that broach largely non-academic issues to direct their questions in the first instance to the responsible University officer. In such cases, upon request by the senator, the Secretary of Senate shall circulate the question and the answer from the responsible University officer to all senators in the regular Senate mailing. Senators may resubmit the question to Steering Committee if they do not receive a satisfactory answer.~~

#### **9.4 Motions**

~~In view of the lengthy discussion that might develop in Senate when motions by members do not specify fully their intent, Senators are advised to preface the motions they submit for Part "A" of the agenda of Senate with a written rationale, based on a template provided by the Secretariat.~~

#### **IX10. The Chair:**

~~Pursuant to the Statutes, the Principal or the Acting Principal / Interim Principal if one is appointed by the Board of Governors, is the Chair of Senate and presides over its meetings. The Chair will not normally vote unless there is a tie vote, in which case the Chair will have the deciding vote.~~

~~If the Principal of the University be is absent from any meeting, and no Vice Principal or Acting Principal has been appointed by the Board of Governors, the Steering Committee will normally recommend the appointment of a faculty dean to serve as Acting Chair for that meeting. The Steering Committee's recommendation will be presented by the Secretary, who will take the chair at the outset of the meeting for that purpose.~~

~~In the case of an unanticipated absence of the Principal, the Secretary the senior dean present shall will take the chair and forthwith call for the election appointment of a temporary chair. The member appointed elected as Temporary eChair shall will then take the chair and conduct the business of the meeting, with all the powers of the statutory eChair.~~

#### **XI11. The Secretary:**

~~The Secretary-General is the Secretary of Senate. If the Secretary-General of Senate be is absent from any meeting, an individual in the employ of the University secretary appointed by the eChair shall will assume the duties of the Secretary.~~

**12. Conflicts of Interest:**

Senators are expected to consult and adhere to the applicable University regulation governing conflicts of interest, review the agenda items and declare any conflicts of interest to the Chair or Secretary. They should indicate whether they will abstain from voting or withdraw from participation in the consideration of the agenda item.

**XH13. Voting**

Senators will vote as follows: IN FAVOUR / AGAINST / ABSTAIN. Given that a Senator should hear the full arguments on a motion, there will be no provision for absentee voting. On any vote, Senators may request that their names be recorded in the minutes as voting in favour, against or abstaining. In all cases, in determining the number required for a majority, those members present but voting ABSTAIN are excluded from the total eligible to vote.

All motions will be decided by simple majority except those that require a two-thirds majority or a three-fourths majority, as established by these Rules or as stipulated in the Statutes in respect of recommendations such as the grant of honorary degrees and amendments to the Statutes.

Depending on the format of the meeting, voting will be conducted as follows:

a) For In-Person Meetings

Senators will vote on motions ~~Voting on motions and resolutions shall be~~ by a show of hands, unless by a majority vote upon a motion or, at the suggestion of the eChair, ~~the members~~ Senators present decide in any particular case that the vote should be taken by secret ballot.

b) For Meetings Held by Electronic Vote

Senators will vote on motions by submitting an electronic ballot using a platform made available by the Secretariat for this purpose.

c) For Meetings Held Remotely

Senators will vote on motions either by voice or, as appropriate, by using the features within the remote platform made available by the Secretariat.

**XH14. Reconsideration:**

A motion to reconsider any decision previously taken and recorded as a resolution of Senate ~~by a vote upon a motion or a resolution~~ may be presented, ~~only~~ subject to the following conditions:

- a) At the meeting at which the ~~motion or resolution was passed or resolution was~~ adopted, a motion to reconsider may be presented after all items on the ~~A~~agenda have been disposed of.
- b) Otherwise, a notice of a motion to reconsider may either be given at the regular meeting immediately preceding the meeting at which such motion is to be presented, or be submitted to the Steering Committee for presentation at the next meeting of Senate; and it cannot be so presented unless it has been mentioned in the ~~A~~agenda included in the notice of such meeting.
- c) In any circumstances, the minimum vote required ~~for the passing of to carry~~ a motion to reconsider ~~shall will~~ be two-thirds of the members present.

When a motion to reconsider has been duly presented and ~~passed~~carried, the subject matter of the original motion ~~or resolution~~ is thereby reopened for discussing and voting anew.

#### ~~XIII~~XIV15. Suspension of the Rules:

Any or all of the present ~~r~~Rules may be suspended by a vote of not less than three-fourths of those present, provided that such three-fourths constitute an absolute majority of all ~~members of the Senate~~Senators.

#### ~~XIV~~XV16. Amendment of the Rules:

The present ~~r~~Rules may be amended by a majority vote of those present at any regular or special meeting, provided that notice of the proposed amendment has been given at the previous meeting and that the wording thereof has been included in the notice calling the meeting at which it is to be considered.

#### ~~17~~18~~XV~~XVI. Allocation of Time for Debate and Discussion:

The Steering Committee ~~can may, if it so desires,~~ submit with the ~~A~~agenda an recommended allocation of time for each item on the ~~a~~Agenda. This schedule would be approved by Senate in the context of its approval of the agenda, with the Agenda itself. The ~~e~~Chair would normally close debate at the end of the assigned period unless by a majority vote of those present, discussion were prolonged for a specific period. The motion to prolong debate would not itself be debatable. Before closing the debate on an item, which has not yet reached the end of its allocated time, the Chair will ask Senators if they have any further comments.

#### ~~18~~19~~XVI~~XVII. Duration and Frequency of Interventions:

~~Members of Senate~~A Senators, in making a motions, ~~will shall~~ be permitted up to ~~eight a total of four~~ minutes to speak provide a rationale for the motion. The seconder of the motion, all other speakers on the motion, and ~~members—Senators~~ making amendments and sub-amendments ~~will shall~~ be permitted up to ~~four—three~~ minutes of speaking time. Seconders and speakers to amendments and sub-amendments will shall be permitted up to two minutes of speaking time.

In regard to questions or comments on agenda items, Senators will be permitted up to two minutes of speaking time.

Presenters will normally have up to four minutes of speaking time to deliver a report. The Steering Committee may recommend more time, which would be reflected in the recommended allocation of time for items included on the agenda (see section 17).

A list of speakers ~~for each motion, amendment, and sub-amendment shall will~~ be kept by the eChair and/or Secretary. Interventions by those who have already spoken ~~shall will~~ not be allowed until all ~~members-Senators~~ speaking for the first time ~~on a given motion~~ have had a chance to speak. ~~Members-Senators~~ desiring to speak on an amendment may express themselves without prejudice to their position on the speaker's list for the motion, and the same ~~shall will~~ apply with regard to the speaker's list for a motion and an amendment in the case of members desiring to speak on a sub-amendment. When the sub-amendment has been disposed of, there ~~shall will~~ be a return to the speaker's list for the amendment, and when the amendment has been disposed of there ~~shall will~~ be a return to the original speaker's list. In all of the above situations, the eChair may permit brief second interventions once the speaker's list in question has been exhausted.

At the discretion of the eChair, ~~members-of-Senate~~ Senators whose knowledge or expertise is required in order to aid the Senate debate ~~or discussion~~ may be permitted to speak briefly ~~and succinctly~~ to a given point even if they have already spoken, and without prejudice to their position on the speaker's list if they have not yet spoken.

All Senators have equal rights to be heard without interruption; however, the Chair may use discretion in judging the relevancy of an argument or commentary, and may act in the interest of using time efficiently so as to ensure that discussion is germane to the subject matter of the motion or discussion item and that Senate has sufficient time to address other agenda items.

## **XVII. Motions by Members:**

~~In view of the lengthy discussion which might develop in Senate when motions by members do not specify fully their intent, members of Senate are advised to preface the motions they submit for Part "A" of the Agenda of Senate with a written rationale for presenting the motion to Senate.~~

## **XVIII.19. Points of Order and Rulings of the Chair:**

### **19.1 Points of Order**

If a Senator believes that the present Rules have been incorrectly applied or overlooked, the Senator may raise a Point of Order to bring the matter to the attention of the Chair.

The Senator will raise the Point of Order as soon as the alleged breach occurs by stating "Point of Order". When recognized by the Chair, the Senator will be invited to briefly state the Point of Order to be addressed by the Chair. The Chair will then make a ruling on the matter.

A Senator may not use a Point of Order in an attempt to gain the floor to participate in or provoke

a discussion; in such cases, the Chair may refuse the intervention and the ruling of the Chair will not be subject to a challenge.

## **19.2 Rulings of the Chair**

The duty of ruling on all questions of procedure rests with the Chair. However, any two Senators may, except as noted above, challenge a ruling by the Chair, as follows:

1. A ~~ny~~Senator member of Senate can challenge a ruling of the eChair by ~~simply~~ moving to challenge immediately following the ruling.
2. A seconder is required for such a motion.
3. The mover of the challenge is allowed two minutes in which to explain the basis of the challenge, and the eChair is allowed two minutes in which to explain the ruling. The vote then proceeds in the form "Does Senate sustain the ruling of the eChair?", and the result is decided by simple majority.
4. If the vote is affirmative, Senate's business proceeds. If negative, Senate reverts to the matter that was originally disallowed by the eChair.
5. During the whole procedure of a challenge to a ruling of the eChair, further challenges to rulings of the eChair ~~will~~should not be allowed.

## **XIX20. Rules on the Rights of Senate:**

### **A20.1. Rights of Senate**

1. A breach of the rights of Senate consists in such improper obstruction, or attempt at or threat of obstruction, of Senate, its members, officers, or committees, as is causing, or likely to cause, substantial interference with the performance of their respective functions.
2. Where the business of Senate or of any of its committees or of any officer of either involves a confidential matter, a breach of that confidentiality ~~shall~~will be a breach of the rights of Senate, without prejudice to application of rules relating to University discipline.
3. An act will not be dealt with by Senate as a breach of the rights of Senate unless it is essential to do so in order to provide reasonable protection for the Senate, its members, officers, or committees in the performance of their respective functions.

### **B20.2. Order at Meetings**

1. It is the right and duty of the eChair to keep order at meetings of Senate.
2. (~~a~~) When any person, whether a sSenator or not, by disorderly words or disorderly conduct obstructs the business of Senate, the eChair may:
  - (i) ~~if~~ of the opinion that, despite the continued presence of the offender, the business of the Senate can continue unobstructed, order that it do so for the time being, subject, in the case of a sSenator, to the loss by the offender of the right to speak for the duration of the meeting; and subject, also, to the right of the

eChair at any time to determine that the meeting cannot continue unobstructed;  
or

- (ii) ~~R~~Require the offender to withdraw from the meeting.

~~(b2)~~ Either order, unless varied by the eChair, continues in force for the remainder of that meeting, and extends ~~also~~ to any time and place to which the eChair may adjourn the meeting.

~~(3c)~~ In those cases where obstruction is forthcoming from persons other than sSenators, the eChair may order that some or all non-sSenators withdraw. An order that all non-sSenators withdraw constitutes, unless the eChair orders otherwise, an order that no non-sSenators enter thereafter. This order ~~shall~~will be confirmed by a majority vote of sSenators after the room has been cleared.

3. ~~(4a)~~ Following an order by the Chair described in section 20.2(2) above:

- (i) It is the duty of a sSenator who has been deprived of voice by the eChair to remain silent for the duration of the meeting.
- (ii) It is the duty of any person ordered by the eChair to withdraw to leave the meeting immediately.
- (iii) The eChair's order to a sSenator to withdraw automatically deprives the sSenator in question of the exercise of ~~his or her~~the Senator's rights as such for the remainder of the meeting, whether or not the ruling of the eChair is obeyed. The sSenator is accordingly without voice or vote during that time.

~~(b2)~~ A sSenator deprived of voice by order of the eChair, may, before ceasing to participate in the meeting, formally object and may, if given leave by the eChair, and during such time as the eChair permits, offer explanation.

Likewise, a sSenator required to withdraw from the meeting may, before doing so, formally object, and may, if given leave by the eChair and during such time as the eChair permits, offer explanation.

~~(c3)~~ Where the eChair is satisfied with an explanation offered by a sSenator under subsection 20.2(32)(b), ~~he or she~~the Chair may rescind the order which then ceases to have effect.

~~(d4)~~ When a sSenator has been ordered to withdraw from the meeting and has in fact withdrawn and remained absent, the eChair ~~may~~shall, with respect to the sSenator's conduct and exclusion from the meeting:

- (i) ~~i~~Invite opinions from sSenators;
- (ii) ~~e~~Entertain motions by sSenators;

subject, in every case, to the eChair's right at any time to close discussion or debate and to ~~put~~call any question which may have arisen, keeping in mind Senate's scope of authority.

(~~5e~~) When a ~~s~~Senator has been deprived of voice, and has in fact ceased to participate in the meeting otherwise than by exercising the right to vote, the ~~e~~Chair may, at ~~his or her~~the ~~Chair's~~ discretion, with respect to the ~~s~~Senator's conduct and loss of voice:

- (i) ~~i~~Invite opinions from ~~s~~Senators;
- (ii) ~~e~~Entertain motions by ~~s~~Senators;

subject, in every case, to the ~~e~~Chair's right at any time to close discussion or debate and to ~~put~~call any questions which may have arisen, keeping in mind Senate's scope of authority.

4. (~~4a~~) When a person excluded from a meeting of Senate enters or continues to be present, the ~~e~~Chair may:
- (i) ~~e~~Order an adjournment, either ~~sine die without a set date~~ or to such other time as he or she may fix; or
  - (ii) ~~e~~Order the forcible physical exclusion of the offender.

(~~b2~~) In exercising discretion, the ~~e~~Chair ~~shall~~will have regard to the desirability, in the interests of the dignity of the Senate and the good ~~governance~~government of the University, of avoiding, if possible, the use of force ~~and, on the other hand, of~~while protecting the Senate against forcible interference by any person whatever.

5. The provisions of ~~S~~sections ~~20.2 4 to 7~~shallwill apply, ~~mutatis mutandis~~with the necessary adaptations, to the committees of Senate; the ~~e~~Chair of the committee being substituted for the ~~e~~Chair of Senate and a member of the committee being substituted for a ~~s~~Senator.

### **€20.3. Proceedings to Protect the Rights of Senate**

1. (~~a1~~) Complaint of breach of the rights of Senate may be made by the ~~e~~Chair or any ~~s~~Senator. It must be submitted to the Chair or to the Secretary for referral to Senate and be accompanied by a statement of the grounds on which the facts alleged are said to cause the substantial interference required by ~~S~~section 20.1(1).

(~~b2~~) It must be accompanied also by a motion to refer the matter to the Committee on the Rights of Senate (~~to be struck by Senate Nominating Committee~~) for investigation and report or, in cases thought to be of exceptional urgency, a motion for immediate consideration of the complaint by Senate. A motion to refer to the Committee on the Rights of Senate cannot be amended save to propose that Senate take the matter immediately into its consideration, and vice versa.

Either motion ~~,~~and any amendment, ~~shall~~will be put to the question without debate. In the event that an unamended motion for immediate consideration by Senate is defeated, a motion for reference to the Committee on the Rights of Senate may be entertained but can neither be amended nor debated.

(c3) Senate ~~shall will~~ not refer any complaint, which appears trivial or unworthy of consideration or, which on its very face, does not involve the substantial interference required by ~~S~~section 20.1(1).

**XX21. Reference to Robert's Rules:**

With respect to any point or procedure not covered by the University *Statutes* or the present ~~r~~Rules, reference ~~shall will~~ be had to the most recent 2000-Scott, Foresman edition of *Robert's Rules of Order*.

If the said manual does not address provide a decision on the point in question, then the decision ~~shall will~~ rest with the ~~e~~Chair, provided that the ~~e~~Chair's decision may be overruled on a motion supported by the vote of the majority of those present.

**XXI22. Records:**

The minutes of meetings prepared by the Secretary and approved by Senate, together with all documents circulated to Senate or presented to Senate at the meeting tabled, ~~would~~ constitute the official record. However, only minutes and documents that are not confidential are made publicly available.

**XXH23. Routine Functions – A Steering Committee:**

~~As a portion of Senate's business is of a routine nature rarely involving questions of policy, (e.g., duplicate diplomas, selection committees, delegates to academic functions, etc.), there is no reason why these items should not be dealt with by some smaller body than the whole of Senate, provided that it submits regular reports of actions taken (in writing).~~

~~Senate, therefore, shall will be served by a Steering Committee of eight members—the Principal, one vice principal, and six additional members elected by Senate, at least one of whom should be a student. The Steering Committee that shall will, among other duties, carry out the routine functions noted above, direct items to standing committees, follow up decisions taken by Senate, prepare the Agenda for Senate meetings, and deal with some of the contingencies that arise between meetings. The Steering Committee's mandate and composition will be described in its terms of reference, which will be approved by Senate. A written report of actions taken by the Steering Committee shall will be submitted to Senate at its regular meetings.~~

**XXIVH24. Meetings and Minutes of Senate Committees:**

~~Certain Senate committees that deal habitually with topics that involvinge the private and confidential affairs of individuals, such as the Honorary Degrees and Convocations Committee and the Senate Nominating Committee, and it is, therefore, recommended that they should will continue to hold closed meetings. These ~~committees meetings~~ may be held in opened session if the committee members resolve to carry out a meeting or a part thereof in open session, provided~~

~~that no breach of confidentiality would result from such a decision. so decide when policy questions are being discussed. These committees are:~~

~~The Honorary Degrees and Convocations Committee  
The Nominating Committee  
The University Admissions Committee  
The University Committee on Scholarships and Student Aid  
All selection committees~~

All other Senate committees and subcommittees should accept the same procedure as Senate, i.e., meetings should be open to observers, except in extraordinary circumstances when the majority of the members present vote to meet in closed session. In such cases, public justification should be given.

~~Reports and minutes of Senate committees that, which have not been declared are not confidential, should be deposited for public access in the McLennan and Macdonald Campus Libraries as soon as they are prepared, and those reports and minutes be retained until the first of January following the session in which they were prepared should be made available for public access either online or upon request to the Secretariat.~~

**XXIV25. Nominations and Elections to Committees and Other Bodies:**

~~Certain Senate Committees, such as the Senate Nominating Committee and the Senate Steering Committee, include elected academic or administrative and support staff members of Senate whose membership on the particular Committee is subject to a nomination and an election process, administered by the Secretariat.~~

~~Once Should the period for a call for nominations for committees and other bodies for which elections by Senate are required has expired with no nominations, or with simply one fewer nominations per stated position having been received, a second call for nominations will be issued by the Secretariat. the matter is referred to the Senate Nominating Committee, that body to make appropriate proposals so that an election may be carried out, except in the case of nomination and election to the Nominating Committee itself where the matter shall be referred to the Senate Steering Committee for similar action. Should vacancies remain unfilled following a second call for nominations, the matter will be referred to the Senate Nominating Committee for recommendations of candidates to fill the vacancies.~~

~~Senate (Secretary of Senate) The Secretariat will inform be responsible for informing the SSMU, the PGSS, the MCSS, and the MACES of all positions on Senate committees and subcommittees which that are open to require students. Such notice shall will normally be given by the second week of the academic year or as soon as such positions become open before the final meeting of the Senate Nominating Committee of the academic year.~~

# STANDING RULES OF PROCEDURE, GOVERNING THE PROCEEDINGS OF THE SENATE OF MCGILL UNIVERSITY

(Hereinafter, the “Rules”)

## 1. Enacting Clause

The proceedings of Senate are governed by the Statutes of McGill University (as enacted in 1939, and re-enacted or amended by the Board of Governors from time to time) insofar as they are applicable; in particular, with reference to the following:

- Regular and Special Meetings (Articles 6.4.1, 6.4.2)
- Constitution of Quorum (Article 6.3.1)
- The Chair (Article 3.7)
- The Secretary-General (Article 5.1)
- Appointment of Committees (Article 6.3.15)
- Granting of Honorary Degrees (Article 13.2.2)
- Amendment of Statutes (Article 15)

## 2. Open Meetings of Senate and Spectator Attendance Conditions

Although certain items on the Senate agenda may require confidential treatment (see section 8), Senate meetings are normally open meetings. An "open" meeting is one that is open to observation by any member of the University community and accredited press, subject to limitations of space and good conduct

The number of spectators and members of the press will be limited to the capacity of the room in which a Senate meeting is held. Admission of spectators and members of the press will be on first-come, first-accommodated basis. Seating may also be reserved prior to a meeting by contacting the Secretariat.

No external person should be asked to address Senate without the proposal having been approved at a meeting of Senate or of the Steering Committee.

Committee reports are normally presented to Senate by the committee's Chair. If the committee Chair is not a Senator, he or she will be invited to the Senate meeting and granted speaking rights to present the report and act as the committee's spokesperson. Other members of the committee are welcome to attend the Senate meeting in the area reserved for spectators and could, if Senate so desired, be invited to participate in the discussion.

## 3. Recording of Senate meetings

The open sessions of Senate meetings may be livestreamed by the University and accessible to members of the McGill community on the Senate website. The livestream of each open session will be accessible until the minutes of the meeting are approved. No other recording,

communication or transmission of sound or images of the deliberations of Senate is allowed during meetings, except with the express permission of Senate.

#### **4. Frequency and Time of Meetings**

##### **4.1 Frequency of Meetings**

Based on article 6.4.1 of the Statutes, Senate will normally meet once a calendar month during the academic session (i.e. from September to May). The Steering Committee is empowered to call special meetings or to cancel scheduled meetings of Senate, as required. Based on Article 6.4.2 of the Statutes, "special meetings may be summoned by the Principal according to discretion and must be summoned on the request of any ten members of the Senate."

##### **4.2 Time of Meetings**

Senate meetings normally commence at 2:30 p.m. and adjourn no later than 6:10 p.m.

##### **4.3 Meetings held by Electronic Means**

The Steering Committee may recommend that a meeting, or a part thereof, be held (1) remotely by means of equipment enabling virtual participation or (2) by electronic vote.

If a meeting is held remotely, access to Senate's open session proceedings by spectators and members of the press may be permitted through a process established by the Secretariat.

Meetings conducted entirely by means of an electronic vote will only include Senators.

#### **5. Senator Attendance (Elected Members)**

Senators who will be on leave from the University for a period longer than three months or unable to attend Senate for a period of the same length should normally resign and the competent body will select a successor following the procedure described in section 6.1.2.2 of the Statutes.

If Senators do not attend three consecutive meetings of Senate, or five meetings in a governance year, without sufficient reason, their seat will be deemed vacant by the Secretary and the competent body will select a successor following the procedure described in section 6.1.2.2 of the Statutes.

#### **6. Notice of Meetings and Meeting Documents**

##### **6.1 Notice of Meetings**

Written notice of regular meetings will be mailed, normally in electronic format, to Senators by the Secretary at least **five** calendar days in advance. As per article 6.4.2 of the Statutes, notice of special meetings will be sent at least **three** calendar days in advance.

## **6.2 Agenda and Meeting Documents (Open Session)**

The agenda, together with related documents, will be distributed to Senators and, with the exception of draft meeting minutes, will be posted on the Senate website or otherwise made publicly available. The agenda and documents should be circulated at least four calendar days in advance of the meeting. The meeting minutes will be posted on the Senate website or otherwise made publicly available once they have been approved by Senate.

## **6.3 Meeting Documents (Confidential Session)**

Confidential documents will not be distributed but made available for consultation in the Secretariat by Senators only. In the case of remote meetings and meetings conducted by electronic vote, confidential documents will normally be made available to Senators on a secure and access-restricted platform.

## **7. Order of Business**

The order of business at regular meetings will be as follows:

- Memorial Tributes for members or distinguished colleagues of the University
- Report of the Steering Committee
- Adoption of the Agenda
- Business Arising from the Minutes  
Chair's Remarks
- Part A (i) Questions by Senators  
(ii) Motions by Senators
- Part B - Motions and Reports from Organs of University Government
- Other Business

The order of business at special meetings will follow the order of the items contained in the notice calling the meeting.

The order of business at any meeting, as fixed by the above, may be changed by a majority vote of those present at such meeting. When considering the adoption of the agenda, there are to be no amendments permitted to alter the order of questions and motions in the question and motion period, all questions and motions to be considered in the order in which they are submitted prior to the meeting of Senate.

## **8. Confidential Sessions of Senate Meetings**

In most cases, there should be advance knowledge of items that require confidential treatment and they should be so specified in the Steering Committee's Report or on the agenda. Since the motions to adopt the recommendations of the Report of the Steering Committee and the agenda are debatable, any reservation about confidentiality should be raised and settled at this stage. Once the agenda is adopted, Senate should automatically move into closed session when the item "Confidential Business" is reached, and all spectators should retire from the meeting. This would not preclude the presentation of a procedural motion to have a particular item transferred to

“Confidential Business.” “Confidential Business” would be minuted in an Appendix to the Minutes of Senate, accessible only to Senators; but the minutes themselves would indicate the general nature of the confidential items and the reasons for them being considered confidential.

Current and former Senators will respect the confidentiality of information received in the performance of their duties, as well as the confidentiality of Senate’s deliberations.

At the conclusion of a confidential session there may be, if appropriate, a motion concerning whether any resolutions adopted by Senate during the confidential session, or any part of them, should be made public.

## **9. Questions and Motions by Senators**

### **9.1 Submission of Questions and Motions**

Any Senator may submit a written question or motion, on templates established by the Secretariat, to the Secretary for review by the Steering Committee. The Steering Committee has the delegated authority of Senate to make a determination on the admissibility of questions and motions. The Senate Steering Committee is responsible for developing guidelines for the review of questions and motions.

### **9.2 Time Allocation**

As the first item under Part "A" of the Senate agenda, a question and motion period limited to thirty minutes is to be scheduled. Items that remain unaddressed at the end of the thirty minutes will be tabled until the conclusion of Part "B" of the agenda to be addressed then, if time permits. Items remaining unaddressed will be added to the agenda of the subsequent meeting.

### **9.3 Questions**

Written questions and responses will normally be circulated to Senators in advance of the meeting. During the question and motion period, the Senator(s) who submitted the question will be permitted to ask one or more supplementary questions, after which, all other Senators will have the same opportunity. No debate is to be permitted of either the question or the response.

In the case of questions directed to the Principal, the Secretary will assume the chair of Senate for the duration of any supplementary questions and their replies.

### **9.4 Motions**

In view of the lengthy discussion that might develop in Senate when motions by members do not specify fully their intent, Senators are advised to preface the motions they submit for Part "A" of the agenda of Senate with a written rationale, based on a template provided by the Secretariat.

## **10. The Chair**

Pursuant to the Statutes, the Principal or the Acting Principal / Interim Principal if one is appointed by the Board of Governors, is the Chair of Senate and presides over its meetings. The Chair will not normally vote unless there is a tie vote, in which case the Chair will have the deciding vote.

If the Principal is absent from a meeting, the Steering Committee will normally recommend the appointment of a faculty dean to serve as Acting Chair for that meeting. The Steering Committee's recommendation will be presented by the Secretary, who will take the chair at the outset of the meeting for that purpose.

In the case of an unanticipated absence of the Principal, the Secretary will take the chair and call for the appointment of a temporary chair. The member appointed as Temporary Chair will then take the chair and conduct the business of the meeting, with all the powers of the statutory Chair.

## **11. The Secretary**

The Secretary-General is the Secretary of Senate. If the Secretary-General is absent from any meeting, an individual in the employ of the University appointed by the Chair will assume the duties of the Secretary.

## **12. Conflicts of Interest**

Senators are expected to consult and adhere to the applicable University regulation governing conflicts of interest, review the agenda items and declare any conflicts of interest to the Chair or Secretary. They should indicate whether they will abstain from voting or withdraw from participation in the consideration of the agenda item.

## **13. Voting**

Senators will vote as follows: IN FAVOUR / AGAINST / ABSTAIN. Given that a Senator should hear the full arguments on a motion, there will be no provision for absentee voting. On any vote, Senators may request that their names be recorded in the minutes as voting in favour, against or abstaining. In all cases, in determining the number required for a majority, those members present but voting ABSTAIN are excluded from the total eligible to vote.

All motions will be decided by simple majority except those that require a two-thirds majority or a three-fourths majority, as established by these Rules or as stipulated in the Statutes in respect of recommendations such as the grant of honorary degrees and amendments to the Statutes.

Depending on the format of the meeting, voting will be conducted as follows:

### **a) For In-Person Meetings**

Senators will vote on motions by a show of hands, unless by a majority vote upon a motion or, at the suggestion of the Chair, Senators decide in any particular case that the vote should be taken by secret ballot.

b) For Meetings Held by Electronic Vote

Senators will vote on motions by submitting an electronic ballot using a platform made available by the Secretariat for this purpose.

c) For Meetings Held Remotely

Senators will vote on motions either by voice or, as appropriate, by using the features within the remote platform made available by the Secretariat.

**14. Reconsideration**

A motion to reconsider any decision previously taken and recorded as a resolution of Senate may be presented, subject to the following conditions:

- a) At the meeting at which the resolution was adopted, a motion to reconsider may be presented after all items on the agenda have been disposed of.
- b) Otherwise, a notice of a motion to reconsider may either be given at the regular meeting immediately preceding the meeting at which such motion is to be presented, or be submitted to the Steering Committee for presentation at the next meeting of Senate; and it cannot be so presented unless it has been mentioned in the agenda included in the notice of such meeting.
- c) In any circumstances, the minimum vote required to carry a motion to reconsider will be two-thirds of the members present.

When a motion to reconsider has been duly presented and carried, the subject matter of the original motion is thereby reopened for discussing and voting anew.

**15. Suspension of the Rules**

Any or all of the present Rules may be suspended by a vote of not less than three-fourths of those present, provided that such three-fourths constitute an absolute majority of all Senators.

**16. Amendment of the Rules**

The present Rules may be amended by a majority vote of those present at any regular or special meeting, provided that notice of the proposed amendment has been given at the previous meeting and that the wording thereof has been included in the notice calling the meeting at which it is to be considered.

**17. Allocation of Time for Debate and Discussion**

The Steering Committee may submit with the agenda a recommended allocation of time for each item on the agenda. This schedule would be approved by Senate in the context of its approval of the agenda. The Chair would normally close debate at the end of the assigned period unless by a majority vote of those present, discussion were prolonged for a specific period. The motion to

prolong debate would not itself be debatable. Before closing the debate on an item, which has not yet reached the end of its allocated time, the Chair will ask Senators if they have any further comments.

## **18. Duration and Frequency of Interventions**

A Senator, in making a motion, will be permitted up to a total of four minutes to provide a rationale for the motion. The seconder of the motion, all other speakers on the motion, and Senators making amendments and sub-amendments will be permitted up to three minutes of speaking time. Seconders and speakers to amendments and sub-amendments will be permitted up to two minutes of speaking time.

In regard to questions or comments on agenda items, Senators will be permitted up to two minutes of speaking time.

Presenters will normally have up to four minutes of speaking time to deliver a report. The Steering Committee may recommend more time, which would be reflected in the recommended allocation of time for items included on the agenda (see section 17).

A list of speakers will be kept by the Chair and/or Secretary. Interventions by those who have already spoken will not be allowed until all Senators speaking for the first time have had a chance to speak. Senators desiring to speak on an amendment may express themselves without prejudice to their position on the speaker's list for the motion, and the same will apply with regard to the speaker's list for a motion and an amendment in the case of members desiring to speak on a sub-amendment. When the sub-amendment has been disposed of, there will be a return to the speaker's list for the amendment, and when the amendment has been disposed of there will be a return to the original speaker's list. In all of the above situations, the Chair may permit brief second interventions once the speaker's list in question has been exhausted.

At the discretion of the Chair, Senators whose knowledge or expertise is required in order to aid the Senate debate or discussion may be permitted to speak briefly to a given point even if they have already spoken, and without prejudice to their position on the speaker's list if they have not yet spoken.

All Senators have equal rights to be heard without interruption; however, the Chair may use discretion in judging the relevancy of an argument or commentary, and may act in the interest of using time efficiently so as to ensure that discussion is germane to the subject matter of the motion or discussion item and that Senate has sufficient time to address other agenda items.

## **19. Points of Order and Rulings of the Chair**

### **19.1 Points of Order**

If a Senator believes that the present Rules have been incorrectly applied or overlooked, the Senator may raise a Point of Order to bring the matter to the attention of the Chair.

The Senator will raise the Point of Order as soon as the alleged breach occurs by stating “Point of Order”. When recognized by the Chair, the Senator will be invited to briefly state the Point of Order to be addressed by the Chair. The Chair will then make a ruling on the matter.

A Senator may not use a Point of Order in an attempt to gain the floor to participate in or provoke a discussion; in such cases, the Chair may refuse the intervention and the ruling of the Chair will not be subject to a challenge.

## **19.2 Rulings of the Chair**

The duty of ruling on all questions of procedure rests with the Chair. However, any two Senators may, except as noted above, challenge a ruling by the Chair, as follows:

1. A Senator can challenge a ruling of the Chair by moving to challenge immediately following the ruling.
2. A seconder is required for such a motion.
3. The mover of the challenge is allowed two minutes in which to explain the basis of the challenge, and the Chair is allowed two minutes in which to explain the ruling. The vote then proceeds in the form "Does Senate sustain the ruling of the Chair?", and the result is decided by simple majority.
4. If the vote is affirmative, Senate's business proceeds. If negative, Senate reverts to the matter that was originally disallowed by the Chair.
5. During the whole procedure of a challenge to a ruling of the Chair, further challenges to rulings of the Chair will not be allowed.

## **20. Rules on the Rights of Senate**

### **20.1. Rights of Senate**

1. A breach of the rights of Senate consists in such improper obstruction, or attempt at or threat of obstruction, of Senate, its members, officers, or committees, as is causing, or likely to cause, substantial interference with the performance of their respective functions.
2. Where the business of Senate or of any of its committees or of any officer of either involves a confidential matter, a breach of that confidentiality will be a breach of the rights of Senate, without prejudice to application of rules relating to University discipline.
3. An act will not be dealt with by Senate as a breach of the rights of Senate unless it is essential to do so in order to provide reasonable protection for the Senate, its members, officers, or committees in the performance of their respective functions.

### **20.2. Order at Meetings**

1. It is the right and duty of the Chair to keep order at meetings of Senate.
2. (a) When any person, whether a Senator or not, by disorderly words or disorderly conduct obstructs the business of Senate, the Chair may:

- (i) If of the opinion that, despite the continued presence of the offender, the business of the Senate can continue unobstructed, order that it do so for the time being, subject, in the case of a Senator, to the loss by the offender of the right to speak for the duration of the meeting; and subject, also, to the right of the Chair at any time to determine that the meeting cannot continue unobstructed; or
- (ii) Require the offender to withdraw from the meeting.

(b) Either order, unless varied by the Chair, continues in force for the remainder of that meeting, and extends to any time and place to which the Chair may adjourn the meeting.

(c) In those cases where obstruction is forthcoming from persons other than Senators, the Chair may order that some or all non-Senators withdraw. An order that all non-Senators withdraw constitutes, unless the Chair orders otherwise, an order that no non-Senators enter thereafter. This order will be confirmed by a majority vote of Senators after the room has been cleared.

3. (a) Following an order by the Chair described in section 20.2(2) above:

- (i) It is the duty of a Senator who has been deprived of voice by the Chair to remain silent for the duration of the meeting.
- (ii) It is the duty of any person ordered by the Chair to withdraw to leave the meeting immediately.
- (iii) The Chair's order to a Senator to withdraw automatically deprives the Senator in question of the exercise of the Senator's rights as such for the remainder of the meeting, whether or not the ruling of the Chair is obeyed. The Senator is accordingly without voice or vote during that time.

(b) A Senator deprived of voice by order of the Chair, may, before ceasing to participate in the meeting, formally object and may, if given leave by the Chair, and during such time as the Chair permits, offer explanation.

Likewise, a Senator required to withdraw from the meeting may, before doing so, formally object, and may, if given leave by the Chair and during such time as the Chair permits, offer explanation.

(c) Where the Chair is satisfied with an explanation offered by a Senator under subsection 20.2(3)(b), the Chair may rescind the order which then ceases to have effect.

(d) When a Senator has been ordered to withdraw from the meeting and has in fact withdrawn and remained absent, the Chair may, with respect to the Senator's conduct and exclusion from the meeting:

- (i) Invite opinions from Senators;
- (ii) Entertain motions by Senators;

subject, in every case, to the Chair's right at any time to close discussion or debate and to call any question which may have arisen, keeping in mind Senate's scope of authority.

(e) When a Senator has been deprived of voice, and has in fact ceased to participate in the meeting otherwise than by exercising the right to vote, the Chair may, at the Chair's discretion, with respect to the Senator's conduct and loss of voice:

- (i) Invite opinions from Senators;
- (ii) Entertain motions by Senators;

subject, in every case, to the Chair's right at any time to close discussion or debate and to call any questions which may have arisen, keeping in mind Senate's scope of authority.

4. (a) When a person excluded from a meeting of Senate enters or continues to be present, the Chair may:
  - (i) Order an adjournment, either without a set date or to such other time as he or she may fix; or
  - (ii) Order the forcible physical exclusion of the offender.
- (b) In exercising discretion, the Chair will have regard to the desirability, in the interests of the dignity of the Senate and the good governance of the University, of avoiding, if possible, the use of force while protecting the Senate against forcible interference by any person whatever.
5. The provisions of section 20.2 will apply, with the necessary adaptations, to the committees of Senate; the Chair of the committee being substituted for the Chair of Senate and a member of the committee being substituted for a Senator.

### **20.3. Proceedings to Protect the Rights of Senate**

1. (a) Complaint of breach of the rights of Senate may be made by the Chair or any Senator. It must be submitted to the Chair or to the Secretary for referral to Senate and be accompanied by a statement of the grounds on which the facts alleged are said to cause the substantial interference required by section 20.1(1).
- (b) It must be accompanied also by a motion to refer the matter to the Committee on the Rights of Senate for investigation and report or, in cases thought to be of exceptional urgency, a motion for immediate consideration of the complaint by Senate. A motion to refer to the Committee on the Rights of Senate cannot be amended save to propose that Senate take the matter immediately into its consideration, and vice versa.

Either motion and any amendment, will be put to the question without debate. In the event that an unamended motion for immediate consideration by Senate is defeated, a motion for reference to the Committee on the Rights of Senate may be entertained but can neither be amended nor debated.

(c) Senate will not refer any complaint, which appears trivial or unworthy of consideration or, which on its very face, does not involve the substantial interference required by section 20.1(1).

**21. Reference to *Robert's Rules***

With respect to any point or procedure not covered by the University *Statutes* or the present Rules, reference will be had to the most recent edition of *Robert's Rules of Order*.

If the said manual does not address the point in question, then the decision will rest with the Chair, provided that the Chair's decision may be overruled on a motion supported by the vote of the majority of those present.

**22. Records**

The minutes of meetings prepared by the Secretary and approved by Senate, together with all documents circulated to Senate or presented to Senate at the meeting, constitute the official record. However, only minutes and documents that are not confidential are made publicly available.

**23. Routine Functions – A Steering Committee**

Senate will be served by a Steering Committee that will, among other duties, carry out routine functions and deal with some of the contingencies that arise between meetings. The Steering Committee's mandate and composition will be described in its terms of reference, which will be approved by Senate. A written report of actions taken by the Steering Committee will be submitted to Senate.

**24. Meetings and Minutes of Senate Committees**

Senate committees that deal habitually with topics involving the private and confidential affairs of individuals, such as the Honorary Degrees and Convocations Committee and the Senate Nominating Committee, will hold closed meetings. These meetings may be held in open session if the committee members resolve to carry out a meeting or a part thereof in open session, provided that no breach of confidentiality would result from such a decision.

All other Senate committees and subcommittees should accept the same procedure as Senate, i.e., meetings should be open to observers, except in extraordinary circumstances when the majority of the members present vote to meet in closed session. In such cases, public justification should be given.

Reports and minutes of Senate committees that are not confidential should be made available for public access either online or upon request to the Secretariat.

**25. Nominations and Elections to Committees and Other Bodies**

Certain Senate Committees, such as the Senate Nominating Committee and the Senate Steering Committee, include elected academic or administrative and support staff members of Senate whose membership on the particular Committee is subject to a nomination and an election process, administered by the Secretariat.

Should the period for a call for nominations for committees and other bodies for which elections by Senate are required expire with no nominations, or with fewer nominations per stated position having been received, a second call for nominations will be issued by the Secretariat. Should vacancies remain unfilled following a second call for nominations, the matter will be referred to the Senate Nominating Committee for recommendations of candidates to fill the vacancies.

The Secretariat will inform the SSMU, PGSS, MCSS, and MACES of all positions on Senate committees that require students. Such notice will normally be given before the final meeting of the Senate Nominating Committee of the academic year.

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