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# UTFA Statement on CAUT Censure

April 22, 2021

Today, we are writing to inform you that the Canadian Association of University Teachers (CAUT) has passed a motion to censure the University of Toronto Administration for breaches of academic freedom. The action was taken following an investigation by the CAUT's Academic Freedom and Tenure Committee into the decision by the Dean of the Faculty of Law to terminate the hiring of a preferred candidate for the directorship of the International Human Rights Program (IHRP). This hiring process is also the subject of an Association grievance under the *Memorandum of Agreement* between UTFA and the UofT Administration.

Although UTFA respects CAUT's censure process, UTFA abstained from voting on the motion to avoid any prejudice either to the outcome of the vote at CAUT or UTFA's involvement in our own grievance process. Aside from UTFA's abstention, the vote was unanimous. We understand that this outcome will disappoint some of our members.

CAUT initiates the censure process "when a university or college administration (including its governing body) acts in a manner that threatens academic freedom and tenure, undermines collegial governance, disregards negotiated agreements, refuses to bargain in good faith, or takes other actions that are contrary to interests of academic staff or compromise the quality and integrity of post-secondary education..." (CAUT, Procedures Relating to Censure).

In November 2020, CAUT Council notified the University of Toronto's Administration of concerns related to the Director of IHRP hiring process. CAUT stated that it would wait six months for U of T senior Administration to address these concerns before voting on a motion of censure. CAUT described the process following a censure motion: "Censure is a sanction in which academic staff are asked to not accept appointments or speaking engagements at the institution until satisfactory changes are made." (CAUT, November 30, 2020)

UTFA is pursuing its own distinct, internal, legal process to address our concerns related to events at the Faculty of Law with the UofT Administration under our *Memorandum of Agreement*. Specifically, UTFA has filed an Association grievance, which will be proceeding to mediation, and a second related group

grievance on behalf of a number of members of the Faculty of Law. At the crux of the two grievances is the allegation that the University Administration breached the core principles of academic freedom and collegial governance as protected under Articles 5 and 9 of the *Memorandum of Agreement*, and of the University's *Statement of Institutional Purpose* and *Statement on Freedom of Speech*.

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