

8. The use of university property

The University is not only a place where teaching, research and learning in a formal, structured sense are carried on; it is also a place as well where a variety of extra-curricular activities are carried on, some of them directly related to academic programmes, and others only peripherally so, but nonetheless forming an important part of University life. Some of these activities are sponsored or carried on by the University itself or under its auspices; for example the Gerstein Lecture Series and the Performing Arts Series. Some are activities of the faculty or of the students, concerned with their relationship to the University; for example, there is the York Faculty Association and the Council of the York Student Federation, and the governing councils of the constituent Colleges. Some are activities of faculty and students as directors and members of cultural societies or clubs; some are activities of faculty and students as sponsors, leaders and members of political clubs.

This does not exhaust their variety. What is

important is that there be freedom for faculty and students to engage in extra-curricular activities on the campus so long as those activities, or the organizations through which they are carried on, are within the law and are compatible with the maintenance of the University's character as an "open society".

The University, in terms of its own values, can only insist on intruding upon the independence and self-direction of faculty and student campus organizations if the use of the University's name is involved other than descriptively, or in so far as any facility of the University or use of University property is sought by them. Even where the name of the University or of any constituent College is used descriptively, care must be taken by faculty and student organizations concerned that they do not represent themselves to the public as arms or agents of the University or of any College unless in fact they are so designated by the appropriate University or College authority.

It is to the advantage of the University or a College that, subject to the primacy of the academic programme, its facilities and property be available for use of faculty and students engaged in extra-curricular activities related to their roles as faculty and students, and, beyond that, as educated citizens interested in the problems of the contemporary world. The University or the Colleges are, however, entitled to know of any intended use of their facilities or property so that proper and orderly arrangements can be made for it.

Where any University or College facility, or any property of the University or a College is sought regularly or occasionally by any faculty or student (or mixed faculty and student) organization, the appropriate University or College authority must give its consent and may, if necessary, establish an order of priorities for the use of facilities or property if the demands, whether made concurrently or otherwise, cannot otherwise reasonably be met.

This policy should extend not only to meetings of faculty and students as such but also to meetings and functions where outside speakers or artists are the attraction. Nor does this Committee think the policy should be any different merely because members of the public are invited by a faculty or student or by faculty and student campus organizations. In such a case, however, the University should be entitled to insist that adequate supervisory arrangements be made in advance, as well as requiring that previous clearance be obtained for the use of the necessary space. To the extent that there may be rental or other charges involved, according to the nature of the occasion, the University or a College would be expected to act reasonably in the matter.

The use of University or College facilities or property by a non-University or non-College organization, albeit faculty and students are among its members, raises an entirely different issue which is not at all within the policy adumbrated above. The University or College has no institutional obligation to such an organization and may properly treat its request for space or other use of facilities as a purely commercial matter if it so chooses. If faculty or students are prominent in the outside organizations, the expectation would be that, unless official or other University activities preclude, favourable consideration would be given to request for meeting space by such organizations.



Excalibur -- Dave Cooper

9. The university's security services

Security staff are employed by the University to provide assistance to members of the University and their guests and to visitors to the University, and to protect its buildings and property, to control traffic, and to assist, when required, in orderly ingress and egress of persons attending the many University and public functions that are held on University premises. The security staff have no

police powers, and the Committee was assured by the Director of these services that he does not seek them. Rather, he conceived his role and that of his men to be that of employees, having the responsibilities detailed above, and that of private citizens in respect of law enforcement. In this character, they might be obliged to seek police help, as, for example, if they became aware of a break-in or a

theft, but, generally, this would not be done without the direction or approval of a responsible University administrator.

The Committee approves of this view of the functions of the security staff, and recommends that the present policy as to their functions be continued, and that they remain under the supervision and direction of the President's office.

10. Due process in the university: investigation and adjudication of grievances and charges of misconduct

The Committee approaches this section of its Report with the hope that formal recourse to the proposed adjudicative machinery will be infrequent, and will be regarded as a last resort after previous efforts at resolution of disciplinary issues have proved unsuccessful. However, the machinery must be provided to ensure impartial assessment of the validity of adverse action taken by the ad-

ministration or of charges of misconduct or misbehaviour, where this is disputed, and also impartial review or determination of the imposed or proposed penalty or sanction.

Disciplinary cases may arise in a number of ways; a grievance may be lodged by a faculty member or a student against the administration for

action taken against the grievor; or the administration may bring a charge against a faculty member or a student; or students or faculty members may be complainants against other students, or against faculty members. The ad-

continued next page