

MEMORANDUM

To: Barbara H. Eccles, Secretary of Senate
From: Dr. Douglas Ivison – COU Academic Colleague
Senate Meeting Date: 17 September 2018
Subject: COU Academic Colleague Report

The Academic Colleagues met at the COU offices in Toronto on August 22 and 23.

On the evening of the 22nd, James Turk, Director of the Centre for Free Expression at Ryerson, gave a presentation on “Freedom of Speech on University Campuses.” Turk emphasized the distinction between academic freedom (a professional right linked to faculty members’ teaching and research, as well as their participation in university governance) and freedom of speech (a general right to express one’s views without censorship, restraint, or legal penalty), and stated that academic freedom only applies to faculty members not to students. He also discussed hate speech and the high threshold that courts have set for determining hate speech, arguing that much of what is often described as hate speech does not meet the legal threshold to be considered such.

Turk argued that universities should support the right of faculty members and student organizations to utter controversial, even offensive opinions, and to allow controversial speakers invited by faculty members or student groups. He also argued that universities should be expected to do what is necessary to enable such speakers to speak by providing security, etc. He suggested, however, that universities are under no obligation to allow third parties to use their facilities and should put a review process in place to vet speakers and events hosted by third parties.

Turk suggested that rather than restricting controversial or offensive speech, universities should encourage counter-speech on campus; provide resources and opportunities to marginalized groups on campus to ensure their ability to speak; and work toward creating more inclusive universities by introducing more diverse perspectives in the curriculum, hiring more representative faculty and administrators, and providing sufficient services to ensure that the university campus is more welcome and engaging for everyone. He also argued that all universities should have a clear statement on freedom of expression.

Freedom of speech was also a topic at the next morning’s meeting. COU President and CEO David Lindsay noted that the government was likely to put pressure on universities on this issue (as it did a few days later) and that universities should get ahead of the government by proactively reviewing or developing freedom of expression policies before being required to do so. Freedom of speech will be the focus of the Academic Colleagues

meeting with Executive Heads at the October meeting, as Colleagues will lead a discussion of 1) what tools and tactics can help universities address efforts to curtail free speech; 2) how universities can engage with students on the free speech issues; and 3) how universities can best support faculty dealing with free speech issues.

Other issues:

- David Lindsay provided Academic Colleagues with a survey of the post-election context and COU's strategies to engage the new government.
- The Liberal government had established a process for government approval of institutions' **executive compensation** frameworks, and the new government has frozen that process and begun a review of the issue with a goal of providing direction to universities in June 2019.
- The new government has announced a review of Ontario **elementary and secondary curriculum** focusing on STEM, job skills preparation, health and physical education curriculum (including, notably, sex education curriculum), and standardized testing. The outcomes of this review will likely have an impact on teacher education programs.
- The cancellation of cap and trade means that universities will no longer receive grants from the **Greenhouse Gas Campus Retrofits Program**, a source of funding for campus renewal. The COU is also monitoring the potential costs associated with the federal carbon levy in place of cap and trade.
- The **Student Voices on Sexual Violence survey** was conducted in the spring, and the data is being processed by the research company and will be delivered to the government and universities in the fall. It is not clear what the new government will do with this information, which was a priority of the previous government.
- The **tuition framework** expires this year. COU expects to begin conversations with MTCU on this issue in the near term.
- With the conclusion of the second round of **Strategic Mandate Agreements**, universities are now planning for the SMA3 process. It's not yet clear, however, if the government will continue with SMAs or put in place something else.
- The government is engaged in a line-by-line audit, and COU is working to provide information and context in that audit process, as well as to engage with government in the **budget** consultation process.
- The 2018 **Experiential Learning and Learning Outcomes Symposium** will take place in Toronto on October 11-12.
- Ian Harrison, Professor Emeritus of Biology at University of Toronto, has been appointed the Senior Director (Academic) of the **Quality Council**.
- The external reviewers' report on the **Quality Assurance Framework** has been received and the steering committee is preparing its response and implementation

plan. The response should be released soon, with a goal of implementing recommendations by Summer 2019.

- Due to the potential for excessive turnover on Quality Council's **Appraisal and Audit Committees**, Quality Council voted to amend the committees' terms of reference so that members would no longer be limited to two three-year terms.

Respectfully submitted,

Dr. Douglas Ivison
COU Academic Colleague