



Canadian Association of University Teachers
Association canadienne des professeurs et professeurs d'université

Memorandum 20:51

Date: September 30, 2020

To: Presidents and Administrative Officers
Local, Federated and Provincial Associations

From: David Robinson, Executive Director

Re: Academic Freedom and Remote Teaching

The shift to remote teaching during the COVID-19 pandemic has created several challenges, not least of which is the emergence of new threats to academic freedom. Most institutions in Canada are employing third-party commercial platforms such as Zoom or Microsoft Teams for course delivery. One recent case from the United States, however, highlights the danger to academic freedom when private tech companies have the power to ban controversial expression from their platforms.

On September 23, a virtual discussion at San Francisco State University (SFSU) was banned by Zoom and other tech companies. The event, "Whose Narratives? Gender, Justice and Resistance," was to feature a speaker who is a member of the Popular Front for the Liberation of Palestine and serves on the Palestine National Council. After fielding public complaints about the event, Zoom banned the panel discussion for allegedly violating its terms of service. When the event was moved to YouTube, the streaming service cut off the feed part way through the discussion. Facebook removed the page promoting the event for "violating our policy prohibiting praise, support and representation for dangerous organizations and individuals."

To its credit, the administration of SFSU refused to cancel the event, and strongly objected to Zoom's censorship. In a letter to the President of the University of California system, the Executive Board of the Council of University of California Faculty Associations called on all universities and colleges in the state to demand that "Zoom, Facebook, YouTube (Google/Alphabet) and other increasingly important social media-related educational platforms immediately agree never to cancel or otherwise censor university-related teaching, lectures or other events and, if they refuse, to move immediately towards finding alternative platforms for teaching and lectures...."

The incident underscores ongoing concerns with platforms such as Zoom, including security and privacy issues. Zoom uses servers territorially under the control of governments hostile to academic freedom, democracy, and human rights. This includes servers based in China where it is well known that authorities monitor all communications media and block certain websites and services.

Academic staff associations should request and review agreements that institutions have signed with companies such as Zoom. If there are no protections for academic freedom in these agreements, associations should press their institutions to seek such guarantees or to explore alternative platforms. At a minimum, explicit protections should be in place to prevent censorship, data sharing, surveillance, and recording of online classes.

The use of remote teaching platforms has also prompted concerns about students who are studying from jurisdictions where some course material may be blocked, monitored, or subject to censorship by local authorities. Universities and colleges have a responsibility to defend academic freedom, and that responsibility should not be offloaded onto individual students or academic staff. It is particularly inappropriate, and would be a violation of academic freedom, if the administration were to recommend academic staff adjust or suppress potentially controversial course content.

Instead, universities and colleges should take all steps necessary to ensure that remote teaching platforms they employ:

1. Protect the privacy of students and faculty and minimize data collection, particularly with identifying features;
2. Safeguard intellectual property created, stored, recorded, or conveyed on platforms, including from commercial exploitation by the platform provider or third parties; and,
3. Clearly specify the platform provider's policies with regard to academic freedom and potential state interference. In the absence of such guarantees, administrations should seek alternative platforms.

Please do not hesitate to contact me for further assistance and guidance on these important matters.