

Council of Ontario Universities
Academic Colleagues Report for Senate

Academic Colleagues met December 11 and 12, 2018 at the COU offices in Toronto. Lakehead's Academic Colleague, Doug Ivison, was unable to attend and Mary Louise Hill, Lakehead's Alternate Academic Colleague, participated in the meetings by teleconference.

On the evening of December 11, Colleagues enjoyed dinner at the COU office suite and the meeting commenced after dinner. At the request of Executive Heads, Academic Colleagues were asked to think through issues of accountability and efficiency in the university sector, and consider requests that might align with the government's current agenda. For example, is there any red tape that might be eliminated or streamlined for the mutual benefit of government and universities? On another topic, Professor Jamie Cameron of York University's Osgoode Hall Law School was invited to lead a conversation about free speech and human rights. Professor Cameron opened her remarks by saying that freedom of expression is a charter right established in 1982, with the intent of protecting the content of expression. Since the charter is "content-neutral" and guarantees expression regardless of content, it also protects expression of offensive content. This right is not an absolute right and reasonable limits can be placed on expressive activity, i.e. expressive activity can be limited. The charter permits limitations of two types: expressive activity can be limited if it causes harm (e.g. shouting "fire" in a crowded theatre), and expressive activity is not permitted in every time and place and manner (e.g. limits are permissible to preserve the functionality of public spaces). There are also some criminal law prohibitions, including hate speech, pornography and uttering threats, as well as some civil law prohibitions including defamation, discrimination and harassment. Points of view vary on the particulars of free expression on campus: Do we protect unrestricted free speech in support of inquiry, or do we impose restrictions on objectionable expressive activities in order to preserve the university as a special place to learn where everyone feels safe? How much tolerance is there on campus for expressive freedom? For example, when there is a controversial guest speaker on campus, whose rights prevail? Do we protect the right of expression of the speaker, or the right of expression of the protestors? There is a spectrum of points of view on this issue, and the particulars depend very much on the context of time, place and manner.

On Wednesday morning, December 12, Colleagues continued their conversation about free speech on campus. There was some discussion about university senate involvement in drafting and/or approving the new free speech policy required by government. Several universities brought the policy to senate for approval, and some had student protests at their senate meetings. Two students from McMaster University were invited to discuss free speech with the Academic Colleagues. Students Ikram Farah and Stephanie Bertolo moved and seconded the October 14, 2018 McMaster Students Union declaration opposing the provincial government dictate to institute and implement a campus-level "free speech policy" and asking the government to withdraw the directive. These students want to protect the right to protest and they object to the unknown restrictions that government may impose on free expression in the future. They also request additional training and resources for faculty and teaching assistants.

In the COU update, Academic Colleagues were told to expect to hear about OSAP in January, as the recent changes have led to higher than anticipated costs. We can also expect to hear about tuition by mid-January. Anxiety continues about budget cuts to the sector, although the magnitude of these cuts remains unknown. COU has been using third-party panelists in advocacy to the provincial government on the value of university education. On a positive note, program approvals are moving through the ministry again. Twelve pilot projects on metrics for funding have been completed; all of these projects were institution-specific and none produced a system-wide metric. There is an effort to create a sector-wide metric on experiential learning based on four of the pilot projects, but this is complicated by the lack of sector-wide agreement on the meaning of experiential learning at different universities.

In other business, there were reports from the Executive Committee, Quality Council and OUAC Advisory Board. Our attention was drawn to a November 23, 2018 report by Harvey Weingarten and Martin Hicks on the HEQCO website summarizing findings from HEQCO's skills assessment pilot studies. The report shows that university students make gains in numeracy and literacy skills, although results for college students are not as strong. Unfortunately, the executive summary of the report presents aggregate results for universities and colleges, leading to very negative media reports on the value of post-secondary education.

The next meeting of Academic Colleagues is scheduled for February 12-13, 2019 in Toronto.

Respectfully submitted,

Mary Louise Hill
Alternate Academic Colleague for Lakehead University