
MAUT Council Meeting

MINUTES

Wednesday, January 27, 2016
McGill Faculty Club 12:00 noon

Present:	
Executive:	D. Lowther, T. Hébert, A. van den Berg, K. Hastings, A. Shrier, A. Saroyan
Council:	E. Shor, M. Richard, C. Riches, R. Sieber, N. Kamran, T. Moore, S. Algieri, D. Titone, V. Raghavan
Regrets:	J. Cooperstock, E. Duffy, K. GowriSankaran, D. Covo
Guests:	A. Campbell, J. Boruff, J. Hobbins
MAUT Staff:	H. Kerwin-Borrelli, J. Varga

D. Lowther called the meeting to order at 12:22 pm. He wished everyone a Happy New Year.

Open Session

1. Approval of Agenda

Council reviewed the Agenda for the January 27, 2016 Council Meeting. There were no changes. K. Hastings moved to adopt the Agenda. Seconded by M. Richard. There were no objections. The Agenda was approved.

2. Approval of Minutes

The Minutes of the December 9, 2015 Council meeting were reviewed. There were no changes. A. van den Berg moved to adopt the Minutes. Seconded by A. Shrier. There were no objections. The Minutes were approved and will be posted on the website.

3. Business Arising

There was no Business Arising.

4. Report on MAUT Winter Magic Event [S. Algieri]

S. Algieri commented on attendance figures for the last three 2015-2016 MAUT Events and remarked an increase from previous years. He also referred to the invoices for the three events and remarked that one for the recent NCS rental has not yet been received. The next meeting of the Membership Committee is scheduled for February 21/16. The Committee will compare statistics from the last two years and discuss plans to increase attendance and build community. He noted the Welcome Gathering [open to all] was a good opportunity to meet new academic staff. There were more children and families attending the Octoberfest Apple Picking 2015 [also open to all]. The members-only Winter Magic Brunch was a success. An evaluation will be sent to those who attended this event with the results forwarded to the Committee. The next planned members-only and child-friendly event will be held at the Redpath Museum on March 20/16 [Birds and Bird Songs].

On January 09/2016, S. Algieri sent a request to Council asking members to suggest and solicit eligible academics to serve as Associates or Adjuncts on the Membership Committee. He listed the Faculties and Libraries that are currently represented and those that are not. The purpose is to designate "go-to" MAUT representatives who will enhance communications and increase membership.

A.Saroyan has developed a membership recruiting presentation that can be adapted per faculty and library. This *will be* circulated to Council and the Membership Committee.

5. Presentation by Associate Provost A. Campbell

Concerning recruitment, A. Campbell noted at the August 2015 Orientation Fair for New Tenure Stream Academic Staff, MAUT had a booth at the Fair and participated in part of a day-long agenda organized by the Administration.

- **New Financial COI [Conflict of Interest] Forms/Process**

Assoc. Provost A. Campbell spoke about simplifying the COI process. The documents circulated were:

- McGill's Significant Financial Interest (SFI) and Consent Form
- McGill's FCOI [Financial Conflict of Interest] in US PHS Funded Research (NIH, etc.)
- McGill's Disclosure of Conflict of Interest – Long Form B: [Financial]

There was general agreement that the Form was lengthy and the Administration has received several complaints. She noted the Dean of Science has forwarded his concerns. She has and will be receiving input on the NIH Long Form B and this issue could possibly be presented at Senate for information on February 17/2016.

D. Lowther has filled out the form last year and inquired if he would be required to do it again, as his compliant responses would be identical. A. Campbell will check with OSR concerning this matter. K. Hastings proposed that MAUT constitute a group to do an in-depth analysis and provide comments on the Form. A. Saroyan proposed that MAUT constitute a group of [three to four] academics with experience on these issues by February 12/16. A. Campbell will forward Dean B. Lennox's document to D. Lowther for this analysis.

A. Saroyan proposed the following motion. Seconded by T. Hébert:

Be it resolved that MAUT Council establish a Consultation Working Group to consider the Conflict of Interest Long Form B document presented by Associate Provost Campbell.

D. Lowther called for a vote. There were no objections. The motion carried.

- **Sabbatic Leave Regulations for TT and Tenured Academics**

A. Campbell will not address issues with maternity/paternity leaves of absence. These will be discussed at CASC meetings. The document circulated was: Regulations on Sabbatic Leaves for Tenure Track and Tenured Academic Staff.

There is a possibility that recruitment of minority representatives and salary differentials will be discussed at Senate in February 2016. She noted there is no merit during periods of stopped performance. Concerning salary differentials and the promotion to full professor, only 20% of female academics are full professors. A. Campbell noted that colleagues recruited at the Associate Professor level with a tenure-track record will have this credited service counted at McGill. She referred to the modification in Section 2.2.1 in Calculation of Credited Service.

Council inquired what would constitute equivalency. A. Campbell responded the equivalency must comply with McGill's standards, as determined by the Associate Provost's Office.

Council discussed the following:

- What happens to colleagues who are not tenure stream but have prior experience?
- Response: they could apply for early tenure. Sabbatical leave eligibility requires a specific time frame.
- Would departments decide the level of credentials?

- The credentials must fit the requirements of the discipline/department and the Dean makes the decision.
- There should be a process entrenched in the department, thereby eliminating any “gentleman’s agreement”.
- McGill should ensure that the Dean’s letter has specific credentials. These letters are finalized by the Office of the Associate Provost [Budget & Resources].
- The letter to the Dean should justify recruiting a new colleague.
- Response: Conditions could be made aware to the Chairs and put into the Regulations.
- MAUT’s response was to specify these conditions in the Regulations.
- These situations may be determined on a case-by-case basis in conversations with the Provosts, Deans and Department Chairs.
- MAUT could submit its recommendations, based on objectives.

Concerning any changes to Article 7.2: **Application of Salary Policy**, this issue will be addressed later.

Concerning the draft document: Guidelines for Developing a Research Portfolio, A. Saroyan proposed the following motion. Seconded by T. Hébert:

Be it resolved that MAUT Council establish a Consultation Working Group to consider the Research Portfolio document under development by Associate Provost Campbell.

D. Lowther called for a vote. There were no objections. The motion carried. *D. Lowther* will forward names to Associate Provost A. Campbell who left the meeting at 1:10 pm.

6. President’s Report [D. Lowther]

- **Update on Statement of Academic Freedom**

David Lowther introduced the discussion of the September 9 2015 Statement of Academic Freedom by summarizing information circulated to Council in advance of the meeting and copied here:

Introductory Comments

The first attachment, the September 9, 2015 Statement of Academic Freedom, found in **Appendix I** to the Minutes for the Jan 27/16 Council Meeting, is the draft of a possible McGill University Statement of Academic Freedom.

This Statement is closely modeled on the MAUT Statement of Academic Freedom adopted by referendum in 2014, and which is posted on the MAUT website:

<https://www.mcgill.ca/maut/current-issues/academic-freedom>

The 2014 MAUT Statement was sent to the Principal as the basis for a possible McGill University Statement of Academic Freedom. The Principal replied in February 2015 with some suggested changes. These changes were addressed by MAUT’s Ad Hoc Committee on Academic Freedom who, in consultation with the MAUT Executive Committee, generated the attached September 9 2015 draft. This draft incorporated some of the Principal’s suggested changes, but not others. The Principal and Provost

have reviewed the September 9 draft and they have indicated they would support the adoption of this as a McGill University Statement of Academic Freedom by Senate. We are therefore close to the culmination of an important project.

The original concept behind adopting an MAUT Statement of Academic Freedom was that it could lead to the adoption of a suitable McGill University Statement of Academic Freedom. Thus, at some point in the process it ceases to be an MAUT initiative and becomes a university initiative.

Now that we have a suitable Statement that should have broad support in Senate, a question arises about how the next steps should take place. This question concerns the "MAUT brand". Does Council think that further steps to have the September 9 Statement adopted at Senate should be "branded" as an ongoing MAUT initiative? Or does Council think that MAUT's role in the process is now over and that, because this is to be the McGill University Statement of Academic Freedom, it should be brought to Senate by members of the university Senate, without any particular role for, or relationship to, MAUT?

Council Discussion

Council discussed the September 9, 2015 statement and considered how to move it forward to Senate.

There was some discussion of wording differences, vis-a-vis the 2014 MAUT Statement of Academic Freedom, in the relationship between institutional autonomy and the defense of academic freedom. It was recognized that no document will be seen as perfect by all but there was a consensus that the September 9 statement was suitable for presentation to Senate for possible adoption as the McGill University Statement of Academic Freedom. Regarding the specific point of institutional autonomy the point was raised that the document does explicitly link institutional autonomy with academic freedom, and that it is important that the concept of institutional autonomy at McGill be codified in this document because if not here, it might arise elsewhere in the university's guiding documents in a setting not intrinsically linked to academic freedom. In addition, it was recognized that whatever McGill University Statement of Academic Freedom may finally be adopted by Senate, the 2014 MAUT Statement of Academic Freedom is, and will remain, MAUT's official conception of academic freedom and that its language can and should guide Council's actions in any future conflict that might arise between academic freedom and institutional autonomy.

While recognizing that MAUT per se does not have a seat at Senate, and that only Senators may bring forward motions, there was a consensus that further steps to bring the September 9 Statement to Senate should be associated with MAUT to the extent possible. Several scenarios were discussed. First, the general Template for Senate Motions includes "BACKGROUND & RATIONALE" and "PRIOR CONSULTATION" sections, and these could be written to show the leading role of MAUT in the overall process. Second, the party moving the motion could have an obvious association with MAUT. Two such Senators are David Lowther, President, and John Galaty, former

President and a member of MAUT's Ad Hoc Committee on Academic Freedom, which formulated the statement adopted by the MAUT membership in 2014. Regarding proposers of the Motion, one suggestion was to have two movers, one associated with MAUT and the other a senior member of the administration, to manifest the bilateral support. An example proposed was David Lowther and Principal Suzanne Fortier. Council did not know for certain whether such a jointly-moved motion is permitted by Senate rules and David Lowther was asked to contact the Secretary-General Stephen Strople, to get an answer to that question.

Another question arose for David Lowther to pursue with the Secretary General. This concerned the question of what "level" of document, in terms of the Statute/Regulation/Policy/Guideline hierarchy of the university's guiding documents, would be appropriate for the McGill University Statement of Academic Freedom.

The discussion also touched on the question of whether the Statement should pass through the Academic Policy Committee en route to the Senate floor. There was a consensus that this should be avoided if possible because, with buy-in by the senior administration already established, the APC route would not be necessary, and because the APC, or any other committee charged with bringing the statement forward to Senate, might modify the text in a lengthy and likely unfruitful process.

7. VP Finance [K. Hastings]

- **MAUT Participation in All Employee Group Information Sessions with the Provost and VP Administration & Finance**

K. Hastings noted that other employee groups have remarked MAUT's absence at the meetings. MAUT will contact the VP Finance & Administration for clarification and an invitation.

K. Hastings moved and M. Richard seconded the following motion:

Whereas:

- 1. MAUT has promoted communication among various elements of the larger university community through establishment of the McGill Communities Council (formerly known as Citizens' Council) following a recommendation of the "Governance, Protest, and Security – Report of the MAUT Committee on the Implications of the Events of 10 November 2011" (March 2012).*
- 2. All other university employee groups, with the exception of MAUT, have been participating in regular information meetings with the Provost and Vice Principal, Administration and Finance.*
- 3. MAUT has not participated in these meetings because it has not been invited.*
- 4. MAUT was not invited apparently because, in establishing these meetings several years ago, the Vice Principal, Administration and Finance considered that the other employee groups did not have the same structured accessibility to the administration that MAUT enjoys.*

5. *Other employee groups, noting MAUT's absence, have indicated that MAUT's presence at these meetings would be welcome.*
6. *MAUT's participation in these meetings would contribute to a sense of community across the university.*
7. *MAUT would benefit from being aware of information that the other employee groups are receiving at these meetings.*
8. *MAUT's participation in these meetings, which are for information only, and not decision-making, would have no impact on its continued participation on deliberative parity committees such as the Committee on Academic Staff Compensation.*

Therefore be it resolved that:

MAUT seek to participate in the regular information meetings of all university employee groups with the Provost and Vice-Principal.

D. Lowther called for a vote. There were no objections. The motion carried.

8. VP Internal [A. Saroyan]

- **Plans for MAUT's 15th Tenure & Mentoring Workshop [April 21/2016]**

This Workshop will be for MAUT members only and will precede the Spring General Meeting at the Faculty Club. A request will be sent out for presenters and panel members [for break-out groups] with relevant experience. The target audience is the tenured and tenure-track academics. The presenters will provide the general perspective of the tenure process, the Teaching Portfolio [Teaching & Learning Office] and the Renewal Process. Three invited speakers will be asked to present both their good and difficult experiences in achieving tenure and renewal. To kickstart the planning, a list of all eligible academic staff will be requested from HR. Publicity will be sent to the Listserv, the Reporter and to deans, chairs and administrative officers.

9. VP Communications [A. Shrier]

- **MAUT Newsletter**

A.Shrier has asked for articles to be forwarded to the MAUT office for the next Newsletter.

- **CAUT Communications and Media Workshop**

CAUT's Communications Officer, A. Regnier, will conduct a half-day Workshop at the Faculty Club on February 03/2016.

10. Discussion Paper on Regulation and Policy Consultations [M. Richard]

M. Richard summarized the recommendations which can be distilled from the Discussion Paper on Regulation and Policy Consultations which he prepared. These are:

- 1) MAUT and the Administration should meet to establish a clearer understanding of how the consultation process for proposed regulation and policy changes should work.

- 2) Such consultations should be guided by two principles:
- a) There has to be a recognition that MAUT has a formal defined written process for consultations, and that this process needs to be respected and followed, not bypassed or appropriated by the Administration.
 - b) The amount of time and care taken to consider a particular proposal should be proportional to the particulars of the case; if the proposed changes are controversial or complex or have a major impact on academic staff, the consultation process has to allow enough time for it to produce a document which everyone finds satisfactory (or at the very least acceptable), even if this means delaying the proposal's presentation to Senate.
- 3) MAUT needs to consider what its options are for dealing with situations in which the consultation process is not followed at all, or is followed in a way which MAUT does not consider satisfactory, or produces an outcome which MAUT does not consider satisfactory.

A. van den Berg inquired about MAUT issuing a formal statement that the Association needs adequate time for consultation. In the preface and background to the Discussion Paper, M. Richard emphasized the need for adequate time for consultation. MAUT's consultation process is essential for reviewing documents, zoning in on problems, and providing input into their solutions. MAUT's role in the consultation process must be recognized when changes to Regulations and Policies come to Senate. It could be necessary to have MAUT's By-Law on Consultation publicized annually.

K. Hastings thanked M. Richard for his in-depth analysis in the Discussion Paper on Regulations and Policy Consultations, with sections, following the Preface that focused on Background Information, Consultations with MAUT, Issues and Concerns, and MAUT and Senate. He noted that MAUT needs lead time for the consultation process to be collegial and to prevent any unilateral decisions and changes, such as those recently involving McGill Pensions and Benefits. With this proactive process, Council will receive a report on the results of every consultation.

11. VP External [A. van den Berg]

- **Nominations to CAUT Standing Committees: B. Gillon and C. Riches**

A. van den Berg reported that B. Gillon had been nominated to the CAUT Academic Freedom and Tenure Committee and C. Riches to CAUT's Committee on Contract Academic Staff.

- **Request from the FQPPU**

The FQPPU has requested an Anglophone representative to sit on its selection committee that awards the annual Guy-Rocher Prize. A request was sent to the Listserv.

J. Hobbins left. Council moved into its Closed Session.

12. Adjournment

D. Lowther asked for a motion to adjourn. R. Sieber moved to adjourn the meeting. Seconded by T. Hébert. Unanimously approved. The meeting adjourned at 2:19 pm.

Appendix I

September 9, 2015 Statement of Academic Freedom

Academic freedom is central to McGill University's mission of advancing learning through teaching, scholarship and service to society.

The scholarly members of the university have the freedom to pursue research and artistic creation and to disseminate their results, without being constrained by political or disciplinary orthodoxies, monetary incentives or punitive measures as a result of their academic pursuits.

They may exercise this freedom in the service of both the university and the wider society.

When scholarly members of the university participate in public forums and debates, they should represent their views as their own.

The exercise of academic freedom requires collegial governance with the full participation of scholarly members. They retain the right of free expression, including the freedom to criticize one another, the university, its policies and its administration.

The university and its officers have a duty to protect the academic freedom of its scholarly community, both individually and collectively, from infringement and undue external influence as well as to maintain the university's institutional autonomy.