



TO: Senate

FROM: Jonathan Mooney, Peter Grütter, Ashraf Ismail, Ziad El-Khatib,
Derek Nystrom, Boran Xu

SUBJECT: Question Regarding “Work Group” on the Code of Student Conduct and
Disciplinary Procedures

MEETING DATE: December 5, 2012

PREAMBLE

WHEREAS a Work Group has been struck to examine possible implications of the Manfredi Report for the Code of Student Conduct and Disciplinary Procedures, with specific reference to:

- *Recommendation 1: The Code of Student Conduct should be clarified with regard to sections 5, 6 and 10 of the Code, namely “disruption,” “unauthorized entry and/or presence” and “unauthorized or fraudulent use of university facilities, equipment or services.”*
- *Section 6.3.1 of the Report: Issues related to concealing identity.*
- *How actions taken under the Code of Student Conduct and Disciplinary Procedures are reported to the McGill community.”*

WHEREAS the work group has been mandated, among other things, to:

- Obtain input from stakeholders at McGill
- Coordinate the work group’s activities with those of the Steering Group that is already addressing general amendments to the Code of Student Conduct
- Adopt a timeline that will allow, if need be, the presentation of recommendations for amendments to the Code to Senate by February or March 2013 for discussion and by March or April 2013 for formal consideration

WHEREAS the composition with regard to size and representation on the Work Group has been established as:

- Associate Provost (Policies, Procedures and Equity) (Chair)
 - Dean of Students
 - Dean of Law
 - Three student Senators (undergraduate, graduate and Continuing Studies)
 - Two faculty Senators
 - One representative from the Board of Governors
-

WHEREAS the Senate Nominating Committee is responsible for the nomination of the members of Senate who will be appointed to the Work Group.

WHEREAS the University statutes (6.3.12) state that Senate “shall exercise general disciplinary authority over the student body of the University and may delegate authority to make and enforce student disciplinary regulations to University bodies and officers of its choosing”

WHEREAS the task of considering aspects of the Code may be better suited to an ad-hoc committee of Senate, which would exist within the statutory framework of University governance rather than outside it

WHEREAS the mandate, composition in terms of stakeholder representation, and terms of reference of a committee reviewing the Code might benefit from Senate input.

QUESTION:

What is the role of the Senate in the formulation of this Work Group, specifically, with respect to mandate, composition, and terms of reference? Why was the task of considering amendments to the Code assigned to a Work Group rather than an ad-hoc committee of Senate?

What are the methodology and timelines proposed for consultation by this Work Group with the McGill community?

How will the activities of this Work Group be harmonized with those of the Steering Group currently reviewing the Student Code of Conduct?

What role will the Senate play in the review and approval of changes, if any, proposed by this Work Group for the Student Code?
