

Minutes

Wednesday, February 20, 2019 18-19:06

Minutes of the meeting of Senate held on Wednesday, February 20, 2019 at 2:30 p.m. in the Robert Vogel Council Room (Room 232, Leacock Building)

PRESENT

Abdul-Rahman, Ommu-Kulsoom	Gyakum, John	Ndao, Momar
Amon, Daniel	Harpp, David	Nicell, Jim
Animesh, Animesh	Hébert, Terence	Nycum, Gillian
Arseneault, Louis	Hickman, Miranda	Quitoriano, Nathaniel
Bajeux-Besnainou, Isabelle	Kalil, Alex	Rassier, Dilon
Bayen, Stephane	Kamen, Amine	Ravenscroft, Brenda
Beauchamp, Yves	Komarova, Svetlana	Richard, Marc
Bede, Jacqueline	Labeau, Fabrice	Robaire, Bernard
Bedjanian, Tatiana	Labonté, Réginal	Salmasi, Kamal
Belzile, Bruno	Lametti, André	Saroyan, Alenoush
Bernard, Daniel	Larson, Erik	Shapiro, Jacob
Buddle, Christopher	Larsson, Hans	Shor, Eran
Buraga, Bryan	Laywine, Alison	Shrier, Alvin
Campbell, Angela	Leckey, Robert	Sladek, Robert
Cook, Colleen	Lennox, Bruce	Snider, Laurie
Cumming, Julie	Liboiron-Ladouceur, Odile	Starr, Lisa
Damha, Masad	Louisa, Rod	Stephens, David
Donahoe, Colin	Maciasz, Eva	Theodore, David
Dunn, Nicholas	Madokoro, Laura	van den Berg, Axel
Eakin, Gael	Maioni, Antonia	Voudouris, Nellie
Eidelman, David	Malik, Sarim	Waters, Natalie
Engle-Warnick, Jim	Manfredi, Christopher	Weil, Carola
Fortier, Suzanne	Mansdoerfer, Richard	Weinstein, Marc
Fussmann, Gregor	McCulloch, Mary Jo	Wilson, Madeline
Geitmann, Anja	McKenzie, Jeffrey	Zakrzewski, Helena
Gonnerman, Laura	Mikkelson, Gregory	Zorychta, Edith
	Nalbantoglu, Josephine	

REGRETS: Martha Crago, Sabine Dhir, Noémie-Manuelle Dorval Courchesne, Susan Drouin, Eleanor Elstein, Elham Emami, Sofia Gadbois, Richard Gold, Peter Grütter, Kenneth Hastings, Tina Hobday, Zi Jun Huang, Michael Meighen, Monique Morin, Jarrod Nichol, Ronald Niezen, Ram Panda, Annalise Patzer, Nigel Roulet, Christa Scholtz, Ada Sinacore, Tabatha Sparks, Stefano Stifani, Maria Tippler, Michel Tremblay, Jean-Sébastien Vallée, Laura Winer, Morty Yalovsky, Sameer Zuberi.

SECTION I

1. Welcoming Remarks

The Chair welcomed Senators to the sixth Senate meeting of the 2018-2019 governance year. 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

Senator Eidelman read the following memorial tribute for Professor Emeritus Edward Arthur Meighen, which Senate subsequently unanimously approved:

It is with great sadness that we share the news of the passing of Dr. Edward Meighen, Emeritus Professor in the Department of Biochemistry at McGill University's Faculty of Medicine.

A native of Vancouver, Dr. Meighen completed his undergraduate studies at the University of Alberta before earning his PhD in Biochemistry at the University of California, Berkeley in 1969. Following postdoctoral work at both Berkeley and Harvard, he joined McGill in 1971 as an Assistant Professor in the Department of Biochemistry, rising to the rank of full Professor in 1983.

A dedicated and passionate educator, Dr. Meighen developed two upper-level undergraduate courses on protein structure and function and on physical biochemistry. In 2001 his teaching acumen was recognized with an Undergraduate Award for Teaching in the Department of Biochemistry. He also supervised numerous graduate students over the course of his career, with his laboratory serving as an incubator for discovery and for the launch of many successful careers.

A pioneer in the study of enzyme hybridization, Dr. Meighen enjoyed a stellar international reputation among his peers. In the latter part of his career he helped open up a new field of quorum sensing, studying the mechanism through which bacteria sense that they retain a certain density and begin secreting substances that amalgamate to form a type of film around the bacterial colony, impermeable to antibiotics.

Dr. Meighen participated in numerous committees both at McGill and elsewhere, including being a long-time member of the Academic Senate. He enjoyed spending time at his cottage in the Adirondacks with his family, where he would often be joined by his colleagues Walter Mushynski and Robert Mackenzie and their respective families. The trio, along with the late Stewart Milward, were collectively, and affectionately, known as "the four Ms" within the Department of Biochemistry. Dr. Meighen will be remembered as a diligent researcher and mentor for decades of scientists and for the important role he

and his colleagues played in establishing McGill's Department of Biochemistry as a leader in the field.

We extend our heartfelt condolences to Dr. Meighen's wife, Gail, to his daughter Michelle and son Bruce and their partners, to his brother and sister, his grandchildren as well as to his other family members, his many friends, colleagues and former students. He will be greatly missed.

Senator Ravenscroft then read the following memorial tribute for Dr. Daryl Robert Gibson, which Senate subsequently unanimously approved:

It is with great sadness that I announce the passing of Dr. Daryl Robert Gibson, retired Full Professor in the Schulich School of Music of McGill University.

Born in Minneapolis, Minnesota, Dr. Gibson completed his post-secondary studies at the University of Minnesota, earning degrees at the Bachelor, Masters and Doctoral levels in Music Education with a specialization on the trumpet.

He had a broad range of musical experiences over the course his career, including as a performer, coach, teacher and conductor. Dr. Gibson first came to McGill in 1973 to teach trumpet and coach chamber-music ensembles, initially splitting his week between Montreal and Pittsburgh where he continued to freelance as a performer.

He soon made Montreal his permanent home, and took up a joint appointment in Trumpet and Music Education in the Faculty of Music. He also worked extensively with the Montreal Symphony Orchestra under Charles Dutoit as well as with l'Opéra de Montréal and Les Grands Ballets Canadiens, and was a founding member of the Mount Royal Brass Quintet along with his colleague and former Dean of Music, Richard Lawton. This group was the first McGill chamber ensemble to perform at Carnegie Hall and to make recordings on the McGill Records label.

Dr. Bob, as he was affectionately known by his students, was an exemplary contributor to all aspects of musical life in the Faculty, from teaching to administration. He was a long-serving Area Chair in the Department of Performance, and the first-ever Graduate Program Director in Performance during the early 1990s. In addition to coaching individual trumpet students, he taught brass techniques and wind literature classes for the Department of Theory (now known as the Department of Music Research).

Colleagues remember him fondly for his kindness and generosity, his willingness to assist both individuals and the institution, his strong sense of community—and his inspiring belief in the value of regular sporting activities.

After over 30 years of dedicated service, supporting many initiatives during periods of great change for the faculty, he retired in 2006. A true example of life-long learning, during his retirement he enriched his love of music by singing with the Christ Church Cathedral Choir.

Dr. Gibson will be remembered for his integral role in the growth of our faculty, for his ability to see larger implications, and for being someone who always put the students first. We extend our heartfelt condolences to his family and to the many students whose lives he influenced.

3. Report of the Steering Committee [Consent item] (18-19:06)

Senate received the Report of the Steering Committee (18-19:06).

Item 1. Approval of Minutes of Senate – January 16, 2019.

Item 2. Speaking Rights. Upon approval of the report, speaking rights were granted to Mr. Kakwiranóron Cook, Special Advisor, Indigenous Initiatives, Office of the Provost and Vice-Principal (Academic), for item IIB4 (Progress Report on the Calls to Action in the Report of the Provost's Task Force on Indigenous Studies and Indigenous Education); and Professor Dimitrios Berk, Ombudsperson for Students, for item IIB6 (Annual Report of the Ombudsperson for Students).

Item 3. Approval of the Agenda.

Item 4. Review of Questions and Motions. Two questions were submitted to the Committee for review. The Committee provided feedback and the questions, as revised, were included on the Senate agenda.

Item 5. Senate Open Discussion. Following a review of the proposed topics, the Steering Committee agreed to hold an open discussion at the April 17, 2019, Senate meeting on the future of the Master's program.

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

4. Business Arising from the January 16, 2019 Minutes

There was none.

5. Chair's Remarks

The Chair began her remarks by reporting on the next steps with regard to the question of renaming the McGill Redmen men's varsity teams. She reported that she would reflect upon the comments and points of view that had been expressed, and seek advice from members of the community. She informed Senators that she would make a decision on this matter before the end of the academic term. She invited Senators who wished to share their views to submit written comments or contact the Secretariat or the Office of the Principal and Vice-Chancellor to arrange a meeting.

Regarding government relations, the Chair reported that McGill participated in pre-budget consultations led by Quebec's Minister of Finance and advocated for additional funding for universities. The Chair then spoke about her meeting with the Premier and the Minister of Education, noting that the Royal Victoria Hospital redevelopment project was discussed as well as the gift from John and Marcy McCall MacBain described below. She then spoke of her participation in a U15 meeting, noting that at the federal level, the U15 is advocating for investments in scholarships, fellowships and indirect costs of research.

Regarding external relations, the Chair reported that on February 13, a transformative gift of \$200 million dollars was announced from John and Marcy McCall MacBain and the McCall MacBain Foundation to create the McCall MacBain Scholarships at McGill. She then spoke of her participation at the 2019 annual meeting of the World Economic Forum in Davos, which focused on the theme "Globalization 4.0: Shaping a Global Architecture in the Age of the Fourth Industrial Revolution." She mentioned that Senator Bajeux also attended the annual meeting and co-chaired the World Economic Forum's Global Future Council on Consumption.

The Chair concluded her remarks by giving highlights of the kudos circulated prior to the meeting. She shared that Ms. Adrienne Piggott (Chair, Joint Board-Senate Equity Subcommittee for Racialized and Ethnic Persons; Manager, Procurement Services) and Professor Myrna Lashley (Department of Psychiatry) signed the city of Montreal's Golden Book in honour of Black History Month. The Chair also congratulated Professors Nitika Pant Pai (Department of Medicine), Amrita Daftary (Department of Epidemiology and Biostatistics) and Theresa Gyorkos (Department of Epidemiology, Biostatistics and Occupational Health) on being recognized on the first-ever list of Canadian women leaders in Global Health, published by the Canadian Society for International Health. She then stated that McGill was recognized as of Montreal's Top Employers for the 11th consecutive year. Finally, she congratulated Dr. Paul Allison (Faculty of Dentistry) on receiving a 2019 Chair of the American Dental Education Association (ADEA) Board of Directors Citation Award.

Regarding the Redmen name, Senator Madokoro expressed the view that the correct course of action was to change it. She stressed the importance of considering the name change in the broader context of the efforts being made with respect to reconciliation and stated that the decision should be guided by the principles set forth in final report of the Working Group on Principles of Commemoration and Renaming. The Chair confirmed that her reflection and decision would be guided by the report.

SECTION II

Part "A" – Questions and Motions by Members

1. Question Regarding Board-Senate Collaboration

Senators Shor, Wilson and Mikkelsen submitted the following question:

WHEREAS, the Senate passed, by a wide margin, a motion on September 12, 2018 favoring "in principle, a move to divest the endowment from all companies whose

primary business is the extraction, distribution, and/or sale of fossil fuels; and from all mutual funds that invest in such companies¹”;

WHEREAS, on November 21, 2018, the Senate subsequently appointed two representatives “to participate in the Board of Governors’ Committee to Advise on Matters of Social Responsibility (CAMSR)’s consultation process on the motion concerning divestment approved by Senate on September 12, 2018²”;

WHEREAS, “The two representatives appointed by Senate would be invited to meet with CAMSR in the context of a meeting taking place on December 3, 2018 and any subsequent meeting, as necessary³”;

WHEREAS, thus far, the two representatives appointed by Senate were invited to the December 3rd meeting but not to any subsequent meetings

WHEREAS, these Senate representatives informed the CAMSR at its meeting on December 3, 2018 that “[they] see an opportunity for the Board and Senate to work closely together on this topic”, and that “On behalf of Senate, [they] would hope CAMSR can complete its work by the end of this academic year⁴”;

WHEREAS, the two Academic Staff Representatives serving on the Board itself also stressed at that same December 3 meeting the need for a “timely” and otherwise credible process⁵;

WHEREAS, the Board nevertheless declined, at its December 13 meeting, to require recommendations from the CAMSR any earlier than the next (2019-2020) academic year; How indeed are Senate and the Board to “work closely together on this topic” to ensure a satisfactory and expeditious outcome? For example, why have the two additional and temporary Senate representatives to CAMSR not simply been added to the CAMSR for the duration of its deliberations on the matter of divestment? Most immediately, why were they not invited to the subsequent February 18 CAMSR meeting?

The Secretary-General provided the following written response prior to the Senate meeting:

The two representatives were appointed by Senate to participate in CAMSR’s consultation process on Senate’s resolution on divestment. More specifically, their mandate is to ensure that the diverse views of Senate on the matter of divestment are communicated to CAMSR. The understanding was that the representatives would be invited to meet with CAMSR on December 3, 2018, and they would be invited to subsequent meetings, *as necessary*. The Senate representatives participated in the

¹ McGill University Senate Minutes, September 12, 2018, p. 11

² [Report](#) of the Senate Nominating Committee (D18-15), November 21, 2018, p.7

³ Ibid.

⁴ Summary of presentations to CAMSR, published on January 8, 2019 on the CAMSR webpage: <https://mcgill.ca/boardofgovernors/committees-0/social>

⁵ Ibid.

consultation session on December 3 and a summary of their presentation, along with others, is available on the CAMSR [webpage](#). While Senators are welcome to submit comments to CAMSR, either through the representatives or directly, by emailing the Committee at bog.mcgill@mcgill.ca, Senate and the Board do not have a joint mandate on this topic as governance matters related to investment policies and practices are within the sole purview of the Board.

When Senate was asked to appoint the representatives on November 21, 2018, it was explicitly indicated that they would not become members of CAMSR. The composition of CAMSR is set out in the Committee's terms of reference and CAMSR is operating within that framework, which does not provide for additional temporary members. It is necessary for CAMSR to respect the Board's established practices and procedures.

CAMSR's February 18, 2019 meeting was mainly dedicated to reviewing the University's current SRI investment framework and consultation sessions with external investment managers and organizations. While further consultations with the Senate representatives are not necessary in the context of the February meeting, the two representatives may be invited to attend future meetings. This remains to be decided by CAMSR.

In the meantime, an information session dedicated to the University's SRI investment framework will be organized to take place before the March Senate meeting. The Senate representatives will be invited to this session, and will have an opportunity to report on it and their December consultation with CAMSR, at the March Senate meeting. The session will also be open to any member of Senate and CAMSR.

As agreed at the December 13, 2018 Board meeting, CAMSR will make every effort to submit its final report to the Board by the last Board meeting of the 2019 calendar year. CAMSR will therefore be meeting regularly throughout the year to meet this deadline. The Committee's meeting schedule is available on the Board's [website](#) and additional meetings are being scheduled for summer and fall 2019.

Senator Shor asked about the process used to determine which guests are invited to a given meeting of CAMSR. The Secretary-General responded that decisions are based on the requests received and consultations with the Committee's Chair and Vice-Chair.

Senator Shapiro asked for further details on the information session. The Secretary-General explained that the session, which was taking place on March 19, would contain a presentation similar to the one delivered at the February 18 meeting of CAMSR. However, she noted that since the session will be 1.5 hours long, more time would be devoted to the presentation and discussion.

Senator Mikkelsen stated that McGill's investment holdings in fossil fuel companies have decreased since last year. He asked why the University was not publicly announcing that a divestment process has begun and committing to completely divest in a reasonable timeframe.

The Chair noted that this question was outside the purview of Senate as investment matters were within the purview of the Investment Committee of the Board of Governors.

2. Question Regarding Senate Steering Documents

Senators Wilson and Buraga submitted the following question:

WHEREAS, documents submitted to the Senate Steering Committee for consideration are only available to members of the Steering Committee and are otherwise confidential, unless they are approved as-is to be brought to a Senate meeting and become publicly available at that time;

WHEREAS, Questions, Motions, and Reports that are deemed unfit to bring to a Senate meeting as-is are not made available to the public or to Senators that are not members of the Steering Committee;

WHEREAS, full transparency on behalf of any governing body fosters trust, facilitates mutual accountability, and promotes good governance;

WHEREAS, such confidentiality is inconsistent with the aforementioned principles of transparency, accountability, and good governance;

WHEREAS, in pursuit of these values, the Senate Steering Committee ought to make accessible to the McGill Community the contents of all materials being submitted to the Senate Steering Committee, with the exception of matters that are confidential even when presented to Senate (e.g. Honorary Degree Nominations);

Why are the full set of documents submitted to every Senate Steering Committee meeting not made publicly available?

The Secretary-General provided the following written response prior to the Senate meeting:

The responsibility of the Senate Steering Committee is to assist Senate in carrying out its governance functions and activities. Notably, the Committee has been mandated by Senate to make recommendations to Senate on the development of Senate agendas and meetings in general.

Documents that are distributed to the Steering Committee are not publicly available as they are subject to change and are finalized only following the Committee's meeting, once the agenda is reviewed by the Committee. Once finalized, they are distributed to Senate and posted online, as official Senate documents. In other words, the reason for not making documents available publicly is not because they are confidential, per se, but because they are draft or working documents that are subject to review by the Committee and/or modification by the responsible unit, all in the context of the Committee's work in preparing the Senate agenda.

Written questions and motions may be submitted by Senators for review by the Steering Committee. They are not made publicly available because the question of their suitability for Senate needs to be determined by the Committee first.

Based on the Committee's review, questions or motions may be accepted as submitted, accepted with modification or referred to another university officer in the event that the matters they raise relate to issues that are largely non-academic in nature.

Questions or motions that are accepted as submitted or with modification are distributed to Senate and posted online, along with the agenda and all Senate documents. Questions or motions that are not accepted by the Committee are not distributed to Senate as they do not form part of Senate meeting agenda. However, a brief summary of all matters considered by the Steering Committee is included in the Committee's report to Senate.

Lastly, it may happen that questions or motions, which are initially submitted by a Senator to the Secretariat for submission to the Senate Steering Committee are subsequently withdrawn by a Senator and, as such, not submitted to the Committee. While this happens infrequently, it does occur when, for example, a Senator finds a response to the issue raised, or a satisfactory course of action for addressing the issue raised, through other university channels.

In the interest of transparency, Senator Wilson suggested creating an additional tab on the Senate website for publishing the drafts submitted to the Steering Committee. Senator van den Berg suggested that questions and motions that have not been accepted for inclusion on Senate agendas be published with a note to that effect. Senator Dunn shared that he submitted a motion for the November Senate meeting and, even though it was deemed to be out of order, he would have like it to be shared with Senate. The Secretary-General responded that Senators could publish their submissions on other websites (as long as the official Senate templates are not used) and report to their constituencies on their submissions. She indicated that the questions and motions are not circulated with the Senate documents as they are not part of the official Senate record. The Chair added that submitters often appreciate the Steering Committee's input and may not want their original submissions published. Senator Bernard suggested that statistics on the total number of questions and motions submitted for review and the number included on Senate agendas be provided to Senate for information.

Part "B" – Motions and Reports from Organs of University Government

1. 490th Report of the Academic Policy Committee (D18-41)

Senator Manfredi presented this report for Senate's consideration. The report contained recommendations for the approval of three new teaching programs. Senator McCullogh asked about the criteria used to determine whether a given program would be self-funded. Senator Eidelman explained that the target market plays a role. As an example, he mentioned that programs where the most common users would be sponsored by their employers might be self-funded.

On a motion duly proposed and seconded, Senate approved the proposed Graduate Certificate in Healthcare Management (15 cr.).

On a motion duly proposed and seconded, Senate approved the proposed M.Eng. in Sustainability in Engineering and Design; Non-Thesis (45 cr.).

On a motion duly proposed and seconded, Senate approved the propose Graduate Certificate in Regenerative Medicine (15 cr.)

2. Proposed Revisions to the Policy against Sexual Violence (D18-42)

Senator Campbell presented this item for information. She highlighted that the proposed revisions were the product of an extensive consultation process. She acknowledged the students who contributed to this process and reassured them that they are being heard. For example, she noted that McGill appointed an independent special investigator for sexual violence cases, developed clear procedures with definite timelines, and built language within the Policy to counter rape myths and stereotypes as a result of student advocacy. Senator Campbell welcomed feedback from members of the McGill community, noting that the input would inform further revisions to the Policy before it returns to Senate for approval in March.

Senator Campbell provided a brief overview of the review process and goals of the Policy revisions, highlighting that revisions are required to ensure compliance with Bill 151, *An Act to prevent and fight sexual violence in higher education institutions*, and meet the needs of the McGill community. She then underlined some of the major revisions being proposed. For example, she mentioned that the revised Policy will provide for a central site for reporting instances of sexual violence, the appointment of an independent special investigator, mandatory education for all members of the University community, and establishes a Code of Conduct governing teaching staff-student romantic and sexual relationships. Finally, Senator Campbell highlighted some points requiring ongoing attention and work, such as building trust and confidence in current reporting structures.

Senators thanked Senator Campbell, the members of the working group, and all members of the McGill community who contributed to the process. Senators generally spoke in support of the revised Policy. In particular, several Deans stated that the revised Policy would provide them with the foundation and tools to deal with issues of sexual violence.

Senator Wilson asked what metrics would be used to determine whether the prohibition on teaching staff-student relationships described in section 8.1 of the Policy would apply to a particular case. Senator Campbell responded that the special investigator would conduct a preliminary investigation to determine jurisdiction. She noted that examples were not listed in the Policy to allow for a broad interpretation. Senator Larson asked if the Policy would apply to graduate students acting as invigilators or informal supervisors. Senator Campbell indicated that section 8.1 of the Policy would apply if the student is acting as an employee and section 8.2 of the Policy would apply to all relationships characterized by a power differential.

Senator Dunn questioned why a relationship with a student enrolled in the teaching staff member's faculty was enough to constitute a conflict of interest. Senator Campbell explained that it was to avoid apparent or potential conflicts of interest.

Senator Buraga asked if section 5 of the Policy could be revised to add that no one shall be subject to a disciplinary investigation or sanction for revealing, in the course of making a disclosure or a report, that they were in possession of an illegal substance. Senator Campbell responded that she would bring this suggestion forward to the working group for further discussion. She noted that in practice, the University would not focus on the possession of illegal substances to avoid creating barriers. However, she would need to consult with Legal Services to determine whether a University policy could include such a provision. If such a provision is not appropriate, Senator Shapiro suggested specifying that, from the University's perspective, possession of illegal substances would not be the focus of an investigation but sanctions may be applied through other mechanisms.

In response to Senator Buraga's question regarding why statements and disclosures made during mediation cannot be used in a formal investigation, Senator Campbell explained that mediation confidentiality encourages parties to speak freely and enhances the possibility of a resolution. She noted that the language used in the *Procedures for the Investigation of Reports of Sexual Violence* was standard in all policies that include mediation.

Senator Madokoro suggested including a statement of principle in the Policy, similar to the one found in the *Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law*. As an example, she indicated that such a statement could touch upon power dynamics that speak to relationships between students and teaching staff and between junior and senior faculty. She also suggested mentioning the types of disciplinary measures imposed, either in a statement of principle or the preamble. Senator Campbell agreed to review the preamble, noting that the Policy dealt broadly with all sexual violence, not just power differential. She highlighted that disciplinary measures are listed in section 40 of the revised Policy with respect to employees and in the *Code of Student Conduct and Disciplinary Procedures* with respect to students. She stressed that the measures imposed must be reasonable and fair in the circumstances and able to withstand judicial scrutiny. Senator Madokoro wondered if any discussions on the differences between undergraduate and graduate students took place. Senator Campbell explained that this matter was reviewed by the Ad Hoc Senate Committee on Teaching Staff-Student Relationships. She noted that graduate students experience different levels of vulnerability and are often international students without strong support networks and dependent for funding, lab space and equipment.

Senator Malik asked about the consequences of students initiating a relationship with a member of the teaching staff. Senator Campbell clarified that the student would not be disciplined as the onus is on the teaching staff member to inform the student that he or she cannot enter into such a relationship if it falls under the prohibition set out in section 8.1 (i) of the Policy.

Senator Shapiro noted that the survivor is informed of the disciplinary or administrative measures imposed only when the respondent is a student. He stated that it is difficult for survivors to come forward when they are not informed of the disciplinary outcome. Senator

Campbell indicated that it is clearly stated in the directive issued by the Ministry of Education (listed in Appendix 1 of the Policy) that the outcome cannot be disclosed as it is personal information. Senator Buddle explained that when students enrol at McGill, they consent to respect all University policies, including the *Code of Student Conduct and Disciplinary Procedure*, which provides that complainants are informed of the disposition of a case. Senator Campbell noted that this would not be possible for staff as, in law, the relationship with employees is different than that with students. She stressed that the right to privacy is explicitly enshrined in the Quebec *Charter of Human Rights and Freedoms*. In response to Senator Shapiro's question on whether the training required by the custodian of the Policy should be specified, Senator Campbell stated that training should be ongoing and cautioned that listing the required training could result in a simple "box-ticking" exercise. Senator Shapiro then asked if the training sessions provided to disciplinary officers could be open to spectators. Senator Campbell responded in the negative. She expressed that it was not a matter of transparency but ensuring the information is communicated effectively. She mentioned that the training is provided in conjunction with the Office for Sexual Violence Response, Support and Education (OSVRSE), the special investigator and Legal Services and noted that guidance and advice is provided throughout the entire process.

Senator Wilson asked why OSVRSE would no longer be able to accompany survivors throughout the process as was the case in the original Policy. Senator Campbell noted that section 10 of the Procedures provides that support for survivors will be facilitated by OSVRSE.

Senator Wilson asked for clarification on the process regarding accommodations, noting that an important accommodation would be the ability to defer assessments. Senator Campbell mentioned that accommodations could be requested through OSVRSE but there are other channels, for example via the Office of the Dean of Students. She stated that deferrals could be added as an example of accommodations.

In response to Senator Wilson's question for clarification on the appeal process, Senator Campbell explained that since an appeal could be a traumatizing process, an appeal process was not outlined in the Policy. However, she noted that survivors or respondents may use the general grievance process to appeal a decision.

Senator Wilson then asked for clarification regarding the sanctions described in section 8.1 (ii) of the Policy for entering into a relationship prohibited by section 8.1(i). Senator Campbell stated that a gradation of sanctions would be imposed. She explained that less severe sanctions are imposed when there are mitigating factors, for example, in cases where the survivor is unwilling to come forward.

Senator Lametti asked if the draft Policy could be made available in French. Senator Campbell agreed to contact Translation Services.

3. Proposed Revisions to the Policy on Harassment, Sexual Harassment and Discrimination Prohibited by Law (D18-43)

Senator Campbell presented this item for information. She highlighted that the *Policy on Harassment, Sexual Harassment, and Discrimination Prohibited by Law* was being reviewed to reflect concurrent revisions to the *Policy against Sexual Violence*. More particularly, she noted that the revisions would remove references to sexual harassment, given that this matter will be addressed under the *Policy against Sexual Violence*.

Senator Maciasz asked for clarification regarding the scope of the Policy. Senator Campbell confirmed that the Policy applied to all members of the University community, including members of unions and associations. Senator Salmasi suggested revising section 1.1 for added clarity. Senator Campbell responded that in practice, this section did not appear to create confusion but noted that she would consult with Legal Services with respect to the wording.

Senator Maciasz asked about the rationale of having a one-year limit for complaints regarding harassment and no time limits for sexual harassment complaints. Senator Campbell noted that the policies have different goals. She explained that the goal of harassment policies is to stop the harassing behaviour as soon as it occurs. In addition, she mentioned that it is a well-known reality that survivors of sexual violence do not come forward quickly.

In response to a question on education and awareness, Senator Campbell referred Senator Maciasz to the annual report on the Policy presented to Senate in September. Senator Maciasz shared that an ombudsperson would be a valuable resource for staff members. Senator Campbell informed Senators that the University retained the services of a mediator instead. She noted that the added benefit of this approach is that the mediator could draft an agreement that, if signed by the parties, becomes binding.

Senator Bernard recommended referencing the *Policy against Sexual Violence* under section 2.1 of the Policy. Senator Campbell thanked him for the suggestion.

4. Update on Responses to the Calls to Action of the Report of the Provost's Task Force on Indigenous Studies and Indigenous Education (D18-44)

Senator Manfredi presented this item for information. He reminded Senators that the Final Report of the Task Force on Indigenous Studies and Indigenous Education articulated 52 Calls to Action, which focused on five core themes: student recruitment and retention; physical representation and symbolic recognition; academic programs and curriculum; research and academic complement; building capacity and human resources. He indicated that the report provided a summary of the work being done in each of these five areas.

Senator Lametti asked for more information regarding Indigenous student recruitment. Senator Manfredi stated that two full-time positions were created in Enrolment Services for the recruitment of Indigenous students and work is ongoing with respect to pathway programs. He mentioned that enrolment numbers may not be accurate as students must self-identify as Indigenous when enrolling and students enrolled in the programs offered by the Faculty of

Education in Kahnawake and Listuguj are not counted. In response to Senator Laywine's question on Indigenous student retention, Senator Manfredi and Mr. Cook indicated that they were unaware of any issues in this area. Mr. Cook mentioned a number of initiatives being explored to increase enrolment and retention, including mentorship and financial support.

Senator Buraga asked why Indigenous community representation had not been added on governance bodies and Senator Shapiro asked if there were plans to establish any new mechanisms (similar to the ones at Lakehead University and the University of Guelph cited in the [report](#) on governance published by the Students' Society of McGill University). The Secretary-General explained that a new [nomination process](#) was implemented for members-at-large on the Board of Governors to enhance diversity.

In response to Senator Wilson's question on changes in the role of the Indigenous Education Advisor since moving from the Social Equity and Diversity Education Office (SEDE) to the Office of the Provost and Vice-Principal (Academic), Senator Campbell confirmed that the role has not changed. Senator Wilson then asked why call to action 28 regarding flying the Hiawatha Belt flag was only partially followed. Senator Manfredi stated that work in this area is ongoing, noting that the raising of the flag on National Indigenous Peoples Day and on the day of the McGill pow-wow were important steps.

5. McGill University Staffing Report (2017-18) (D18-45)

In light of the lengthy discussions generated by the previous items, it was requested that the presentation of the McGill University Staffing Report be tabled until the March Senate meeting.

On a motion duly proposed and seconded, the presentation of the McGill University Staffing Report (2017-18) (D18-45), was tabled until the March 27, 2019 Senate meeting.

6. Annual Report of the Ombudsperson (D18-46)

Professor Berk presented this item for information. He informed Senators that the Office of the Ombudsperson for Students offers informal, independent, impartial and confidential dispute resolution services to students to avoid recourse to the more formal grievance process of the University. He stressed that the Ombudsperson is an advocate for a fair process and not an advocate for the individual or the University administration. He highlighted that the majority of requests for assistance concerned undergraduate students and involved academic issues (mainly marks/grades, and courses/programs). Finally, Professor Berk noted that the major issue identified is a lack of clarity, especially regarding student-supervisor expectations; grade assessments in course syllabi (including assessment of in-class participation and its impact on grades); accommodations; on-line information on processes such as appeals, student exchanges, transfers, scholarships and admissions. He encouraged all Senators to pay particular attention to these issues.

Senator Wilson asked whether any efforts were being made to distinguish the role of the Ombudsperson from that of the Dean of Students, as students may not know which resource to seek out for assistance. Professor Berk encouraged students to contact the Office of the

Ombudsperson for Students as it is informal, independent and impartial. Senator Buddle acknowledged that the Office of the Dean of Students is a more formal policy office as it oversees the *Code of Student Conduct and Disciplinary Procedures* but noted that it also assists students in resolving issues they are facing.

Senator Labonté asked how the University will respond to complaints regarding lack of clarity. Senator Labeau informed Senators that he meets regularly with the Ombudsperson to get a sense of the general issues being raised, which are then reviewed with the various units within Student Life and Learning. Professor Berk stated that his office avoids micromanaging faculties and units.

Senator Belzile asked if all postdoctoral fellows have access to the Office of the Ombudsperson. Professor Berk responded in the affirmative but noted that in the case of unionized postdoctoral fellows, certain issues must be brought to their Union for resolution.

Senator Salmasi suggested improving the Ombudsperson website as it should be the primary source of awareness of the Office's services.

7. Other Business

There being no other business to deal with, on a motion duly proposed and seconded, the meeting adjourned at 5:00 p.m.

END

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