



Date: May 27, 2021

From: Kelly Hannah-Moffat, Vice-President, Human Resources & Equity

Cheryl Regehr, Vice-President & Provost

Re: CAUT Censure

****Please feel free to distribute widely****

Dear Colleagues,

As you know, on April 22, 2021, delegates to the Canadian Association of University Teachers (CAUT) Council voted to censure the University of Toronto due to concerns regarding [the search for the administrative staff director of the International Human Rights Program \(IHRP\)](#) at the Faculty of Law, a Professional/Managerial (PM4) non-academic position. Some of you have reached out to us and asked us for further information about the situation and the University's response to it. We hope to provide that here.

As [President Gertler expressed to the CAUT on April 23](#), we believe its censure is unwarranted. That said, we take the events of the past few months very seriously, and have been working hard to address the concerns that have been raised.

The search and its fallout have brought to the fore questions about the University's commitment to our key principles of academic freedom for faculty and librarians, as well as merit-based hiring free of external interference for all employees. These important commitments are at the core of our mission to foster a flourishing academic community that protects individual human rights and is committed to equal opportunity, equity, and justice.

What we're doing

As the [President indicated in his April 20 letter to faculty members and librarians](#), the [independent review of the Honourable Thomas A. Cromwell](#), former Supreme Court Justice, concluded that the decision to discontinue the search for the IHRP director was driven by concerns over immigration hurdles and pressing time constraints. This conclusion was based, in part, on the fact that the IHRP director is not a faculty position but rather an administrative staff role, which is subject to more challenging immigration requirements than academic searches.

Justice Cromwell also made important recommendations regarding recruiting decisions and processes, confidentiality, staff protections, and reconciliation. These recommendations have been wholeheartedly [accepted by the President](#) and as a result, the University is taking the following critical actions:

1. Reviewing and safeguarding the recruiting process from external influence or the perception of donor influence. We recognize that the interaction described in the Cromwell report between an alumnus and a U of T advancement professional was problematic, even though Mr. Cromwell ultimately concluded that this external influence did not play a role in shaping the decision to discontinue the search. As the [President has noted](#), the fact that information made its way from an alumnus to a member of a hiring committee constitutes a serious breach of our policies and practices. Such a breach is extremely unusual at U of T. Nonetheless, we are determined to ensure that this does not happen again. To that end, the University is reviewing and amending advancement policies to accentuate the importance of academic autonomy and to clarify appropriate terms for interaction with alumni and donors. We are also working to ensure that advancement staff are trained and equipped to withstand any external inquiries or actions that could interfere with internal processes, including with respect to merit-based hiring for any position, whether academic or administrative.

2. Determining next steps regarding the IHRP and its staff director role pursuant to Mr. Cromwell's recommendation on reconciliation at the Faculty of Law. The Dean has engaged in a series of listening sessions with colleagues, and based on the input received, she will map out next steps. The Faculty will also consider a review of the IHRP and its long-term needs, prepared by Professor Emerita Rebecca Cook, its founder, along with recommendations for strengthening the program. Once a decision is reached regarding the search for a new IHRP director, the University will support the Faculty of Law in the hiring process, as well as clarify the requirements of this non-academic position.

3. Developing more detailed guidelines about the requirements of staff hiring processes and protections for staff roles in professional experiential education. For example, Human Resources & Equity will provide clearer guidance for participants in PM staff recruitment processes. We will also co-chair a committee to make recommendations on protections for non-faculty PM staff in professional experiential settings where their positions may require them to take on controversial or unpopular causes. The terms of reference for this committee will be posted shortly, and we will welcome collegial input into the process.

Our commitment

The University of Toronto remains firmly dedicated to the principle of academic freedom, including the right of faculty members and librarians to criticize the institution and work for change. The University of Toronto, like all universities and institutes of higher learning and research, must be able to accommodate many opposing and conflicting views every day, including on the most controversial topics. This is how scholarship and constructive dialogue advance. We believe in and uphold this principle, and despite some missteps in this case, we have not broken this faith.

We know that the CAUT censure has been difficult for some members of our community. We are hopeful that we can resolve the issues that led to the censure, and we assure you that we are listening carefully and working diligently towards a solution.

Further reading on this issue:

- [FAQs on the IHRP search \(last updated May 26, 2021\)](#)
- [Cromwell Report \(March 15, 2021\)](#)

- [President's letter to the community regarding the CAUT vote \(April 23, 2021\)](#)
- [President's letter to faculty and librarians regarding the IHRP program \(April 20, 2021\)](#)
- [President's letter to CAUT \(April 20, 2021\)](#)
- [President's response to the Cromwell Report \(March 29, 2021\)](#)