

Subject: Re: 589th Meeting of the Board of Governors on 30 March 2015

Date: Wednesday, April 1, 2015 at 7:17:18 AM GMT-04:00

From: Wernick, Michael

To: Root.Gorelick@CARLETON.CA, bjhobin@hobinarc.com, chrisarruthersmd@gmail.com, dcraig@jlrichards.ca, debra.armstrong@mbna.com, lindaann Daly@gmail.com, oliver.javanpour@cyfusecho.com, pmerchant@ottawahospital.on.ca, ronaldgjackson@gmail.com, rthompson@nac-can.ca, tattersfield.anthony@rcgt.com, mmariano@toh.on.ca, Vachon, Chantale

CC: Michael MacNeil, Pam.GriffinHody@CARLETON.CA, pres@gsacarleton.ca, tkunz@sce.carleton.ca, nfalvo@connect.carleton.ca

With all respect you really are missing the point here.

The physical disruption and attempt to suppress the functioning of the lawful governance of the university by shouting down speakers and breaking up the meeting is the point.

It has no place in a lawful democratic society - it is the tactics of Brownshirts and Maoists. It has no place in a university - it is the antithesis of free speech and open debate.

What I would like to hear from the administration is what sanctions will be brought upon the disruptors and how it proposes to protect the peaceful lawful governance of the Board from being intimidated.

From: Root Gorelick [mailto:Root.Gorelick@carleton.ca]

Sent: Tuesday, March 31, 2015 09:12 PM

To: Barry Hobin <bjhobin@hobinarc.com>; Chris Carruthers <chrisarruthersmd@gmail.com>; Dale Craig <dcraig@jlrichards.ca>; Debra Armstrong <debra.armstrong@mbna.com>; Linda Ann Daly <lindaann Daly@gmail.com>; Wernick, Michael; Oliver Javanpour <oliver.javanpour@cyfusecho.com>; Pradeep Merchant <pmerchant@ottawahospital.on.ca>; Ron Jackson <ronaldgjackson@gmail.com>; Rosemary Thompson <rthompson@nac-can.ca>; Tony Tattersfield <tattersfield.anthony@rcgt.com>; M. Mariano <mmariano@toh.on.ca>; Vachon, Chantale

Cc: Michael MacNeil <MICHAEL_MACNEIL@CARLETON.CA>; Pamela Griffin-Hody <Pam.GriffinHody@CARLETON.CA>; Christine Muehlberger <pres@gsacarleton.ca>; Thomas Kunz <tkunz@sce.carleton.ca>; Nick Falvo <nfalvo@connect.carleton.ca>

Subject: 589th Meeting of the Board of Governors on 30 March 2015

31 March 2015

Executive Committee
Board of Governors
Carleton University
1125 Colonel By Drive
Ottawa ON K1S 5B6

RE: 589th Meeting of the Board of Governors on 30 March 2015

Dear Carleton University Board of Governors Executive Committee members:

As members of the Carleton University Board of Governors, we would like to re-cap what transpired at the 589th meeting of the board, highlight problems with what transpired, then present a

recommendation on how to move forward.

Events: Item 6.1 on the agenda for the 30 March 2015 meeting of the Board of Governors ('board') was the report from the "Task Force on the Affordability of the Tuition Fee Framework" ('Task Force'). Almost immediately following the Board chair bringing up this matter, and just after the Vice President Finance started to make his presentation, seven students who were in the audience as observers stood. They took turns, each providing short statements using a megaphone. The Board chair tried unsuccessfully twice to regain the floor in the face of the ongoing protest. The Board of Governors never had an opportunity to debate the Task Force Report nor even hear the presentation and report from the chair of the Task Force.

During the chanting by audience members, the Board chair seems to have called for a vote to approve the Task Force report, although what he said was either inaudible or only partially audible to many Board members because of the chanting. In the span of a few seconds, the Board chair asked for a mover, a seconder, and vote. Only six or seven Board members physically present voted to approve the motion, and we have no way of knowing whether the three Board members on the phone supported the motion. There was never a request for dissenting or abstaining votes.

Three minutes later, one of us spoke one-on-one with the Board chair, broaching a point of order, objecting to the lack of call for dissenting votes. The point of order is memorialized in an e-mail from the acting University Secretary.

Shortly after the point of order, the Board chair called for a recess. At some point thereafter, the Board chair decided that there was no point continuing the Board meeting, although there was never a call nor vote for adjournment. Even amongst the signatories of this letter, there was confusion about whether the recess was for five or ten minutes, whether there was ever anything officially said about adjournment, and when quorum may have been lost as Board members gradually departed. The situation in the room was chaotic and sufficiently loud to make hearing difficult.

The following day, the acting University Secretary e-mailed a subset of Board members, asking them for their vote on the contested motion. We say 'subset' because, ten hours after the first recorded e-mail from the acting secretary, only a subset of us had been contacted. These e-mails did not include the motion.

Problems:

1. The motion was inaudible. Furthermore, the acting University Secretary failed to include the question/motion in her e-mail requesting votes.
2. Members of the Board were never provided the opportunity for discussion and debate of the motion to approve the Task Force report.
3. Less than half the Board members in attendance (combined in-person and over phone) voted in favour of the motion. Per Board bylaws, this means that the motion (whatever it was) did not pass. There were many Board members, including several of us, who, because they did not hear the motion, had no idea what was being put to a vote.
4. The meeting was never formally adjourned, thus we assume that the meeting is in abeyance. No formal Board decisions can be promulgated while the meeting is held in abeyance.
5. The acting University Secretary's e-mail of 31 March was not sent to all Board members. And

those who received the e-mail did not all receive the same e-mail.

The Board is supposed to be a collegial deliberative body. Yet lack of debate and lack of call for dissenting votes deviated from that essential tradition. Board members need to hear/read and understand any motion before voting on it. The motion was inaudible at the meeting and non-existent in the follow-up e-mail from the acting University Secretary. The Board is supposed to follow Roberts' Rules of Order, but never addressed an essential point of order. The Board's bylaws require that a majority of attendees vote in favour of a motion for it to carry, but did not garner that many affirmative votes with the inaudible motion that supposedly was to approve the Task Force report. Board members need to be treated equally and all asked for their votes.

Recommendations: Given that the 30 March 2015 open session of the Board was never adjourned and the Task Force report never debated nor properly voted upon, we are requesting that the Board reconvene for a special session for *de novo* discussions of the Task Force report. All Board members, including students, have the opportunity to speak as they see fit, possibly on behalf of their constituents, while the Board should enforce the ban on outside speech by visitors.

Sincerely,

Nick Falvo

Root Gorelick

Pamela Griffin-Hody

Thomas Kunz

Michael MacNeil

Christina Muehlberger