

**Presentation by Catrina Brown
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Law Amendments Committee hearing on Bill 100
April 30, 2015**

On behalf of the Dalhousie Faculty Association, I would like to thank the Committee for this opportunity to express our concerns about Bill 100, the Universities Accountability and Sustainability Act. We welcome the amendments proposed by the Minister this morning, but we still have concerns about Sections 8, 12, and 20 and ask that they be deleted from the legislation.

We agree that university administrations need to be more accountable, not only to government but also to their employees, their students and the broader public. We have spoken out many times about the diversion of operating funds into capital projects. The number of senior administrators has increased dramatically while academic programs and faculty positions are being cut back. Class sizes have increased, tuition has increased, universities are more dependent on temporary and part-time employees, and a growing number of departments are trying to run their programs on a shoestring. There is nothing left to cut. Yet new buildings keep going up. Bill 100 does not address these issues.

Throughout all this, our universities remain, in the words of the Ivany Report, “one of Nova Scotia’s greatest comparative advantages.” But we will lose that advantage if Bill 100 comes into effect. Students, who are attracted to the wide range of high-quality programs our

universities provide, will not come here if their university has a revitalization plan.

World-class scholars, who value their academic freedom and ability to pursue independent research, will not come here if their research is dictated by government. Donors will think twice before donating to a university that is undergoing a revitalization process.

With regard to labour relations, we share with many others the concerns expressed about Section 8 of the legislation. Removing Section 8-1-d is a step in the right direction, but we would like to see the rest of Section 8 deleted as well. Clause 2 and 3 of Section 8 both interfere unduly with the collective bargaining rights of unionized employees. This section violates the fundamental principles of labour relations enshrined in the Nova Scotia Trade Union Act, and we believe that it is unconstitutional.

But our concerns about Bill 100 go beyond labour relations. This legislation strikes at the heart of the purpose of a university and its core mission of teaching and research. Universities exist to promote critical thinking, curiosity and discovery and professional judgment. They are there to help young people develop the thinking, learning and research skills that will serve them well in their lives.

In order to carry out that mission, universities must have autonomy in academic matters. Faculty must have the freedom to teach and conduct research without interference from either administrators or government. Academic freedom is to professors what freedom of the press is to journalists.

In the debate on the Bill earlier this week, the Minister herself spoke about respect for “the university’s autonomy and the principles of academic freedom.” But to say that a university *may consider* the academic freedom of the university and faculty is not an adequate protection for academic freedom.

Both Section 12 and Section 20 of the Bill make specific reference to alignment with government priorities in research and teaching. The notion that a university – and by extension, its faculty – would align its academic priorities to *any* government agenda is contrary to both university autonomy and academic freedom. In short, you can’t tell universities what to teach and research.

For these reasons, we believe that Bill 100 will have a devastating impact on our universities and will make them less sustainable, not more so. We strongly urge the Government to withdraw Bill 100 and replace it with something that would make administrators and government truly accountable to everyone who holds a stake in our universities.

Thank you.