

POLICY ON BILINGUALISM AT LAURENTIAN UNIVERSITY

Prepared and revised by the Joint Committee on Bilingualism

Adopted by the Senate, December 13, 2005

Adopted by the Board of Governors, February 10, 2006

Adopted by the Senate, May 21, 2013

Adopted by the Board of Governors, December 2013

Whereas

1. the preamble in the “Act to Incorporate Laurentian University of Sudbury” declares that this institution is a “bilingual and institution”;
2. English and French are the official languages of the University;
3. the University has as part of its mission the development of the Aboriginal and Francophone communities of Northern Ontario;
4. nothing in the current policy shall infringe upon the maintenance and the development of programs and services designed for the Aboriginal population;
5. the University maintains that bilingualism constitutes in itself a cultural value, and that in some disciplines and programmes it is an important condition of academic excellence;
6. the University maintains as well that bilingualism constitutes an educational value, since it allows for the development of an educational and living environment that fosters exchanges and the development of mutual respect between the two official language groups;
7. the bilingual character of the University is expressed in the bilingualism of its programmes, its central administration, its general services, the internal administration of its faculties and schools, its teaching staff, its support staff and its student population;
8. while encouraging the development of its present programmes which, notwithstanding their varied linguistic requirements, contribute to the affirmation of, and benefit from, the bilingual character of the University, the University must continue to improve the quality of its programmes offered in French, in English and in both official languages;
9. the central administration of the University will reflect the bilingual character of the institution, and its general services must be able to communicate in both official languages with the university community and the general public and to serve equally well members of both linguistic groups;
10. the University’s bilingual character is manifested by the quality of its official communications in both languages;
11. the faculties of the University must assure bilingual services to the extent required by the nature of their programmes and courses and the composition of their student population;
12. the University shall fully respect the acquired rights of its teaching personnel, support staff and students who are at the University at the moment of the coming into force of the regulation , including any collective agreements;

13. this policy will respect the various areas of responsibility of the Board of Governors, Senate and the administrative bodies, and the collective agreement;

14. the entire community is responsible for the respect and application of the Policy on Bilingualism;

THEREFORE, the Board of Governors and the Senate of the University adopt the following regulation.

1.0 DEFINITIONS

In this policy, the following definitions apply:

- a) CENTRAL ADMINISTRATION - means collectively the President, Vice-Presidents, the Deans, The Library, The Registrar, Administrative departments and all other areas of similar responsibility.
- b) FUNCTIONAL BILINGUALISM - means active knowledge of both official languages;
- c) RECEPTIVE BILINGUALISM - means active knowledge of one of the official languages and passive comprehension of the other official language;
- d) UNIVERSITY COMMUNITY - means the students, the personnel, and the members external community who, due to their appointment to committees or councils (e.g. the Board of Governors) are an integral part of the University;
- e) JOINT COMMITTEE - means the Joint Committee on Bilingualism designated by Senate and the Board;
- f) OFFICIAL COMMUNICATION - means any communication in whatever form and in the broadest sense issued by the central administration and its general services (such as: answering telephone calls, recorded messages, letters, memos, posters, temporary or permanent signs, Internet and Intranet sites, or any other official document, etc.);
- g) ACTIVE KNOWLEDGE OF A LANGUAGE –means proficiency in the active functions of a language, namely oral and written expression in that language;
- h) PASSIVE KNOWLEDGE OF A LANGUAGE - means proficiency in the passive functions of a language, namely the ability to understand that language in its oral and written form;;
- i) BOARD - means the Board of Governors of Laurentian University;
- j) *OFFICIAL LANGUAGES* - means English and French; and
- k) PRINCIPAL LANGUAGE - means the official language which is the only or predominant working language of the members of an academic unit or a general service of the University, or a functional division thereof, or which is the only or predominant language used in an academic programme ;
- l) SECOND LANGUAGE - means English or French, depending on whether the language communication is French or English
- m) SENATE - means the Senate of the University;
- n) ACADEMIC UNIT - means a Department or a School as approved by Senate;

- o) BILINGUAL SERVICE - means a service which is available in English and in French;
- p) GENERAL SERVICES - means all the services reporting directly to the University's central administration which are not designated as academic units;
- q) EDUCATIONAL SERVICES - means the range of activities in support of teaching and research and such student procedures as admission, registration, guidance, etc.;
- r) UNIVERSITY - means Laurentian University of Sudbury, as defined in the Act to incorporate Laurentian University of Sudbury, Statutes of Ontario, 1960, Chapter 15, as amended by Chapter 154, 1961-1962.

2.0 GENERAL POLICY

- 2.1 English and French are the official languages of the University.
- 2.2 The University's objective is to offer services of equal quality in both languages to the University community, and to the general public.
- 2.3 All general services will be equally accessible in English and in French. For academic services, refer to subsection 10.0.
- 2.4 The Board of Governors, by way of the President and the Joint Committee on Bilingualism, will ensure that the present Policy on Bilingualism is respected as soon as it is adopted.
- 2.5 Service contracts will respect the pertinent regulations of this bilingualism policy.

3.0 BOARD OF GOVERNORS

- 3.1 Either of the official languages may be used:
 - a) at meetings of the Board and its committees; and
 - b) in any document or correspondence which is addressed to the Board and to its committees.
- 3.2 At its meetings, every member of the University community has the right to express himself/herself and be understood in the official language of his/her choice.
- 3.3 The minutes and documents of the Board will be issued simultaneously in both official languages.
- 3.4 Either the French or the English language may be used at any meeting of the Board and in any documents or correspondence with or by the Board and the minutes and records of a formal nature shall be in both languages.

4.0 SENATE

4.1 Either of the official languages may be used:

- a) at meetings of Senate and its committees; and
- b) in any correspondence or document which is addressed to Senate and to its committees.

4.2 At Senate meetings, every member of the University community has the right to express him/herself and to be understood in the official language of his/her choice. It is desirable that all members of Senate and its committees have at least a passive knowledge of their second language, i.e. English or French as the case may be.

4.3 Senate minutes and documents will be issued simultaneously in both official languages.

4.4 The minutes and documents of Senate standing and ad hoc committees will be written in the language actually used in the remarks or the motions, unless Senate decides that they will be issued simultaneously in both official languages

5.0 GENERAL SERVICES AND ACADEMIC SERVICES

5.1 Either of the official languages may be used:

- a) at meetings of general services departments, academic units and their committees; and
- b) in any document or correspondence which is addressed to general services departments, academic units and to their committees.

5.2 At such meetings, the translation of a statement or question can be obtained by request to the Chair.

5.3 The minutes and reports produced by general services, academic units and their committees will be written in the language in which the comments and motions were made.

6.0 OFFICIAL COMMUNICATIONS

6.1 Communications from central administration, general services and academic units addressed to the entire faculty, support staff or student body will be issued simultaneously in both official languages.

6.2 In special cases, official communications may, at the Vice-President, Francophone Affairs's discretion, be made in only one of the official languages when this is justified by the nature of the communication.

6.3 Any official communication addressed to a member of the University community will be in the official language chosen by the recipient.

7.0 POSITIONS REQUIRING FUNCTIONAL BILINGUALISM

7.1 Designation of all positions requiring bilingualism must be done according to the following two criteria:

- a) Will the applicant be supervising personnel who work in both languages ?
- b) Will the applicant be responsible for services offered in both languages ?

In the case of administrative or support personnel, Human Resources Services will recommend to the Vice president, Francophone Affairs, if a position is designated as bilingual. In the case of academic officers, the designation is recommended by the immediate supervisor.

In all cases, the office of the Vice-President, Francophone Affairs, must approve the determination.

The list of positions requiring functional bilingualism will be updated on a quarterly basis by Human Resources Services.

7.2 Evaluation of the level of bilingualism of the staff hired will be administered by Human Resources.

- 7.3 a) Except as stipulated in 7.3b), the Board will not consider a recommendation from a search committee to appoint a candidate who is not sufficiently fluent in both English and French for the positions of senior academic administrators who oversee both English and French speaking faculty members: President and Vice-Chancellor; Vice-President, Academic and Provost; Deans of Faculties offering both English-language and French-language programs; University Librarian.
- b) Consistent with the University's Aboriginal Equity Initiative and its desire to address the underrepresentation of Aboriginal faculty and staff, the Board will consider a recommendation from a search committee to appoint to the positions identified in section 7.3 a) a candidate who is not sufficiently fluent in both English and French, if this candidate self-identifies as First Nation, Metis or Inuit. Eligibility for renewal for a second term will be contingent on the candidate having become sufficiently fluent in both English and French.

7.4 No exception can be made without the written permission of the Vice-Presidents, Francophone Affairs . This permission will indicate:

- a) the reasons given for making the request for permission and for its acceptance;
- b) the special steps, clearly stated and applicable, taken in order that the services offered by the incumbent be made available in both official languages;
- c) the time allowed to the incumbent to acquire the necessary linguistic competence; the time allowed will not exceed five (5) years.

7.5 It is understood that the exceptions authorized under subsection 7.4 are at the staffing level and as such, are positions of a temporary nature. The authorized exception does not modify the bilingual character of the position.

7.6 The Vice-President, Francophone Affairs will submit annually to the Board a written report justifying the exception granted, the special measures adopted and their follow-up. A copy of this report will be forwarded to the Joint Committee on Bilingualism for comments before going to the Board.

8.0 PROGRAMMES OF STUDY

8.1 In terms of bilingualism, the University's existing academic programmes may be classified as follows:

a) On the basis of the languages used in teaching, the following distinctions will be made among:

- (i) unilingual programmes: those in which all courses are given in only one of the official languages;
- (ii) bilingual programmes through parallelism: those in which all courses are given in both English and French so that a student may, if he/she wishes, study in one language without restricting his/her freedom of choice amongst special orientations authorized by his/her programme;
- (iii) bilingual programmes with predominance of one of the official languages: those in which requisite courses are given in both official languages, but in which a majority of the optional courses are offered in the predominant language, such that a student may take courses in one language, but at the cost of restricting his/her freedom of choice of special orientation;
- (iv) programmes in which another language than English or French is taught.

b) On the basis of academic regulations, the following distinctions will be made among :

- (i) programmes in which no linguistic competence is imposed by regulation as a condition for the degree, except the knowledge of the language required for registration in the courses;
- (ii) programmes which, by regulation, require as a condition of graduation, a level of knowledge of the second language to be shown by success in a test administered at the beginning of such studies at the University or by success in a second language course or courses specified in such programs.

9.0 FACULTY MEMBERS

- 9.1 In its management of faculty members, the University will continue to reinforce the bilingual nature of the institution.
- 9.2 When this Policy on Bilingualism is adopted, the University will honour in every respect the rights acquired by its present faculty members in its collective agreement.
- 9.3 The University will make use of incentive measures only to encourage members of the faculty members who are on active duty when this regulation comes into force to improve as may be required, their knowledge of one or the other of the official languages.
- 9.4 a) After the coming into force of this regulation, the University will, unless an exception is made, hire as members of the faculty members only persons who are at least receptively bilingual, or who commit to attaining this level of linguistic competence.
- b) A faculty member hire on the basis of this commitment will not be able to obtain tenure until the commitment has been fulfilled.
- d) Mechanisms for evaluating the level of bilingualism of teaching staff will be established and applied when hiring or awarding tenure to faculty members, except in situations where an exemption is made.
- 9.5 Notwithstanding paragraph 9.4(1), applicants for faculty positions from the specified under-represented groups will be given special consideration in accordance with the Employment Equity Policy, with respect to the initial bilingualism requirement, provided the commitment to attain this level of linguistic competency is given as indicated in 9.4(1).
- 9.6 A faculty member hired under the terms of paragraph 9.4(1) will not normally be granted tenure unless he/she has reached the level of receptive bilingualism.

In the case of an Aboriginal person, an exemption will be automatically made.

In the case of personnel appointed with tenure special arrangements may be made.

Where such special arrangements have been made in a particular case, the Vice-President, Francophone Affairs, must invariably show in writing:

- a) the nature of the special arrangements;
- b) the reasons for such measures; and/or
- c) if applicable, the length of time granted to the incumbent to attain receptive bilingualism, and the consequences to of the non-fulfillment of this mutual understanding.
- 9.7 The University will provide French and English courses for the benefit of members of the teaching personnel who wish to improve their knowledge of either official language; the

participation of these members will be voluntary, without cost and subject to such regulatory provisions as the University may adopt.

10.0 THE STUDENTS

- 10.1 A student will not be admitted to a programme of study unless he/she has a sufficient knowledge of the language or languages of instruction of the courses required by his/her programme. Each programme will clearly indicate the linguistic requirements needed to succeed.
- 10.2 Each of the faculties is encouraged to implement appropriate measures to assist its students to acquire at the very least a passive knowledge of the second language.
- 10.3 a) Every student has the right to use English or French in his/her dealings with the University's central administration and general services, and with the administration of the academic units in which he/she is registered insofar as they offer courses in that language.
- b) The University will provide the requisite courses and a sufficient number of the elective courses announced in its Academic Calendar in one of the official languages so that a student can complete his or her programme, in the language announced for the programme, within the normal time limits.

11.0 ADMINISTRATIVE AND SUPPORT STAFF

- 11.1 In its management of teaching and support personnel, the University will endeavour to reinforce the bilingual nature of the institution.
- 11.2 When this Policy on Bilingualism is adopted, the University will honour in every respect the rights acquired by its present administrative and support staff.
- 11.3 For employees who wish to improve their knowledge of one or the other official language and to whom no obligation has been imposed regarding bilingualism, the University will use incentives, at its discretion, to encourage them to do so. It is understood that no measures will be imposed on any employee in office at the time this policy is approved.
- 11.4 For positions occupied by administrative and support staff, the University will determine, given the duties they are required to perform, the nature of the relations they might have with the University community and the general public; and it will define the level of bilingualism required for each of these positions.
- 11.5 The University will provide English and French courses for members of its personnel wishing to improve their knowledge of either official language. For these members, participation will be non-compulsory, free of charge, and subject to any regulations which the University may subsequently approve.

12.0 JOINT COMMITTEE ON BILINGUALISM

12.1 The Joint Committee on Bilingualism is responsible for evaluating the progress of the implementation of this policy. To this end, it will inform the Board on a regular basis and submit an annual report to the Board and to Senate. The Board and Senate will ensure that the Joint Committee has significant representation from both official language groups.

12.2 The Committee's voting members are :

- The Vice-President, (Francophone Affairs) (ex officio)
- Four members of the Board of Governors,
- Four members appointed by Senate, including one faculty member, one student and one member of the non-academic support staff.

12.3 The Terms of Reference of the Joint Committee on Bilingualism are as follows:

Generally speaking, to promote bilingualism at Laurentian University and to make appropriate recommendations to Senate and to the Board of Governors and more specifically:

- (a) advise the President on official language matters at the University;
- (b) make recommendations to Senate and the Board of Governors on official language matters at the University;
- (c) review the annual report of the Vice-President, Francophone Affairs, justifying exceptions to the policy with respect to the staffing of bilingual positions;
- (d) periodically review (and at least every five years) the University's Policy on Bilingualism and propose changes, as required;
- (e) undertake any other function which may unfold from its mandate.

12.4 The Joint Committee on Bilingualism will meet at least once per semester (fall and winter).

12.5 Quorum for the Joint Committee on Bilingualism is five members, including three voting members of the Board of Governors.

12.6 Secretarial support for the Committee is provided by the Office of the Vice-President, (Francophone Affairs).

12.7 In the course of its duties, the Joint Committee on Bilingualism can create subcommittees.

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