

NOTICE OF MEETING

There will be a meeting of the Senate
on, Friday, January 11, 2019, at 2:30 p.m.
Room 203 in the Anthony P. Toldo Health Education Centre

A G E N D A

- 1 Approval of Agenda** (Unstarring agenda items)
- 2 Minutes of the meeting of December 14, 2018** SM181214
- 3 Business arising from the minutes**
- 4 Outstanding Business/Action Items**
- 5 Reports/New Business**
 - 5.1 Report from the Student Presidents** UWSA-Information
(UWSA, GSS, OPUS) GSS-Information
OPUS-Information
 - 5.2 Report of the Interim President** Douglas Kneale
 - 5.3 Report of the Academic Colleague** Philip Dutton
Sa190111-5.3
 - 5.4 Senate Student Caucus** Katherine Quinsey
 - 5.5 Program Development Committee** Greg Chung-Yan
 - 5.6 Academic Policy Committee** Antonio Rossini
 - 5.7 Senate Governance Committee** Douglas Kneale
 - 5.8 Report of the Provost** Jeffrey Berryman
To be distributed
 - 5.9 Report of Vice-President, Research and Innovation** K W Michael Siu
- 6 Question Period/Other Business**
- 7 Adjournment**

Please carefully review the 'starred' (*) agenda items. As per the June 3, 2004 Senate meeting, 'starred' items will not be discussed during a scheduled meeting unless a member specifically requests that a 'starred' agenda item be 'unstarred', and therefore open for discussion/debate. This can be done any time before (by forwarding the request to the secretary) or during the meeting. By the end of the meeting, agenda items which remain 'starred' (*) will be deemed approved or received.

**University of Windsor
Senate**

5.3 Report of the Academic Colleague

Item for: **Information**

Academic Colleagues met in Toronto on December 11 and 12, 2018.

Dinner Meeting, December 11, 2018.

Conversation with Jamie Cameron, Professor, Osgoode Hall Law School, York University

Professor Cameron met with Academic Colleagues to discuss the intersections between free speech and human rights issues.

Dr. Cameron discussed freedom of expression from the view of a constitutional lawyer. She started with the Canadian Charter of Rights and Freedoms (section 2b) regarding freedom of expression and freedom of the media and pointed out that the Charter protects all content of expression without regard to merit; the Charter is content neutral. The Charter also sets an equilibrium between rights and permissible limits in Section 1.

There are two types of permissible limits:

- Limits on expressive content, when an activity is harmful (“harm,” is not well defined)
- Process limits: expressive activity isn’t permissible in every time, place and manner.

Criminal law also places limits on expression, and, in addition, there are civil law restrictions. There were various points of discussion around hate speech with the colleagues.

It is important that universities respond to expressive freedom questions in a principle driven (rather than ad hoc) way.

- “Free speech statements can be anodyne or capacious with respect to views on limits.” The development of deliberately inoffensive and flexible policies may result in battles fought in implementation.
- Campus histories and settings will likely be reflected in implementation as well.

A fairly far ranging discussion ensued around a variety of topics that had been raised, either during initial remarks or from subsequent remarks by colleagues.

Academic Colleagues Meeting, December 12, 2018.

Dinner Debrief

Colleagues discussed the “request” of the government for development of free speech policies. The government is seen to be inappropriately intervening in internal issues and the colleagues discussed the insidious nature of the government request that infringes on the freedom of institutions to govern themselves. That being said, they felt that this matter does not seem to be a “hill to die on”. An approach was supported, which is the route most institutions are following, collating existing policies, bylaws, and procedures.

Of particular concern are future requests that the government might make, around the topic of “efficiencies” for example.

The Student View: Ikram Farah & Stephanie Bertolo (McMaster Students Union)

Ikram and Stephanie joined the Colleagues to talk about student perspectives and experiences. A number of questions were posed to assist in guiding the discussion:

- What free speech issues are emerging in classrooms?
- How would our guests describe the range of student perspectives on free speech?
- How can students be best engaged on free speech?
- What risks exist for marginalized students?
- What does safety or harm mean to students? How do we best balance unfettered inquiry with equality values?
- What guidance do student association leaders give to student groups?
- What actions do students hope faculty will take?
- How can faculty help students deal with free speech issues?

The discussion with the students was wide ranging and covered topics from feeling safe speaking up in a classroom discussion to the invitation to campus of a controversial speaker (Jordan Petersen repeatedly came up). Conversation was had about encouraging peaceful protest. Student unions have their own policies which they use to advise clubs on campuses. A lot of the concern enunciated by the students centered around the uncertainty of the procedural and enforcement changes as a result of the new “policies”.

Colleagues offered some perspectives about what is happening on their campuses. Many are focused on implementation, and there was some discussion about possible changes that may occur. It was pointed out that we do not see protests every day, but speech happens in classrooms every day. Colleagues talked about creating accountable spaces, not just safe spaces. It is important to prepare students to express freely, and also to be socially responsible and accountable to/for engagement with others. Respect should be embedded in our pedagogy.

COU Update

COU Advocacy: The COU continues to push an advocacy strategy with the government, participating in an MPP Policy Breakfast around the ending of “Hallway Healthcare”, and in opening conversations about the “cutting of inefficiencies”.

Fall Economic Statement: The FES focused largely on the government’s commitment to finding efficiencies, making every dollar count and getting the province’s books in order, while also highlighting the importance of trust, transparency, accountability and affordability.

Some FES highlights:

- The government will cancel plans to proceed with a new French-language university.
- The government will explore opportunities to expand collective bargaining oversight to areas of the broader public sector.
- Free speech policies reiterated.
- The government review of executive compensation in the broader public sector will be completed by June 7, 2019.
- Beginning in 2020 new teachers will be required to pass a math content knowledge test.
- The government will phase out and abolish the Ontario College of Trades.

- The government will guarantee that Ontario Hockey League players receive scholarships for postsecondary education.

Changes are expected for OSAP: OSAP is a focus for government; costs in 2017-18 were substantially higher than anticipated because of the changes introduced by the liberal government. Impact on universities is still unknown.

Career Ready Fund (CRF) – EL website: in the CRF funding last year, a small pot of money was awarded to a consortium including Guelph, York, COU and the Ontario Nonprofit Network. The consortium is building a website that can be used to link small and medium sized employers to students who are seeking EL opportunities. The website will serve as a hub of info for employers and partners. It will launch in May 2019.

Sexual Violence: We still do not know when the data will be released, but we are exploring the idea of coordinated reporting across the university sector. We think it will be helpful to have universities report on the same date, or same week, reporting some of the same key data.

Program approvals: Approvals have started moving again. MTCU is about 2 cycles behind with respect to processing applications.

Topic for next meeting:

Colleagues are interested in thinking about free speech with respect to classroom discussions. Guests with expertise or experience teaching controversial subjects are being considered for invitation and any suggestions are welcome.

Respectfully Submitted

P.J. Dutton, Academic Colleague.