

that it should leave any issues that may arise from friction among residents to be resolved by procedures that already prevail or by others that may be adopted. Further observations on this question will be found in a succeeding part of this Report dealing with the proposed system of University courts of discipline.

There are two other things that may properly be said here. First, a student's civil liberties, in the

sense in which they are elaborated in this Report, are in no way to be inhibited merely by reason of his being in a College residence. Second, the University or College has an obligation to inform parents of students in residence as well as the students themselves of what a residence offers and how it is governed. It should be made clear that, apart from the duty to observe the residence rules agreed upon for the benefit of all dwellers, residential students are as free as are non-resident students, and as

responsible for their conduct, in respect of their activities on or off the campus.

What has been said here about students in College residences applies as fully to students in graduate and married students residences. There are now on campus, and living in rental apartments owned by the University, students and their families whose position is no different from that of commuting students save that they are subject to landlord-tenant obligations.

## 6. Communication in the university

The growth of the University to date, and the certainty of further growth in the next few years, make it imperative that the administration be continually aware of the need to inform faculty members and students of matters and decisions that affect them in their University affiliation. At the same time, the University itself would be wise to be alert to the effect of its policies and decisions on faculty members and students.

Internal communication is not merely a matter of news handouts by the administration, but must be seen as a two-way operation, so that faculty members and students should be able to express their concern about University matters to a responsible official. The University should provide an opportunity for this by establishing an office, responsible to the President, to which faculty members and students may resort. What the Committee has in mind is the opportunity to bring general complaints, or even personal grievances, in respect of any non-academic matters, referable to activities on the campus or the functioning of the University, before an official of the University with the assurance that they will be considered. What is important is not whether merit will be found in the expression of concern or in the complaint — that may not be known until all the facts are assembled and assessed — but whether there is an office to which they may be addressed. The Committee sees this office as allied with the more formal mediation and adjudication procedures which are elaborated later in this Report. Its function would, however, be

a different one; it would not be the receiving of specific charges that might ultimately be heard in the university courts, but rather the hearing of dissatisfactions with the operation or the administration of the University. For example, the application of a University regulation may cause difficulties although it was being properly applied, and a faculty member or student may propose a better way of achieving its purpose.

At the present time, informal procedures exist in this connection. The Colleges, closer to their residential members than is the University as a whole to its students, have apparently been able to make the informal procedures workable. The Master, the Senior Tutor and the Dons are generally available and approachable, and the College Council is another instrument to which students in the College can resort. The Colleges may wish to formalize their procedures for receiving and handling complaints (as opposed to charges of offences or violation of rules), but the Committee does not feel it to be necessary to make any specific recommendation on this score in respect of the Colleges.

The University as a whole raises more difficult questions of access to responsible officers in matters outside of the academic programme; so far as that programme is concerned, the particular professor, the department chairman and the faculty dean have responsibilities to students and faculty which embrace a duty to assist them in

academic difficulties or hear them out on academic proposals. Students have been known to engage their teachers' consideration on non-academic matters which trouble them, and it would be folly to discourage these informal relationships which always offer a hope of quiet and private resolution of difficulties.

Nonetheless, students should have the assurance that there are regular channels of communication in the administration of the University which are open to them and which they can use if they so wish. Faculty members may equally wish such assurance. It is therefore the Committee's recommendation that an office of the University be established to which faculty member and student concerns and complaints may be brought and which will at the same time be a clearing house for information about University rules and procedures as they relate to faculty members and students. The Committee is of the opinion that the office should be responsible to the President.

Beyond this, the Committee recommends that a University handbook or brochure should be distributed to faculty members when appointed and to students when admitted, advising them of their "rights and responsibilities", telling them of the avenues of information and communication in the University, and of the procedures for the redress of grievances, and also informing them of the services and facilities generally available to them in the University.

## 7. University publications and publications by faculty and students

Those who write and those who publish do so, of course, on their own responsibility. This rule of law is as sound for persons on the campus as it is for those off the campus. The particular question that concerns the Committee in this area is whether the University as an institution risks involvement in possible liability for what is written and published by faculty members or students, especially in publications by or under the auspices of faculty or student organizations that may be said to have a recognized status.

The Committee has no doubt that the University as such should be dissociated from faculty or student campus newsletters, newspapers, pamphlets or other writings which are not issued under its *imprimatur* or under that of a constituent College or other unit of the University. So far as individual faculty members or students or faculty or student organizations that have no official University connection are concerned, their freedom to speak, write or publish should in no way be restrained or regulated by the University. Correlatively, they must accept responsibility for what they say or write or publish without looking to the University for cover.

The Committee is of opinion that such a policy, which is consistent both with the ordinary principles of free speech and with the elimination of the *in loco parentis* relationship, should be emphasized by appropriate notice to various campus organizations, such as the York Faculty Association, the various college councils and other faculty and student clubs; and that, in addition, faculty or student publications (especially those that appear on a regular basis) should carry a notation certifying to their responsibility and that of their writers and editors for the contents of those

publications and dissociating the University from involvement. The University may, in the Committee's judgment, properly require campus publications to carry the names of the faculty or student organizations that sponsor them, and the names of the editors, as well as the names of the printers.

In the Committee's understanding, neither the provision of space nor the fact that the University collects or checks off fees or dues for the benefit of student or faculty activities will, on those grounds alone, involve the University in possible liability for what faculty members or students publish in their own right. The Committee understands also that the mere descriptive use of the University name or emblem, even if authorized by the University, is not an implicating circumstance.

Having regard to the policy of freedom of speech, writing and publication which this Committee endorses, the University is entitled to insist that no faculty member or student presume to speak or write in the name of or on behalf of the University unless properly so authorized. The Committee sees no objection to any faculty member or student identifying himself or herself as a teacher or student of York University, but there should be no overt or covert suggestion of official approval of what is being spoken or written, if in fact no such approval has been obtained. It is to be expected that the speaker or writer will make his or her personal responsibility clear. There should be no expectation that the University must or will stand behind him or her if civil suit or criminal charges result.

The University itself and its administrative staff, its teachers and students are just as much

members of the public, entitled to react and take such actions as it or they may be advised against defamatory or scurrilous attacks in campus publications, as they would be if they had no University affiliation. Although the Committee feels that any complaints, especially on the part of the University itself, should be redressed through the internal grievance and adjudicative procedures, it is also of the opinion that it should not, through any recommendation, nor should the University, seek to preclude any administrator or faculty member or student from resorting to the civil or criminal law for redress against injury or wrong inflicted by a campus publication.

Members of the University should retain this report for future reference and discussion. The comments and recommendations presented here do not represent University policy. The report is distributed in hopes of creating a consensus, either pro or con, or stimulating alternative recommendations on the various issues raised so that appropriate decisions may be made during the next few months.

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