

University of Waterloo
SENATE EXECUTIVE COMMITTEE
Minutes of the May 28, 2024 Meeting
[in agenda order]

Present: Avery Akkerman, Jeff Casello, Judy Castaneda, Laura Deakin, Mark Ferro, Vivek Goel (chair), Mike Grivicic (secretary), Christiane Lemieux, Carol Ann MacGregor, David Porreca, Mary Robinson, James Rush, Rida Sayed, James Skidmore, Sharon Tucker, Clarence Woudsma

Guests: David DeVidi, Jenny Flagler-George, Genevieve Gauthier-Chalifour, Diana Goncalves, Andrea Kelman, Tim Weber-Kraljevski

Regrets: Mark Ferro

The chair welcomed new members to the meeting and noted that the request for a special Senate meeting will be discussed at this meeting along with the draft Senate that was distributed.

1. MINUTES OF THE APRIL 22, 2024 MEETING AND BUSINESS ARISING

A motion was heard to approve the minutes as distributed. Porreca and Deakin. Carried. There was no business arising.

2. SENATE GOVERNANCE REVIEW – PROGRESS TO DATE, AND PLANNED ACTIVITY TO ADDRESS REMAINING RECOMMENDATIONS

Gauthier-Chalifour provided an overview of the report and observations gleaned, noting particularly comments suggesting an earlier start time for Senate meetings. Casello noted that discussions on the structure of Senate Graduate & Research Council are ongoing. This item was received for information.

3. GUIDELINES FOR VISITORS TO SENATE MEETINGS

Goel noted that work on these guidelines commenced several months ago, and that a version was discussed at the previous committee meeting where feedback received has now been incorporated. A similar document is also in development for the Board of Governors. Gauthier-Chalifour detailed the amendments made since the previous meeting and noted that not all suggestions had been incorporated into the draft. Members noted potential further amendments: section 4.4 would correctly apply to all of Senate; inclusion of text at the top of the document to speak to the general purpose of Senate; in section 7, include some allowance for exceptions e.g. “with permission”; adjust language in 3.1 that visitors are asked to register. Members may send further comments through the Secretary, and a revised version will be brought forward to the September meeting.

4. ELECTION TO SENATE COMMITTEE ON BEHALF OF SENATE

A motion was heard to elect Natalie Doan as the graduate student representative from the Faculty of Health on the University Committee on Student Appeals, term to 30 April 2025, on behalf of Senate. Casello and Skidmore. Carried.

5. DRAFT JUNE 10, 2024 SENATE AGENDA

The chair noted that a request for a special meeting of Senate been received, and the committee will review the draft Senate agenda included with the committee’s agenda and then will consider the request.

Members discussed the draft agenda: to conserve time for discussion at the special Senate meeting, items 7 (Faculty update presentation) and item 8 (presentation on Waterloo Accessible Education Project) will be deferred; items 9 and 14 moved to the consent agenda; item 15 will be removed, as the guidelines for visitors to Senate meeting is still under development following the committee’s discussion at this meeting. A motion was heard to approve the Senate agenda as amended. Deakin and Porreca. Carried.

Separately from discussion of the draft agenda, a question arose regarding the suspension of two programs in Arts and whether it would be appropriate for Senate to hear more on those happenings – members noted that the programs in question are declared after a student arrives rather than a direct admission, and that the action taken relates to the allocation of scarce resources within the Faculty. It is important for Faculties to find ways to have those types of significant conversations, and practices are not uniform across Faculties.

The committee considered the request for the special meeting, with free-flowing discussion amongst members and a variety of options and views being discussed transitory to the eventual decision. A concise summary of the key points and outcomes is provided:

On Friday, May 24, 2024, the University Secretary received a request for a special meeting of Senate. The request and accompanying submission were reviewed to confirm it was put forward appropriately under Senate Bylaw 1, section 3.04(a)(ii). The meeting was requested “in response to increasing tensions on campus and in order to discuss concerns raised by students, faculty, and staff, regarding the university’s investments and partnerships with certain institutions.”

Senate Executive Committee affirmed its responsibility to prepare the agenda for all regular and special meetings of Senate, pursuant to Senate Bylaw 2, section 1.04(c). The committee reviewed the material submitted for the proposed meeting, with scrutiny and examination for completeness in the submission, as is undertaken for all prospective items of Senate business and in its preparation of the Senate agenda.

- That the request for a special meeting was submitted appropriately and in accordance with Senate bylaws
- Logistical considerations for the special meeting, including: holding a meeting on a different date/time; seven day notice period and upcoming convocation ceremonies constrain available dates ahead of June 10; potential to extend the time held for the June 10, 2024 regular Senate meeting, and moving some planned items to a future meeting or the consent agenda to provide sufficient time for the special meeting and to debate the matters proposed for discussion
- The proposed regular Senate meeting agenda, including the planned content of the President’s Report which addresses related matters that were raised at recent meetings of Senate
- The materials submitted with the request for the special meeting, including draft reports and motions for Senate consideration

The University Secretary briefed the committee regarding the powers assigned to the Senate and Board of Governors, respectively, through the *University of Waterloo Act, 1972* (the “Act”), including:

- The relative powers allocated to the Board and Senate by the Act
 - The Senate is primarily empowered to establish the educational policies of the University, and may make recommendations to the Board of Governors with respect to any matter relative to the operations of the University
 - The relative powers allocated to the Board of Governors and the Senate by the *Act* to Senate by the *Act*; for the former, the general authority encompasses power related to the University’s investment funds
 - The authority for decisions on specific institutional partnerships is delegated to administration; the Board of Governors and the Senate provide the policy framework for research or academic partnerships
- An assessment that one of the draft reports and its accompanying motion would not have force as it is written *ultra vires* and would pose a governance risk to Senate in attempting to go beyond its legal power and authority (details on this assessment are included below)
- The role of the committee in setting the agenda for the requested special meeting, including review of the submitted material for completeness and in the context of Senate’s specific powers as provided in the Act

The President provided an overview of the planned update for Senate, specifically with regard to questions raised at recent Senate meetings and as a follow-up to the communication issued on May 9, following the May 6, 2024 Senate meeting, including:

- There has been considerable dialogue on our campus with multiple meaningful engagements, including at meetings of Senate and the Board of Governors, on the issues of concern that have been raised
- The University has already made commitments to work towards addressing the important questions that have been raised
- Plans for a ‘Task Force on Institutional Partnerships’, following the commitment made at the May Senate meeting, which would include an environmental scan of leading practices, substantial consultation within the campus community and developing guidelines on such partnerships, with that work to be informed by the outcomes of the Task Force on Free Expression and augmented by existing best practices for assessing institutional partnerships (including Policy 7 on Gift Acceptance); it is proposed that the Task Force be struck in June 2024, with a call for nominations that month such that work may commence immediately and a final report by the end of calendar year 2024
- Plans for a ‘Task Force on Social Responsibility in Investing’ with the Board of Governors having previously approved the integration of environmental, social and governance (ESG) factors into the formal decision making around University investments, it was observed that much of the focus at that time was on the environmental dimensions and that there is a basis to revisit the ESG commitment in the context of

enhancing the social factors including impact on human rights, social justice, equity, diversity, and inclusion; it is proposed that the Task Force be struck in June 2024, with work to commence immediately and a final report by the end of calendar year 2024

- Disclosure of investments –the Board’s Finance & Investment Committee has agreed to a proposal that the University transparently disclose its direct holdings along with passive and active pooled investment funds

The committee considered the aforementioned information in parallel with the documentation submitted with the request for the special meeting:

- Not all the signatories to the special meeting request are necessarily in favor of the reports and motions as written, but the signatories feel that the issue requires some definitive discussion and resolution at Senate. It was noted that some of the signatories are members of the Senate Executive Committee.
- Bringing forward the reports and motions as submitted would not provide a balanced view of the matters under consideration, and there would potentially be alternative viewpoints or additional points that could be considered which may not agree with those provided in the submissions
- Adapting the submitted motions such that Senate may consider those items in potentially making recommendations to the Board of Governors
- It would not be appropriate for Senate to scrutinize partnerships with individual institutions, particularly in the absence of a framework or principles to inform such a debate
- In prospectively scrutinizing any partnership, it would be important to inventory the potential impacts of deciding to sever a partnership (e.g. impacts on faculty and students, costs to the institution, opportunities/benefits that would be forgone) and to understand what information is needed to be able to fully assess a given partnership
- Bringing forward a framework to evaluate partnerships will be helpful and will show that Senate earnestly wants to address these matters
- Engagement via task forces and extending consultation within the campus community will mobilize the University community and drive engagement
- Currently it is the law that sets the boundaries on University partnerships (e.g. countries that Canada has sanctioned). The University would need to take additional steps to enunciate its own principles to augment those legal requirements
- Quarterly reporting for investment disclosures is unlikely to be feasible, and annual disclosures are practical as the University’s investment holding period is on the order of years

Following the committee’s discussion, members arrived at a consensus:

- The special meeting will be held on June 10, the same day as the upcoming regularly scheduled meeting
- The special meeting will start at 3:00 p.m. and run for 90 minutes to 4:30 p.m., to be followed by a 15 minute break, and thereafter to be followed by the regular Senate meeting
- The agenda of the special meeting will include:
 - A written report from the committee on the handling of the special request, with detail on the points of consideration that were facilitated to the committee to provide sufficient context for Senate’s consideration of the items
 - Report from the President as planned for the regular Senate meeting, given it is germane to the purpose of the meeting as requested
 - Motions amended from those put forth by the signatories to the request for the special meeting, with the amended motions to be congruent with Senate’s mandate to allow Senate to appropriately debate those items of business. The Secretariat will liaise with the proponent to amend the motion wording in congruence with the consensus view of committee members

Based on the above, a motion was heard to approve the special meeting agenda, and amendments to the main meeting agenda, subject to final review prior to issue as discussed. Casello and Robinson. Carried.

6. OTHER BUSINESS

There was no other business. With no other business, the committee moved into confidential session.

The next meeting of the committee will be Monday September 9, 2024.

August 15, 2024

Mike Grivicic
Associate University Secretary