



Minutes

MEETING OF THE SENATE

A meeting of the Senate was held on Tuesday May 22, 2012 at Robert Sutherland Hall, Room 202 at 3:30 p.m.

Present: D. Woolf (Chair) Senators: Abdollah, Adams, Beach, Bevan, Blennerhassett, Bridges, Brouwer, Chowdhury, Cole, Colgan, Crowell, De Souza, Egnatoff, Elliott, Fachinger, Harrison, Hart, Johnson, Jones, LaFleche, Liss, MacLean, Maurice, McIntire, Medves, Milo Notash, Oleschuk, Oosthuizen, Parker, Paterson, Reid, Reznick, Saunders, Scribner, Shearer, Sullivan, Vanney, Walters, Whitehead, Woodhouse, Young G. Moore (Secretary), C. Russell (Associate)

Via teleconference: B. Foo

Also present: T. Alm, V. Ashford, J. Cordy, R. Coupland, M. Dier, I. Duchaine, S. Dunn, L. Faught, S. Field, N. Francis, A. Girgrah, E. Hill, B. King, B. Lemieux, S. Marlin, V. Matak, G. MacAllister, S. McFadden, C. Morrison, K. O'Brien, L. Peterson, B. Ranscroft, S. Rigden, J. Schmelzle, H. Smith, A. Sproat, A. Suen, C. Sumbler, A. Vienneau, K. Wallace, P. Watkin, J. Whittaker

I OPENING SESSION

The Chair welcomed senators to the final meeting of the 2011-12 academic year and thanked retiring members of Senate who were attending their final meeting. Senate observed a moment of silence in memory of Stephen Gyimah (Sociology), who died suddenly on Friday, May 10. Professor Gyimah was a former senator (2007-10) and a member of the Nominating Committee (2007-09).

The Chair welcomed members of the Senate Committee on Academic Development and also thanked all chairs and members of Senate committees for their work over the past academic year. He noted that much of the work done in Senate is conducted at the committee level by faculty, staff and student representatives, senators and non-senators who volunteer their time in support of the academic mission.

1. Adoption of Agenda

Moved by Senator LaFleche, seconded by Senator Woodhouse, that the agenda be adopted as circulated.

Carried as amended by a later vote 12-32

The Principal left the Chair to report on the Agenda Committee's decisions about some submissions to the May 22 agenda. Vice-Chair Oosthuizen assumed the Chair.

As Chair of the Agenda Committee, the Principal addressed concerns of some senators about the development of the May 22 agenda. According to the Senate Rules of Procedure, the Agenda Committee declined the three motions about a statement on research integrity by the Ontario Confederation of University Faculty Associations (OCUFA) because it was unclear whether a violation of graduate student research protections had taken place as alleged. The University was not offered an opportunity to respond to OCUFA's assertions. The Agenda Committee concluded that the motions were based on an incomplete grasp of the facts.

The committee also declined a motion related to the Queen's Travel Policy because it determined that the responsibility for compliance with government travel reimbursement directives was not a

Senate matter. However, in subsequent correspondence with Senator Jones, who submitted the motion, it was deemed that, while Senate cannot direct administration to change a provincially mandated travel policy, many would share concerns about changes to the policy, as expressed in Professor M. Epprecht's letter to AVP (Finance) D. Janiec, which was circulated on the Senate listserv. (A copy of the letter is attached to the minutes.) In response to the Principal's suggestion, Senator Jones submitted a revised motion, expressing Senate's concern with some of the restrictions in the policy and encouraging the administration to raise the issue with the ministry and the COU. The Principal reported that AVP Janiec is consulting with the Council of Ontario Universities (COU) and the ministry to see how the situation could be mitigated.

Moved by Senator Jones, seconded by Senator Morelli, that a motion concerning Queen's travel policy be added to the agenda.

Carried 12-33

Senator Jones noted that senators should lend administrative support in speaking back to government initiatives for post-secondary education. The motion, which was distributed on paper to senators, was added under Section V, Motions.

Senator Morelli asked to introduce the following motion. He noted that the matter was important and that Senate should have the opportunity to discuss it.

Moved by Senator Morelli, seconded by Senator Jones, to challenge the ruling of the Senate Agenda Committee not to include on the May 22 Senate agenda three related motions concerning Allegations of Research Misconduct at Queen's University and the Higher Education Quality Council of Ontario (HEQCO), submitted by Senators Morelli, Bridges and Jones.

Carried 12-34

A count of votes was requested: 20 in favour, 19 opposed.

Senator Oosthuizen invited the Provost, Senator Harrison, to speak. He explained that the Agenda Committee requested his advice on the matter. He advised the committee that a motion advancing the arguments of OCUFA would be inappropriate because OCUFA ta

The Provost noted that:

The individuals told HEQCO that the June 2011 version was the final report and that they provided a rationale for not making the requested changes.

The Provost affirmed that Queen's takes research ethics extremely seriously and indicated that Senate will be informed once his investigation is complete. He cautioned that the investigation will involve personnel issues and that the information provided would be subject to the application of privacy laws.

Senator Jones noted that academic integrity was at the core of the argument for including the motions on the Senate agenda and that OCUFA's damaging allegations, whether true or false, affect Queen's reputation for academic in

Senate-Board Retreat

The agenda is being developed over the summer for a September 29 retreat for senators and trustees to work together on challenges facing the University.

5. Provost's Report

Three-Minute Thesis (3MT) Competition

II QUESTION PERIOD (Appendix D, page 17)

1. Admission requirements for mature students and the reasons for abolishing on-campus classes option – submitted by Senator Notas. *Oral response provided by Senator MacLean, Dean of the Faculty of Arts and Science.*

The “mature student” category for admission at Queen’s University has recently been changed such that it is now part of the “student interest” admission process. That is, students who formerly would have been admitted as mature students must now take a series of online courses (amounting to 4 full courses) before they will be admitted to on-campus courses. This change could present a significant barrier to many mature students: for some mature students the classroom environment is an essential part of the experience of university; the interaction between professors and students is very beneficial for many students; classmates are also important as they often support one another’s learning; the physical environment, including libraries and laboratories, reinforces a sense of belonging and purpose for these students. On the other hand, mature students readily share insights that raise the level of debate in classrooms from which everyone benefits.

Mature students are generally recognized to be those students who either have not completed high school or do not have secondary school grades sufficiently high to permit them to enter university, and who have been out of school for a significant period of time. Mature students are normally admitted on a conditional basis if they can demonstrate through either a test, or a letter, as well as through a history of successful employment, or volunteer work, that they have the skills and abilities necessary to succeed in their studies. There are many reasons for not succeeding in high school, including physical and mental health problems, poverty, parental health or addiction issues, physical, emotional or sexual abuse, learning differences, cultural issues, bullying, and gender identity conflicts. All of these might affect their performance at high school but do not affect their intellectual capability, and hence, those students may do well at university. Universities have historically recognized that these issues are beyond the student’s control, and therefore, these students are typically not excluded from post-secondary education. As well, Canadians in the lowest socioeconomic bracket are often those who benefit from a mature student admission. These individuals bring a richness and diversity much needed in our classrooms. The new Queen’s procedure with preliminary online learning component will restrict access for many non-traditional, adult students, and hence, will reduce/eliminate their chance to improve their skills, their knowledge, and their earnings.

- i. Had the University considered keeping the former admission requirement for mature students as an option with on-campus classes while introducing the online learning as another option for these students?

Senator MacLean explained that the new regulations are more inclusive and equitable than before. Interested candidates will have the option to transfer to on-campus classes once they have successfully completed 24 online credits.

It was noted that the admission requirements being questioned are based on Arts and Science regulations only and do not apply University-wide. Senator MacLean said that reasons for changing the admission requirements include:

Some students objected to the term “mature.” The current designation of “interest candidates” was designed to be more inclusive

The former “mature student” regulation was more restrictive in its terms. The current

Senator MacLean noted that physical space constraints forced the Faculty of Arts and Science to develop an enrolment management policy that gives priority to on-campus classes, specifically, to first-year, full-time degree students. Even within this group students do not always get access to the courses that they want. The Faculty only accept a few upper-year transfer students from other institutions and has had to place limits on degree students. Fortunately, Continuing and Distance Studies (CDS) offers a range of high-quality courses that helps to meet the demand. Students in the "interest" category have access to Queen's courses and academic quality is preserved through progressive requirements paralleling those of the former mature student regulation.

The Dean also noted that:

Like all interest students, "mature" students can transfer to on-campus studies once they have successfully completed 24.0 units
 Many "mature" students have chosen to study through CDS. The self-directed form of study is often better suited for those requiring a more flexible schedule due to life circumstances,
 CDS courses are designed following best practices in on-line learning and feature interaction between the instructor, TAs and students (on-line synchronous office hours and on-line tutorials) and between students (group assignments, discussion forums, blogs),
 CDS works with the Library, the Learning Commons, the Writing Centre, the Learning Strategies Unit and Ban Righ to provide support for all distance students,
 CDS and the Faculty of Arts and Science Student Services provide distance students with academic support including course selection, general academic advice, advice about academic appeals, and assistance with technical difficulties,
 The Dean is not aware of any "mature" students who have suffered adverse effects by the application of current academic regulations but would be interested in knowing of any problems,
 In the last two years there have been about 25 "mature" students each year.
 There is no restriction on the age of students who may attend as on-campus students if they have the appropriate qualifications.
 A small number of Queen's staff members attend as on-campus students.

Senator Notash noted that some mature students prefer the option of online courses. However, some mature students returning to university prefer to take courses on site.

In answer to a question, Senator MacLean clarified that "mature" students pay the same fees as other students and that all online courses are imbedded in the departments.

2. Question about Queen's Non-Academic Discipline Review submitted by Senator Morelli
 Senator Morelli withdrew the question because it was most addressed in his report to Senate.

III REPORTS OF COMMITTEES

1. Academic Development (Appendix E, page 19)
 - a) Proposal to introduce a New Graduate field in the Art History PhD Program: Studies in Art History and Art Conservation.

SCAD Chair Senator Cole noted that under the new QUQAPs system, an external review by the Ontario Council of Graduate Studies is no longer required. The program will be limited to between two and four students per year and noted that the program was already being offered but not formally recognized.

of names after a call was sent out for interest and that the selection process was handled in the same way as other appointments to committees.

4. Scholarships and Student Aid (Appendix H, page 124)
 - a) Revisions to Renewable Awards Policy

Moved by Senator Foo, seconded by Senator Johnson, that the Senate approve the revised policy on renewable awards as stated in Appendix H, page 124.

Carried 12-40

Senator Foo noted that the policy was updated to ensure that the standards are consistent with the new GPA grading system. It was noted during discussion that the policy change necessitated a reduction to the GPA requirements for the various scholarships and student aid and it was stated during debate that such reductions were believed to be a direct result of deficiencies in the new GPA grading system, which were felt to be disadvantageous to some students.

- b) Policy on Treatment of Permanent Residents

IV REPORTS OF FACULTIES
None Received

V MOTIONS (Appendix M, page 155)

1. That Senate endorse the statements by CAUT and QULA concerning Access Copyright- submitted by Senator Jones

Given that the Association of Universities and Colleges of Canada (AUCC) has signed an agreement with Access Copyright on a model copying-license to cover the reproduction of paper and digital content on university campuses;

Given that the Canadian Association of University Teachers (CAUT) has condemned this model licensing agreement for reasons including excessive fees to students, invasive provisions for surveillance, and a definition of copying (including "posting a link or hyperlink to a digital copy") that is in defiance of "the Supreme Court of Canada's ruling (Crookes v. Newton) that hyperlinks do not constitute the communication or publishing of content" (CAUT, "A Bad Deal: AUCC/Access Copyright Model License Agreement," 17 April 2012); and

Given that Queen's University Librarians and Archivists (QULA) have also written to urge Queen's Provost and University Librarian "not to sign on to the copyright agreement negotiated between the Association of Universities and Colleges of Canada (AUCC) and Access Copyright" (QULA Letter of 7 May 2012),

Moved by Senator Jones, seconded by Senator Scribner, that Senate endorse the statements by CAUT and QULA on this matter; and that it urge Queen's Administration and University Librarian not to sign with Access Copyright for the many good and persuasive reasons enumerated by CAUT and QULA in these statements.

A count was requested. The motion was defeated on vote: 12 in favour, 24 opposed and 3 abstentions.

Senator Jones noted that, since submission of his motion, Queen's had signed a letter of intent with Access Copyright. He noted support for the position by the Society of Graduate and Professional

3. Revised motions concerning Allegations of Research Misconduct at Queen's University and HEQCO – submitted by Senators Morelli, Bridges and Jones.

Motion 1

Given that the Ontario Confederation of University Faculty Associations (OCUFA) has released a "Statement on allegations of research misconduct at Queen's University and HEQCO" (27 April 2012) <http://ocufa.on.ca/2012/ocufa-statement-on-allegations-of-research-misconduct-at-queens-university-and-HEQCO/>

And given that the statement advises OCUFA members "that working with HEQCO requires the researcher to surrender all ownership of, and rights to, the final product" (p. 2), that "The terms of the HEQCO research contract puts serious constraints on the academic freedom of those who undertake HEQCO-funded research" and that "care must be taken to ensure that [. . .] researchers understand the terms and conditions of the HEQCO contract," especially where these researchers are "students and early-career academics,"

Moved by Senator Morelli, seconded by Senator Bridges, that Senate endorse OCUFA's recommendations and take the following practical measures in keeping with its Statement:

That it urge Queen's Research Services (QRS) and Office of Institutional Research and Planning (IRP) to acknowledge OCUFA's caveats concerning "HEQCO-funded research"; and

That it direct QRS to advise all Queen's researchers of the nature of HEQCO (and HEQCO-style) research contracts and of the fact that they put "serious constraints on the academic freedom" (4(g).bt1(4(g)9g 142

The motion presumes that misconduct took place and approving such a motion would be pointless and result in presumption of guilt.

The motion singles out groups and individuals and will be seen as assumption of guilt on their part.

Although the principles expressed in the motion have merit, this is not the business of Senate.

In response to questions from Senator Jones, Senator Harrison replied that:

It is unknown whether a breach of academic integrity took place, why he is conducting an investigation.

The situation is more complex than originally anticipated.

He will report back to Senate once the investigation is complete.

VI COMMUNICATIONS AND REPORTS SUBMITTED TO SENATE

1. Board of Trustees Meeting, May 4, 2012 (Appendix N, page 159)
2. University Council Meeting, May 5, 2012 (Appendix), page 161)
3. Research Report (Appendix P, page 162)

VII MATTERS REFERRED TO STANDING COMMITTEES

1. Clarification of the application of the Senate Policy on Non-Member Participation to Subcommittees of Senate Committees [Referred to the Senate Operations Review Committee (SORC)]
2. Senate minutes corrections process [Referred to the Senate Operations Review Committee (SORC)]

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April 10, 2012

Vice-Principal (Finance and
Administration) Queen's U., K7L 3N6

Dear VP Janiec

Colleagues may technically be in violation of local laws when they collaborate with us: a proposed law in Uganda, for example, would make Ugandan colleagues subject to a 3-year prison sentence for failing to report to the police a researcher who knows information about same-sex practicing individuals, or who advocates (in Canada) for human rights for sexual minorities. Discretion is advised, and a paper trail, *even if falsified*, creates a new risk.

Colleagues whom we invite to visit Queen's will likely feel patronized or offended by the seeming surveillance.

The new guidelines do not merely create difficulties for us and our colleagues as researchers. They will, we anticipate, generate significant additional administrative costs (e.g., thousands of missing receipt forms, hours of admin assistant time adding up misleading numbers, long explanatory memos, requests to the Dean or Provost for "exceptions" etc.). Given that our funding mostly comes from federal granting agencies, we question why and whether provincial guidelines can be applied. Given that the university sees internationalization as a pillar of its future vision, we wonder why you are creating new obstacles to achieving that goal.

Sincerely,

A black rectangular redaction box covers the signature of Marc Epprecht. A thin horizontal line extends from the right side of the box.

Marc Epprecht

(on behalf of the DEVS faculty and staff)

cc. Dean Alistair MacLean

Vice-Provost (International) John Dixon

Vice-Principal (Research) Stephen Liss

Provost Alan Harrison