

Motion for Senate  
February 28, 2012

Moved by Senator Jones

Whereas the legal opinions of Ms. Diane Kelly and of Professor David Mullan are in disagreement concerning the authority of Queen's Senate with respect to decisions that are intrinsically academic in nature or that have significant academic impacts (see Senate Minutes for [April 2009](#) and for November 2011, and David Mullan, "[Discussion Paper for Queen's University Faculty Association on Responsibility for Academic Programs](#)" (Nov. 2009)),

I move that the Senate obtain independent legal advice from a law firm with experience dealing with public law issues that answers the following questions:

In general, what is the authority and responsibility of Queen's Senate with respect to decisions that are intrinsically academic in nature or that have significant academic impacts?

And in particular,

1. Whether the Senate is legally required to consider and approve any decision that will result in the closure of an academic program;
2. Whether the Senate is legally required to consider and approve any decision which may result in the closure of an academic program, including a suspension of enrolment; and
3. Whether the Senate is legally required to consider and approve any decision to merge academic units, or that will result in the merger of an academic program with an academic unit.

Note: The law firm retained shall be provided with any legal opinions on these academic issues prepared by Professor David Mullan and Ms. Diane Kelly, and any other relevant opinions in the possession of Queen's University.