

June 30, 2023

Dear Catherine Stoddard and Yabome Gilpin-Jackson,

We are a group of SFU faculty members interested in issues surrounding academic freedom at SFU. We are writing with feedback on the draft of the SFU Guidelines for Faculty Recruitment and Retention (henceforth called “the Guidelines”) published on the SFU Hiring Resources [page](#). We have three broad concerns: 1) the lack of attention to academic excellence, 2) the promotion of particular political viewpoints, and 3) the weak justification for some of the proposed hiring practices.

First, we are troubled that the Guidelines say little regarding academic excellence when recruiting and retaining faculty members. Given that the primary [purposes](#) of the university are teaching and research, this omission seems glaring. We therefore suggest a major revision of the summary on p. 2 (which currently covers only EDI considerations and Indigenization) to include a discussion of the major [values and commitments of SFU](#), namely "intellectual and academic freedom", "discovery, diversity, and dialogue", and "bold initiatives". We also suggest that, throughout the rest of the document, clear guidance be provided regarding how to conduct hiring and retention processes so as to uphold these values and commitments and ensure that academic excellence is SFU’s top priority.

Second, we are deeply concerned that the Guidelines appear to promote certain political viewpoints. For instance, in the section on criteria deemed essential to the position, the Guidelines state, “Consider including demonstrated skills and experience necessary to further the University’s stated commitments to equity, diversity, inclusion, and Indigenization.” In the section on the advertisement, the recommended template includes the statement, "We are especially interested in candidates with a demonstrated history of advocating for equity, diversity, and inclusion". The same template also includes a land acknowledgement with the phrasing, “We acknowledge the Squamish...” and “we aspire to create space for reconciliation through dialogue and decolonizing practices” (our emphasis). This phrasing could imply that candidates are required to hold similar political opinions in order to be welcome in the department or university more generally.

Beliefs about the role Universities should play in "decolonization" or the "advocacy of equity, diversity, and inclusion" are quintessentially political beliefs. They express a person's convictions about the social contract between the government, the University, and the public regarding the pursuit of excellence in research and teaching. They resemble in all legally relevant respects the convictions that the BC Human Rights Tribunal currently recognizes as "[political beliefs](#)". For example, in [Bratzer v. Victoria Police Department](#) (No. 3), 2016 BCHRT 50, Mr. Bratzer (a police constable), in his personal time, advocated for the legalization and regulation of all illicit drugs. Mr. Bratzer’s beliefs about drug laws were deemed political as they involved

public discourse on matters of public issue which involve or would require action at a governmental level. A member of the Tribunal provides the following [interpretation](#) of “political speech”: “... any speech oriented toward influencing public opinion on matters which may be the subject of government action is political, regardless of its subject matter. Discourse around issues like climate change, homelessness or education reform is political.” (p. 7.2.9).

Importantly, BC’s [Human Rights Code](#), with which SFU must comply on all matters related to employment, states that candidates cannot be discriminated against based on any protected grounds, **including political belief**. [Section 11](#) prohibits an employer from publishing a job posting that expresses a limitation, specification, or preference as to a protected characteristic unless the limitation, specification, or preference is a bona fide occupational requirement. In addition, the [BC University Act](#) states:

66.1: A university must be non-sectarian and *non-political* in principle.

In the case of faculty hires, requiring particular political viewpoints may violate the [SFUFA/SFU Collective Agreement](#), which includes the following provisions:

Article 4: No Discrimination. In relation to employment, “...the parties will not discriminate based on... *political belief*,” and

Article 13: Employment equity (...ensuring that "no individual is denied access to employment opportunities for reasons *unrelated to ability or qualifications*").

These ideas are also reflected in the hiring instructions posted on the [website](#) of the SFU Human Rights Office. Therefore, requiring – or giving the appearance of requiring – job candidates to make ideological commitments may be inconsistent with existing laws and policies. Such statements should be struck. We also recommend explicit mention in the Guidelines that SFU does not discriminate against its faculty on the basis of their political beliefs.

Finally, we believe that the hiring practices advocated in the Guidelines need to be better justified using evidence-based research. Currently, the Guidelines rely heavily on the political opinions of Robin DiAngelo, the controversial author of "White Fragility" (her 2017 paper with Özlem Sensoy, “We are all for diversity but...”, is cited six times in the 13-page guidelines). We are unsure why the SFU community should accept DiAngelo's opinions as best practice for hiring. For example, the recommendations in the Search Committee Composition section are taken from “We are all for diversity but...”, but Sensoy and DiAngelo provide no evidence with which to justify them. Similarly, how do we know that the suggested interview questions (taken from the same paper) will lead to a fair and informative hiring process? Sensoy and DiAngelo do not say. The section on evaluation is likewise light on evidence that the proposed mandatory unconscious bias training will, in fact, reduce bias in the hiring process. The repercussions of such mandatory training are disputed, with multiple studies finding that mandatory diversity training programs have little impact on increasing diversity or reducing bias in the workplace and

calling for more research (Devine & Ash, [2022](#); Dobbin & Kalev, [2016](#); and Paluck et al., [2021](#)). Given the serious questions raised around the effectiveness of such mandatory training – and some raised around its possible harms (al-Gharbi, [2020](#)) – the Guidelines should refrain from recommending it. Lastly, the Guidelines instruct Search Committee members (both in the “Before the Search Begins” and the “Evaluation” sections) to document the numbers of candidates who are women or belong to under-represented groups. Yet they do not explain how to conduct this process while following the BC Human Rights Code, which (as stated on p. 9) “prohibits questions related to race, colour, ancestry, place of origin, political belief, religion, physical or mental disability, age, gender, sexual orientation, marital or family status”. Clarification and justification for such documentation is therefore required.

We are aware that departments, when formulating their [ads](#) for faculty positions, are actively relying on the Guidelines to justify including requirements such as “*Statement of contributions and commitment to equity, diversity, and inclusion – addressing past, ongoing, and/or potential contributions through teaching, research, professional activity, and/or service*” (Department of Political Sciences, 2020); “*Demonstrated commitment to decolonization, equity, diversity, and inclusion within academia*” (School of Public Policy, 2023); and “*Demonstrated commitment to decolonization and Indigenization practices*” (Department of Gender, Sexuality, and Women’s Studies, 2023). The need to revise the current draft of the Guidelines is therefore pressing.

The amended version of the Guidelines should outline approaches that demonstrably lead to fair hiring practices and the attraction and retention of academically excellent faculty members. In the spirit of the BC University Act, Human Rights Code, and the SFUFA/SFU Collective Agreement, they should also advocate political neutrality and advise that only requirements related to candidates’ ability and qualifications may be imposed.

Thank you for your attention. We hope that our feedback and concerns will be taken into consideration in the revised version of the Guidelines for the upcoming fall term. We look forward to your response to our letter.