



Wednesday, December 9, 2020

Dear Member of the Board of Governors,

Dear Member of the Senate,

We are writing to you today on a matter of great importance for the entire University of Ottawa community. We are bound to do so because despite teaching to the vast majority of students registered at the University of Ottawa, part-time professors have no representation on either the Board of Governors or the Senate. Without that representation there is no ability to participate or discuss matters of importance for our community within these governance bodies.

Over the recent months, the community of our University has been consumed with an important discussion about academic freedom, systemic racism, privacy, and respect and dignity on campus. It is with great sadness that we have seen the discussion being shaped against one individual rather than about clear principles and guidelines that should be accepted and followed by all.

Shaming, naming, and scapegoating should never be a leader's approach. Everyone on our campus needs a safe space to work and learn, free from discrimination and harassment, and everyone has a right to a psychologically healthy and safe work environment in accordance with the Ontario Health and Safety Act and the Human Rights Code.

Unfortunately, over the past month, the President has provided you with three statements that reference directly and personally Professor Lieutenant-Duval. These statements have also been shared via email with over 50,000 persons who study or work at the University of Ottawa as well as press releases with the public at large. In each one of these statements, the President defends the handling of his Administration of the suspension of a member of the academic staff and her reintegration. These statements do not provide an accurate account of what happened and continues to frame Professor Lieutenant-Duval in a negative light.

The President's rationale for new anti-racism initiatives in his statement on November 23 conflates an academic discussion in class with the real racist actions that have occurred on campus this past year, which included carding and handcuffing a black student and hateful graffiti. Targeting Professor Lieutenant-Duval in this way deflects from the real failure of the University's past anti-racism initiatives and the systemic racism that remains a part of the University's fabric to this day.

The President's statement of November 23 leaves out many important details regarding his own Office's involvement in this process. These facts are important for fully understanding how academic freedom has been undermined by the University of Ottawa.



A summary and timeline are attached, fact checking a number of errors from the President's account.

Charting a path forward

As the highest governing bodies of the University, we urge the Senate and the Board of Governors to ensure that a number of measures are implemented to chart a path forward.

- The case of Professor Lieutenant-Duval needs to be investigated thoroughly through an external, impartial committee of inquiry. We humbly suggest that the Canadian Association of University Teachers (CAUT), who have great expertise in these matters, would be the logical choice to handle such an inquiry. We must point out that APTPUO is not affiliated with CAUT.
- The recent controversy and how it played out underlines the need for appropriate channels within the University to address issues and concerns when the rights of some members in the community might infringe on the rights of others, while at the same time ensuring that procedural fairness is respected.
- Professors need to have adequate resources to teach their courses in the online environment. This has to include teaching assistants, who act as “producers” and monitors of online chats in all courses. This was sorely lacking in the Faculty of Arts as Professor Lieutenant-Duval attempted to navigate alone the academic discussion in her class on September 30th. This is urgent in the current pandemic context, as the majority of courses will be delivered through online learning in the winter session.
- It is important to intensify diversity and representation recruitment efforts, which should include attracting professors and senior administrators, who have both expertise and lived experience when it comes to mediating and resolving actual conflicts that involve academic freedom, respect, and dignity.

The need for action on racism is now. The way forward is not another committee to reflect on the legacies of discrimination, racism, and a set of recommendations that will be half-heartedly implemented. Immediate and urgent actions to ensure that real progress is made to safeguard academic freedom, respect, and dignity, is in everyone's interest.

We need to work together and make real progress to eradicate racism and discrimination on campus for all students, professors, and members of all communities.

Timeline and Summary – Professor Lieutenant-Duval case

Class: 23 and 30 September

- Drawing on the works of Butler, Derrida, and others, Professor Lieutenant-Duval introduced the class to social constructivist theories related to gender and sexuality on September 23. She also introduced the academic concept of “subversive resignification,” whereby persons from marginalized communities subjected to hate speech reappropriate those hateful terms to build community, become empowered, and seek lasting societal change against discrimination and oppression. She cited several reappropriated hateful words in class, with the “n word” as the last example, as the topic of the next class would deal with “queer of colour” theories and the concept of intersectionality.
- After class on September 23, one student contacted Professor Lieutenant-Duval by email, to recommend that she use 'n-word' rather than the n-word in full. The student indicated that, though it does not personally affect her, she knows “the history behind it and how much weight this word carries when it is used by a non-black person.” As such, the student did not feel she should introduce a discussion on the topic.
- Professor Lieutenant Duval immediately offered an apology to the student, and proactively indicated that she would apologize to the whole class. She also offered that it would be useful to have a further academic discussion. The student responded: “I appreciate your willingness to have an open dialogue about these issues and look forward to next class.”.
- There is no evidence in the email exchange between the student and Professor Lieutenant Duval that “many students were deeply hurt,” as offered in the President’s statement on November 23. There is no further email exchange before class on September 30 nor is there any evidence of a group of students “complaining [to the Professor] that the request [for the student to introduce a discussion on the n-word] was inappropriate,” as stated by the President.
- Professor Lieutenant Duval taught her full class on September 30. The zoom recording and chat indicate that about fifteen minutes of the three-hour class was spent on a discussion of the n-word and “subjective resignification” and she apologized at least three times. The zoom recording and chat do not corroborate that the Professor made any statements that could reasonably be perceived as threatening, as alleged in the President’s declaration.
- Professor Lieutenant Duval was not provided a Teaching Assistant by the Faculty of Arts to act as a producer and to monitor chats. Students invited her to go over the chat after class to look at their comments.

Twitter Post and Suspension

- The student who had originally contacted Professor Lieutenant-Duval posted an out-of-context excerpt of the email exchange that included the apology for the use of the n-word on twitter, as well as the Professor's personal details such as name, address, and phone number.
- Without seeking Professor Lieutenant-Duval's version or any other versions, the University immediately responded to the student's tweet, thanking her and stating that this language is inappropriate, offensive and completely unacceptable in the University's classrooms and on campus.
- When contacted by Professor Lieutenant-Duval, the student denied having posted her name and personal details. Professor Lieutenant-Duval told the student that their exchange was private, that her words had been taken out of context, and that she was now receiving hate messages on Twitter.
- The student then contacted the Dean of Arts on the evening of October 1st alleging fear of reprisals for drawing attention to the Professor's use of the n-word. Without seeking the testimony of Professor Lieutenant-Duval or any other accounts, the Dean of Arts emailed the class that same evening. The content of his email has identical information to the University's tweeted response:

Earlier today I became aware of allegations of inappropriate language used by a Faculty of Arts lecturer during an online session.

This language was offensive, and completely unacceptable in our classrooms and on our campus. The Faculty is looking into the matter to gain a full understanding of what occurred in this class.

At uOttawa everyone has the right to an environment free of discrimination and harassment, and the right to be treated with dignity and respect.

- Professor Lieutenant-Duval reached out to the Dean of Arts on October 2 to inform him of the situation, as well as alert him that a student had published her personal information online and that she was receiving harassing comments. The Dean informed her the same day that she was suspended from class that afternoon and the following week, in both her classes, and that student complaints would be forthcoming.
- A template on how to file a student complaint against Professor Lieutenant-Duval was circulated online.
- The Professor and her union were provided with one unsolicited student complaint, that of the student who sent out the tweet. To our knowledge, no other complaint from the class was brought forward.

The Faculty of Arts and the Office of the President's role in reintegration

- The Dean of Arts insisted on several requirements over the next two weeks before the Professor could be reintegrated. While Professor Lieutenant-Duval had already completed all of the provincially mandated training, the Dean of Arts insisted that she take again the training for “Respect in the Workplace,” which provides any guidelines for using potentially offensive words in an academic and scientific context. The Vice-Dean of Students at the Faculty of Arts states in an interview with *La Rotonde* that Professor Lieutenant-Duval would not yet return to class as she “ne remplit pas les conditions requises pour enseigner.”
- The Dean of Arts also insisted on a number of changes in Professor Lieutenant-Duval's letter of apology, including that she changes her apology for “having hurt anyone” to “having hurt many,” without providing any evidence.
- The Special advisor to the President on Diversity and Inclusion was closely involved in the reintegration process. She led the discussion with students on October 14, from which the Professor was excluded. Students say that the President's special advisor provided examples of inappropriate behaviour within an academic context. This included not pronouncing the “n word” even in the titles of books, as when a white academic introduced the Harvard professor Randall Kennedy at the Jack Miller Centre.
- After the President's special advisor led the discussion with students, the Faculty moved all students automatically to a new section. This put the onus on students to inform the Faculty that they wished to remain in the original section.
- Lieutenant-Duval was reintegrated into one of her class on October 16, 2020 and only October 20 for the course for which a student complaint was filed. She was left without access to her course material for 12 days before being given permission to resume her teaching.

Harassing Emails

- Professor Lieutenant-Duval advised the Vice-Dean of Students that she was receiving threatening and harassing correspondence. As the controversy escalated, several senders of such emails also cc'd the Office of the President. It is not clear that any follow-up was ever conducted by either the Dean or the President's Office or that any steps were taken to ensure the safety of Professor Lieutenant-Duval.