

Minutes

Wednesday, December 5, 2018 18-19:04

Minutes of the meeting of Senate held on Wednesday, December 5, 2018 at 2:30 p.m. in the Robert Vogel Council Room (Room 232, Leacock Building)

PRESENT

Abdul-Rahman, Ommu-Kulsoom
Animesh, Animesh
Arseneault, Louis
Bajeux-Besnainou, Isabelle
Beauchamp, Yves
Bede, Jacqueline
Bedjanian, Tatiana
Belzile, Bruno
Buddle, Christopher
Buraga, Bryan
Campbell, Angela
Cook, Colleen
Crago, Martha
Cumming, Julie
Damha, Masad
Donahoe, Colin
Dorval Courchesne, Noémie-Manuelle
Drouin, Susan
Dunn, Nicholas
Eidelman, David
Elstein, Eleanor
Emami, Elham
Fortier, Suzanne
Fussmann, Gregor

Gadbois, Sofia
Gold, Richard
Grütter, Peter
Gyakum, John
Harpp, David
Hastings, Kenneth
Hickman, Miranda
Hobday, Tina
Kamen, Amine
Komarova, Svetlana
Labeau, Fabrice
Labonté, Réginal
Lametti, André
Leckey, Robert
Lennox Bruce
Maciasz, Eva
Manfredi, Christopher
Mansdoerfer, Richard
McCulloch, Mary Jo
Mikkelsen, Gregory
Ndao, Momar
Nicell, Jim
Nycum, Gillian
Oxhorn, Philip
Quitoriano, Nathaniel
Rassier, Dilson

Richard, Marc
Roulet, Nigel
Salmasi, Kamal
Scholtz, Christa
Shapiro, Jacob
Shor, Eran
Sinacore, Ada
Sladek, Robert
Snider, Laurie
Starr, Lisa
Stephens, David
Stifani, Stefano
Theodore, David
van den Berg, Axel
Voudouris, Nellie
Waters, Natalie
Weil, Carola
Wilson, Madeline
Winer, Laura
Yalovsky, Morty
Zakrzewski, Helena
Zorychta, Edith
Zuberi, Sameer

REGRETS:

Danny Amon, Stephane Bayen, Daniel Bernard, Sabine Dhir, Gael Eakin, Jim Engle-Warnick, Anja Geitmann, Laura Gonnerman, Lawrence Goodridge, Terence Hébert, Zi Jun Huang, Alex Kalil, Erik Larson, Hans Larsson, Odile Liboiron-Ladouceur, Rod Louisa, Laura Madokoro, Antonia Maioni, Sarim Malik, Jeffrey McKenzie, Michael Meighen, Monique Morin, Josephine Nalbantoglu, Jarrod Nichol, Ronald Niezen, Ram Panda, Annalise Patzer, Brenda Ravenscroft, Bernard Robaire, Alenoush Saroyan, Alvin Shrier, Maria Tippler, Michel Tremblay, Jean-Sébastien Vallée, Marc Weinstein.

SECTION I

1. Welcoming Remarks

The Chair welcomed Senators to the fourth Senate meeting of the 2018-2019 governance year. As this was the last Senate meeting of the calendar year, she wished student Senators success in their exams and all Senators a joyful holiday period.

She reminded Senators, guests and spectators that the use of electronic devices is permitted for viewing meeting documents, but that the *Senate Rules of Procedure* prohibit the recording of sound or images, and the communication or posting of Senate deliberations. She also mentioned that the Senate meeting was being livestreamed and that the recording would be accessible until the approval of the meeting minutes at the subsequent meeting.

2. Memorial Tributes

There were none.

3. Report of the Steering Committee [Consent item] (18-19:04)

Senate received the Report of the Steering Committee (18-19:04).

Item 1. Approval of Minutes of Senate – November 21, 2018.

Item 2. Approval of Confidential Minutes of Senate – November 21, 2018.

Item 3. Speaking Rights. Upon approval of the report, speaking rights were granted to Ms. Cristiane Tinnmouth, Associate Vice-Principal (Financial Services), for item IIB1 (Annual Report on the Financial State of the University); Mr. Bradley Tucker, Executive Director, Analysis, Planning and Budget, for item IIB2 (Budget Planning 2019-2020 Report I); Mr. Francois Miller, Director, McGill Office of Sustainability, for item IIB5 (Consolidation of Sustainability Policy and Environmental Policy); and Ms. Julie Lassonde, Senior Equity and Inclusion Officer and Chair of the Ad Hoc Senate Committee on Teaching Staff-Student Intimate Relationships for item IIB6 (Report of the Ad Hoc Senate Committee on Teaching Staff-Student Intimate Relationships).

Item 4. Approval of the Agenda.

Item 5. Review of Questions and Motions. No questions or motions were submitted for review.

Item 6. Debrief on Open Discussion. It was noted that the November 2018 discussion on the recommendations of the Principal's Task Force on Respect and Inclusion in Campus Life was well structured and the conversation was enriching. The Steering Committee agreed that a second open discussion on this topic was not necessary. Possible topics for the winter 2019 open discussion will be considered at the January meeting of the Steering Committee.

On a motion duly proposed and seconded, Senate approved the Report of the Steering Committee.

4. Business Arising from the November 21, 2018 Minutes

The Secretary-General informed Senators that the presentation of the proposed revisions to the *Code on Student Conduct and Disciplinary Procedures* was deferred to the January Senate meeting as the Dean of Students received additional feedback following the November Senate meeting that required further consultations.

5. Chair's Remarks

The Chair began her remarks by reporting on government relations. She stated that Senators Arseneault and Beauchamp joined her at a meeting with Minister of Finance Éric Girard (McGill graduate, '89, B.Com.). She noted that they conveyed support for Quebec's new funding policy for universities and made the case for more funding. She indicated that the messages were well received by the Minister, who emphasized that education was a priority for the new government. She then mentioned that several representatives of McGill met with officials at the *Ministère de l'Éducation et de l'Enseignement supérieur* (MEES), noting that McGill is working on establishing and maintaining relationships with the new government.

Regarding community relations, the Chair reported that a reception was held in recognition of the five new Royal Society of Canada Fellows, six new College of New Scholars, Artists and Scientists Members, and the two medal winners announced in 2018. She then shared that the Life Sciences Complex celebrated its ten-year anniversary and Francesco Bellini and Morris Goodman and their families were present for the event.

The Chair then called on the Secretary-General to provide an update on the Centraide campaign. The Secretary-General reported that approximately \$350,000 had been raised in gifts and pledges thus far (which represented approximately 70% of the \$500,000 goal) and close to 700 employees have donated to the campaign.

The Chair concluded her remarks by giving highlights of the kudos circulated prior to the meeting. The Chair congratulated Arisha Khan (Comparative Social Policy and Social Entrepreneurship student) on being named a 2019 Canadian Rhodes Scholar, Lina Bensaidane (third year Law student) on receiving the inaugural *Centre culturel islamique du Québec* (CCIQ) Memorial Award, and Marcel d'Entremont (Graduate Diploma in Performance student) on winning the Wirth Vocal Competition. She shared that the Canadian Institute for Advanced Research (CIFAR) announced the 29 inaugural cohort of Canada CIFAR AI (CCAI) Chairs, including six from McGill: Doina Precup, Joëlle Pineau, Marc Bellemare, Jackie Cheung, Blake Richards and Reihaneh Rabbany.

SECTION II

Part "A" – Questions and Motions by Members

There were none.

Part “B” – Motions and Reports from Organs of University Government

1. Annual Report on the Financial State of the University (D18-23)

Senator Beauchamp presented this report for Senate’s information. The report provided a summary of the operational and financial activities of the University for the fiscal year ended April 30, 2018. Senator Beauchamp reported that the formula used by the MEES, which does not account for pension, post-employment adjustments and vacation accruals, resulted in an operating deficit of \$31 million, while the one based on Generally Accepted Accounting Principles (GAAP) resulted in a net operating surplus of \$14 million. Regarding the Operating Fund results, he noted that, compared to FY17, there was a \$55.3 million increase in revenue and \$64.2 million increase in expenses, with actual revenues being \$8.5 million higher than forecasted and expenses \$15.7 million lower. He also mentioned that the accumulated deficit of the University went from \$319.9 million in FY17 to \$305.9 million in FY18 and the financed deficit went from \$103.8 million to \$128.4 million. Senator Beauchamp indicated that the total combined sources of funding amounted to \$1.32 billion in FY18 (noting that half the revenue comes from the federal and provincial governments) and that the total combined expenditures totalled \$1.35 billion in FY18 (noting that most expenditures are for salaries). Regarding deferred maintenance, Senator Beauchamp mentioned that the MEES increased McGill’s annual funding from \$43 million to \$85 million, including a new envelope of \$5 million dedicated to conservation of heritage buildings. He reminded Senators that in January 2016, a bond of \$160 million was issued to address the most pressing deferred maintenance and information technology needs and noted that, to date, \$110 million has been spent.

Senator Hastings asked about the discrepancy between the actual and forecasted operating revenues. Ms. Tinmouth responded that it was mostly due to short-term interest income, foreign exchange, and tuition fees. Senator Hastings then commented that not spending the endowment revenues is a missed opportunity. Senator Manfredi stated that this is a topic of conversation with Deans. He indicated that it is not always possible to spend the funds, for example, when endowed chairs take longer to fill than anticipated. He stated that donors were often asked for permission to use gifts for purposes related to their original intention in order to increase flexibility. Senator Beauchamp stressed that money that is not spent is returned to the Endowment.

Senator Mikkelsen asked whether the Endowment investments resulted in losses. Ms. Tinmouth, responded in the negative, noting that close to \$150 million in returns were earned, \$66 million of which were distributed.

Senator Lametti asked about the University’s vision in recruiting international students and the impact on domestic students. Senator Manfredi responded that the target set by the Strategic

Academic Plan endorsed by Senate is to maintain international undergraduate student enrolment at 25-30% and noted that domestic flow is often influenced by policies in other provinces.

In response to Senator Shapiro's question on whether tuition will continue to account for the same percentage of revenue when tuition for international students is deregulated, Mr. Tucker responded that it will increase. He explained that the amounts contributed to the *forfaitaire system* appeared as a reduction in the operating grant while the money from the deregulated tuition will appear under the tuition revenue.

Senator Labonté asked about the expenses related to meals and entertainment, as this was the largest non-salary expense. Ms. Tinmouth responded that they were necessary and associated mainly with revenue-generating activities.

2. Budget Planning 2019-2020 Report I

(D18-24)

Senator Manfredi delivered the first of three presentations concerning the FY20 University budget, for Senate's information. He began by providing some general observations about the FY19 budget. He highlighted that the Board of Governors approved an operating budget with a \$15.4 million deficit, noting that McGill is under a *plan de redressement* to achieve a balanced budget within five years. He provided an overview of the sources of variance in revenues (e.g. the new provincial funding policy, enrolment, sale of goods and services) and expenses (e.g. salaries). Senator Manfredi then presented an overview of revenue estimate constraints, revenue and expense drivers, as well as the uncertainties and risks when preparing the budget.

Senator Quitoriano asked about the impact of demographic shifts. Senator Manfredi explained that McGill is not as affected by local demographic shifts as other universities since half of McGill students are from outside Quebec. He further explained that the student body is diverse, with no one country representing more than 20% of international student enrolment. In response to Senator Lametti's question on the policy change regarding international students, Senator Manfredi and the Chair expressed the view that it was based on a desire to attract more international students to Quebec. The Chair stated that the change will have a bigger impact on universities that do not have a large international student population.

Senator Winer cautioned that the University is limited in its ability to accommodate more students due to a lack of teaching and learning spaces. Senator Manfredi stated that the goal is steady-state enrolment for undergraduate students, noting that enrolment yields are difficult to predict.

Senator Quitoriano commented that administrative staffing levels have remained unchanged since 2012 while student enrolment has increased. Senator Manfredi stated that the total number of administrative and support staff is higher now than before the voluntary retirement program in 2013. Regarding uncertainties and risks, Senator Quitoriano suggested buying foreign currency to avoid the fluctuations in the Canadian dollar exchange rate between the time a purchase order is issued and the time it is paid. Ms. Tinmouth explained that this strategy is being piloted on a small scale and will be introduced at a larger scale in the next 12 months if successful.

Senator Fussmann asked how the University plans on dealing with the rising costs of construction projects. Senator Beauchamp stated that one strategy is to divide projects into separate lots. He stated that there are many large-scale infrastructure projects taking place in Montreal that are occupying most capacity of large contractors. He explained smaller lots would attract more bids, which increases competition and reduces costs.

3. Reports of the Senate Nominating Committee (D18-25)

Senator Manfredi presented this report for Senate's consideration. He explained that it contained recommendations to fill vacancies on two advisory committees.

On a motion duly proposed and seconded, Senate approved the recommendations contained in the Report of the Senate Nominating Committee (D18-25).

4. Appointment of Assessors under the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law (D17-02)

Senator Campbell presented this item for Senate's consideration. She highlighted that complaints of sexual harassment are addressed by the special investigator appointed in Fall 2018 instead of assessors. Senator Zuberi suggested holding an open call for assessors in the future to allow interested candidates to apply for the position. This input was well received by Senator Campbell.

On a motion duly proposed and seconded, Senate approved the appointments of Chidinma Offoh-Robert and Erica Moodie, each for a three-year term beginning 1 January 2019 and ending 31 December 2021, as assessors under the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law.

5. Consolidation of Sustainability Policy and Environmental Policy (D18-27)

Senator Beauchamp presented this item for Senate's consideration. He informed Senators that, further to a suggestion by Senator Mikkelsen received earlier that week, an additional objective was added to the *Sustainability Policy* under section 2.1.1, which reads as follows:

- j) Comply with regional, national and international declarations and accords of which McGill is a signatory, notably the [Talloires Declaration](#) and the [Halifax Declaration](#).

On a motion duly proposed and seconded, Senate approved and recommended to the Board of Governors for approval, the proposed revisions to the Sustainability Policy and the repeal of the Environmental Policy.

6. Report of the Ad Hoc Senate Committee on Teaching Staff-Student Intimate Relationships (D18-28)

The Secretary-General informed Senators that the report of the Ad Hoc Committee on Teaching Staff-Student Intimate Relationships was being presented at this time in accordance with the Ad Hoc Committee's terms of reference. She mentioned that student Senators who were unable to attend the Senate meeting due to final exams were invited to submit questions or comments in writing but none were received. The Chair stressed that this report was being presented for Senate's information and that any policy changes informed by the report would require approval following the University's established governance practices.

Ms. Lassonde reported that the Committee was mandated to explore and make recommendations to Senate on how McGill University ought to address, from a policy perspective, teaching staff-student relationships. She emphasized that, as chair of the Committee, she did not take a position on the issues or recommendations. She explained that her role was to act as a facilitator and provide the Committee with relevant documentation to inform its work. She mentioned that consultations were held with members of the McGill community through a call for written submissions and an in-person consultation session for students only. She noted that the Committee worked by consensus and highlighted that the main policy recommendation was that teaching staff-student intimate relationships be prohibited within the same academic unit and, beyond the unit, when teaching staff has a supervisory / evaluative / teaching role over the student. She noted that teaching staff could ask for an exemption from this rule if they fall within the two categories described in the report. Ms. Lassonde then provided an overview of the Committee's recommendations with respect to disclosure, policy implementation, transparency, definitions, and communication and training.

Senator Buraga acknowledged the students who were attending the Senate meeting as spectators for the presentation of the report, stressing that the report is important to all members of the University community, especially students. He then asked about the process used by the Committee with respect to decision-making. Ms. Lassonde reiterated that the Committee was mandated to work on a consensus basis, which required each individual member to agree on what to include in the report. She explained that this differs from a majority-based process and gives each individual a voice and forces a compromise. She added that the Committee agreed to conduct a vote in the event of a lack of consensus, but no such vote was necessary throughout the process. She also mentioned that the Committee allowed the alternate student to have a voice on the Committee.

Senators expressed confusion over Ms. Lassonde's explanation regarding consensus in light of an [article](#) in The McGill Tribune published earlier that day, written by three student members of the Committee stating that they did not agree with the recommendations in the report. Senators wondered why a full ban on teaching staff-student intimate relationships was not recommended. Senator Wilson stated that compromise is inappropriate in matters relating to students' safety and relationships predicated on power imbalances. She commented that a full ban is possible at McGill as it is a question of students' safety, which should take precedence over personal freedom, and such bans have been implemented in other universities. She also mentioned that the definitions in the report are too broad and open to interpretation, and expressed her view that

there is a power imbalance between students and staff, even if they are in different academic units.

Ms. Lassonde indicated that she could not speak to the individual views of each Committee member, as their discussions were confidential. She mentioned that the Committee considered policies at other institutions and there was no consensus for a complete ban on teaching staff-student relationships. She mentioned that the Committee felt there were reasonable exceptions, as described in the report. She was unaware if the student members believed they have a consensus among themselves but underlined that, either way, three out of seven members did not represent a majority view of the Committee. She informed Senators that she did not receive any requests for a minority report or for the removal of members' names from the report being presented. Senator Buraga asked if one of the academic staff members and one student member on the Committee could be invited to speak to Senate on this issue. The Secretary-General indicated that it was important to respect the established role and responsibility of committee chairs to present reports on behalf of members of a given committee. In response to Senator Zorychta's question on whether it was still possible to submit a minority report, it was noted that the Committee's work had been completed. Senators were reminded that the report was meant to inform future discussions and there would be further opportunities to engage on this matter.

The Chair stated that the effect of a complete ban is unknown, noting that in the end, it may be seen as too intrusive in the private lives of individuals, especially at universities as large as McGill. She emphasized that McGill does need a policy on teaching staff-student intimate relationships and expressed her concern that no progress will be made if members of the community keep insisting on their views instead of working towards this common goal. She mentioned that policies are reviewed regularly to track their implementation and are amended as needed.

Senator Campbell acknowledged the students in the room and stated that the administration is listening. She shared that Concordia University had reviewed the matter of a full ban and concluded that it would not be legally possible in Quebec. She provided some background information with respect to the Ad Hoc Committee, noting that she worked closely with Senator Buddle and the Students' Society of McGill University (SSMU) to establish the Committee's composition. She mentioned that students wanted at least parity on the Committee and requested that the Chair not be a member of the academic staff. As such, she explained that Ms. Lassonde, who works as an independent mediator, was suggested as chair. Senator Campbell shared that a policy review committee (which includes student members) will consider the recommendations of the report in the context of their review of the *Policy against Sexual Violence*.

Senator Wilson expressed her doubts that students on the policy review committee will be heard. Senator Labonté asked for further information on the review committee. Senator Campbell explained that its composition is described in the *Policy against Sexual Violence*. She stated that, apart from members of SSMU and the Sexual Assault Center of the McGill Students' Society (SACOMSS), student participation has been low, noting that only a few students attended the consultation sessions. She indicated that the review committee is open to having more consultations and invited suggestions on making the committee's work more transparent and inclusive. In response to Senator Dunn's question regarding the timeline of the revisions, Senator

Campbell stated that consultations will be held with students before the draft amendments are presented to Senate. She explained that a draft will also be posted online to allow members of the entire McGill community to provide feedback and will be presented to Senate for information in February 2019 and approval in March 2019.

Senator Wilson suggested including a framework in the future policy instead of a list of exemptions as recommended in the report. Senator Quitoriano commented that individuals in advisory roles with respect to undergraduate students should be listed in the definition of teaching staff. Senator Zuberi commented administrative and support staff working with students should be included in the scope of the policy as well. Senator Richard indicated that this broader definition would be in line with Bill 151, which provides that the policy must include a code of conduct specifying the rules that a person who is in a teaching relationship or a *relationship of authority over* a student must respect. Senator Zuberi also highlighted a need to include procedures to effectively deal with cases of sexual misconduct that will punish offenders (including tenured professors) and deter future offenses.

7. Annual Report from the Committee on Libraries (2017-2018) (D17-29)

Senator Oxhorn presented this report for Senate's information, in accordance with the terms of reference of the Committee on Libraries. The report provided a summary of the activities of McGill University Library for the 2017-18 governance year, as discussed at meetings of the Committee on Libraries.

Senator Labonté asked if students will still be able to borrow materials from other libraries even though McGill is not participating in the Quebec-BCI shared library services project. Senator Oxhorn responded in the affirmative, as this is a separate project. In response to Senator Buraga's question on the timeline of the Fiat Lux Project, Senator Cook stated that the project will take five to six years to complete. Senator Zakrzewski commented that PGSS had a contract misplaced with the McGill Library and asked what measures were being taken to improve institutional memory going forward. Senator Cook responded that the Library will be vigilant with respect to recordkeeping and eliminating redundant processes. Senator Lametti asked for an update on the Osler Library following the fire on the terrace of the McIntyre Medical Building in July. Senator Cook stated that the collection and rare materials are available in the McLennan-Redpath Library Complex, with the exception of a small number of volumes in the circulating collection that were damaged.

8. Other Business

There being no other business to deal with, on a motion duly proposed and seconded, the meeting adjourned at 4:50 p.m.

END

The complete documents, including presentations at Senate, are kept as part of the official minutes.