



SPRING 2020

# THE INSTRUCTOR

## ***Distanced Greetings***

***Larissa Atkison, Communications Officer***

Greetings CUPE 3912 members – from my home-stay to yours,

These past few weeks have been transformative to say the least. Many of us have quickly transitioned classes to unfamiliar online fora, most of us have been called on to offer leadership to distressed and displaced students, some juggling their normal responsibilities while caring for their family members impacted by the pandemic, others are stepping up to buy groceries for elderly neighbours. No matter how we have been affected, these are trying times that will continue to have a dramatic impact on our daily lives. Now, more than ever before, it is crucial that we stay connected to our communities and our networks and that we act. As your union local we continue to be here to support you and your families as you navigate the impact of this moment on your roles as TAs and part-time instructors. Our ears and inboxes are open. We want to hear how you have been coping in this challenging time, what new struggles you are facing, as well as the techniques and resources you have looked to for levity.

The pages of this newsletter bring together “business as usual” material designed to keep you informed about our ongoing efforts to campaign for better working conditions and preserve hard-fought gains such as precedence and academic integrity. We’ve also included a timely reflection on online teaching and ways to stay connected in this moment. We have also included an advertisement for

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Mayworks digital festival and our own first online our first online social!

Feel free to contact me, Karen, or your VPs at any time to talk about labour issues you are currently facing or broader concerns you might have about the pandemic.

I hope to see you online soon!

In solidarity,

Larissa Atkison, [communicationsofficer.cupe3912@gmail.com](mailto:communicationsofficer.cupe3912@gmail.com)

## ***Message from the President***

***Karen Harper***

I am an optimist, so I was very glad when I heard that Larissa decided to have feel good articles for this newsletter. I also love to plan so I was very disappointed when we had to put all our bargaining preparations on hold. Although I feel guilty about the relatively minor inconveniences in my life compared to the hard work most of you have had to endure on such short notice often while taking care of young kids, my own experiences during that first week made me understand the emotional effects of this disruption on all our lives. I really appreciate the emails I have been getting from you sharing your experiences with me so I can communicate this to our employers to ensure fair working conditions during the challenging time and beyond.

Now to the silver lining. I know it's difficult to think of any advantages of this situation, but one of the benefits for me has been better communication with the administration at the universities. At SMU, I have had excellent communication with top levels of administration, whom we have assisted to develop a strategy for summer courses. At Dal, I now have weekly video calls with academic staff relations, which facilitates communication within Dal; I hope this will lead to our input into developing guidelines for summer courses. Senior administration has reached out to us at the Mount and we plan to follow up soon to try to

work with them on strategies for summer courses as well. On a broader scale, faculty associations and other university unions in Nova Scotia are forming a group to help us all deal with our current situation and beyond; our goal is to make sure our employers have open communication, and remain transparent and accountable.

Strengthened communication with our employers and the formation of a strong group of university union leaders to advocate for workers' rights during this crisis will help us beyond our current situation. What we have learned in dealing with the universities' response to COVID-19 will inform our bargaining preparations so we can look forward to a return back to normal work (whatever that becomes) and to making it fair for us in 2020. We will continue everything we had planned for bargaining preparations including information sessions and a vote on bargaining proposals except it will be delayed and probably online. This year may not have started out so well, but I still have hope that we will not only survive but thrive and be ready to improve our working conditions so that we are much better prepared for whatever awaits us in the future.

Stay healthy everyone,  
Karen Harper  
President, CUPE 3912

## Upcoming Events

**Online Social:** Join us online for an end-of term online on Friday April 17 at 3 pm. We will send out an email with details.

**Annual General Meeting:** Stay tuned for updates on our postponed AGM and elections.

**Statistics Canada Survey:** Statistics Canada is conducting a survey on the impacts of COVID-19 on those living in Canada. CUPE would like to capture as many of our members' experiences as possible. It takes about 5 minutes to complete and closes on April 16. To complete the survey visit: <https://www.statcan.gc.ca/eng/survey/household/5311-COVID-19>



*The virus is teaching us from now on, living wages, guaranteed health care for all, unemployment and labour rights are not far left issues, but issues of right vs. wrong, life versus death.*

- Reverend Dr. William J Barber II

As a member of CUPE 3912, you are entitled to a discount on your smart phone!

For more details see <https://novascotia.cupe.ca/member-discounts/>

# ***Solidarity in the Time of Online Education***

***By Shiva Nourpanah, PhD***

The writing was on the wall way before the outbreak of the pandemic – universities have been increasingly turning to online teaching which has a fraction of the costs associated with traditional bricks-and-mortar classrooms, and offers students much more flexibility around their learning schedule (National Online and Digital Learning Survey, 2019). (And also, by the by, it contributes to the depoliticization and corporatization of our universities, which had once been important sites of struggle and resistance, but are now more and more part of the machinery for the reproduction of privilege. But that's a topic for another day).

Recognizing this trend, last March CUPE 3912 hosted a unique online/in-person session presenting “hacks” for online teaching, resulting in a lively interactive session with sessional and contract faculty on their experience and dos and don'ts of online teaching. Some takeaways from that discussion were as follows, which would still hold today:

- online teaching is very discipline and level-specific, that is, what works for say a 1000-level Biology class is not going to work in a 3000-level Social Theory;
- it is almost impossible to monitor constantly for plagiarism, especially without strong institutional support which is varied and unreliable;
- students are not as “wired” as we think they are – they need a lot of self-discipline and self-motivation for it to be a pedagogically meaningful experience.
- it is very, very easy to let online teaching creep and “take over” your life and you need to set hard boundaries on times and deadlines.

Fast-forward to March 2020, and it seems that for the foreseeable future at least, ALL educational activity will be taking place online. Hence the proliferation of articles and think-pieces on “how to” do online teaching, varying in tone from the angry (“Please do a bad job of putting your courses online” (Barret-Fox, 2020)) to the treacly (“don't write, ‘Some of you have skipped the past few quizzes. You won't pass this class if you continue to do so.’” Instead, write, “Thank you for your work in this class. I know it's a lot to manage.” (Darby, 2020)), to the technical (Synchronous or Asynchronous? (Moore and Hodges, 2020)).

What does this mean from a union and labour perspective?

Creating solidarity in a dispersed, overworked and stressed-out workforce has always been a daunting challenge. Move that workforce into cyberspace, and we can predict that the effort will be that much harder. Our CUPE 3912 president, Karen Harper and the communications team have so far done an admirable job in reaching out to our members, staying engaged and active. And it is vital not to let the current circumstances hamper our collective vision of a fair and equitable workplace. Indeed despite the real current anxieties, maybe now is the moment, a key moment where relationships between state and society, employee and employer, are being redefined. If this unprecedented moment does lead to the ubiquity of online teaching it will be all the more important to push for defined online labour standards, compensation, and tailored support for different needs and challenges that will certainly arise. In the short-term, we know moving your courses online under the pressure of living with a pandemic and in a time crunch is a labour-intensive chore, and we want to ensure that the work is

acknowledged and remunerated properly, much as Saint Mary's University has done.

We encourage all our members to reach out to the communications team or Karen with issues, observations, tips, concerns and solidarity. And while we all wish and hope for health and a return to more normal times, we take this moment to pause and reflect on what "normalcy" looks like for members of the precariat.

#### References

Barret-Fox, R. 2020. "Please do a bad job of putting your courses online". Retrieved from:

<https://anygoodthing.com/2020/03/12/please-do-a-bad-job-of-putting-your-courses-online>

Darby, F. 2020. "How to Be a Better Online Teacher". Retrieved from:

<https://www.chronicle.com/interactives/advice-online-teaching>

Moore, S. and Hodges, C. B. (2020) "So You Want to Temporarily Teach Online". Inside Higher Ed. Retrieved from:

<https://www.insidehighered.com/advice/2020/03/11/practical-advice-instructors-faced-abrupt-move-online-teaching-opinion>

National Online and Digital Learning Survey, 2019. <https://onlinelearningsurveycanada.ca/about-the-survey>

## COVID-19 Resources

*By David Banoub, CUPE 3912 Outreach Coordinator*

If any of you are in self-isolation, or do not have family, or need any other kind of help – related or not to work – let us know. We all have to support each other during this moment.

Emails for your respective VPs are here:

<https://3912.cupe.ca/about/officers/>

We are all coping with different circumstances, so feel free to reach out to any of the executive regardless of which university you are most affiliated with. Carlos Pessoa, the SMU VP, has kindly volunteered to be a point person for this kind of assistance. His email address is [vp.smu.cupe3912@gmail.com](mailto:vp.smu.cupe3912@gmail.com).

Carleton University Professor Jennifer Robson has created a very useful plain language guide to help those trying to access government programs in the time of coronavirus. Robson posted a Google Document online with straightforward instructions on how to apply for things like Employment Insurance, Caregiver Benefits,

rent subsidies and others. She answers questions like: "I'm self-employed. What benefits can I get?" and "I am at home because my kids cannot go to school or daycare. I need money to make ends meet." You can find Robson's guide in PDF form here:

[https://drive.google.com/file/d/1IOJn7XS6ETIkbLRodYk681M\\_2dxkkQsc/view](https://drive.google.com/file/d/1IOJn7XS6ETIkbLRodYk681M_2dxkkQsc/view)

CUPE National has provided a resource regarding income support for workers:

<https://cupe.ca/income-supports-workers-during-coronavirus-pandemic>

CAUT provided a list of frequently asked questions regarding COVID-19 and the academic workplace:

<https://www.caut.ca/content/covid-19-and-academic-workplace-questions-answers>

The province has launched podcast with daily updates with Dr. Robert Strang in a bite-sized audio format on Spotify, ApplePodcasts, or wherever you listen:

<https://anchor.fm/nsgov>

If you don't listen to podcasts, you can also hear Dr. Strang's audio updates on this YouTube playlist:

<https://www.youtube.com/playlist?list=PLwLZ9YtgHtLCeoeSIMKe-PxV2ctp2LqQy>

The province has launched an online map showing the number of COVID-19 cases in each of Nova Scotia's four health zones:

<https://novascotia.ca/coronavirus/data/>

There are provincial fact sheets on social distancing:

<https://novascotia.ca/coronavirus/docs/social-distancing-best-practices.pdf>

There is also a social distancing fact sheet in French:

<https://novascotia.ca/coronavirus/docs/social-distancing-best-practices-fr.pdf>

The Nova Scotia government has provided a list of Mental Health Resources During COVID-19:

<https://novascotia.ca/coronavirus/mental-health/>

There is also Canadian Mental Health Association list of resources:

<https://caringtogether-cmhans.ca>

Sport Nova Scotia has shared tips for Staying Active:

[http://www.sportnovascotia.ca/portals/0/docs/C19\\_TIPS\\_DOC\\_R3.pdf](http://www.sportnovascotia.ca/portals/0/docs/C19_TIPS_DOC_R3.pdf)

Halifax and Dartmouth farmers' markets are operating at partial capacity and provide opportunities to buy local products:

<https://www.halifaxfarmersmarket.com/covid-19-important-information-for-customers/>

<https://www.alderneylandingonlinemarket.com>

<https://www.halifaxbrewerymarket.com/covid-19-response>

Here are some emergency funds that are available, and are also accepting donations:

Black Lives Matter Solidarity Fund NS\_(For Black people living throughout Nova Scotia):

[https://www.gofundme.com/f/black-lives-matter-solidarity-fund-ns?utm\\_campaign=m\\_pd%20share-sheet&utm\\_medium=social&utm\\_source=twitter](https://www.gofundme.com/f/black-lives-matter-solidarity-fund-ns?utm_campaign=m_pd%20share-sheet&utm_medium=social&utm_source=twitter)

Nova Scotia Community Solidarity Fund (for individuals):

<https://docs.google.com/forms/d/e/1FAIpQLScI8eXgxO7VQc1ZEINvmzUwFE5qXFbs9-XBwKsWxqr2wG5g/viewform>

Atlantic Compassion Fund (for charities to support folks through COVID-19):

<https://www.unitedwayhalifax.ca/giving/united-by-compassion-fund.html>

Here's where Canadian artists and freelancers can find help during COVID-19 shutdowns: <https://www.cbc.ca/arts/here-s-where-canadian-artists-and-freelancers-can-find-help-during-covid-19-shutdowns-1.5503360>

## ***Academic Freedom Inside and Outside the Academy***

***By Pat O'Neill, CUPE 3912 Vice-president for Mount Saint Vincent University***

The main theme of the CAUT Forum for Senior Grievance Officers in Ottawa in December was Academic Freedom. I attended the Forum on behalf of CUPE 3912. The connection between Academic Freedom and the work of grievances officers is most apparent when university management decides to discipline a professor for something the professor says or writes. The current state of such freedoms was summed up by the keynote speaker, Michael Lynk, a law professor at Western University.

Academic Freedom is related to the more general category of free speech, although unlike free speech, Academic Freedom is not explicitly protected by Canada's Charter of Rights and Freedoms. In grievance cases that concern Academic Freedom, arbitrators

are left to connect the two concepts, only one of which is legally protected, on a case by case basis. Since arbitrators cannot rely on the Charter, they will refer to the wording of Academic Freedom clauses in collective agreements. That, of course, makes such wording very important in contract negotiations.

We are currently fashioning positions on Academic Freedom for upcoming negotiations with Dalhousie, Mount Saint Vincent, and Saint Mary's.

Speakers at the Forum distinguished between two sorts of Academic Freedom, intra-mural and extra-mural. In the former category, threat to the professor's Academic Freedom typically come from management.

The threat is sparked by students and may concern what the professor said (or is alleged to have said) in the classroom.

Extra-mural Academic Freedom concerns what the professor does or says off campus, such as making public statements about matters of social concern. In the old days, such statements might have been made to a crowd from a soap box; now they are more likely to be on Twitter.

When I was an undergraduate at the University of Victoria, there was a striking example of extra-mural threat to Academic Freedom. As a reaction to the FLQ crisis in Quebec, B.C.'s Social Credit government passed a law banning speech about the FLQ in schools and on campuses. My philosophy professor and a local bookstore owner decided to test the law by holding a debate for and against the FLQ on the steps of the Student Union Building. The law would have blocked funding to institutions and schools where teachers spoke about the FLQ. The university acted, and the professor lost his job.

Some people think that your freedom is limited to your academic specialty. In that case, the philosophy professor could have spoken about his area of philosophical expertise, but not about the FLQ. We were told at the Forum that there no such legitimate limitation on Academic Freedom – it extends to anything we want to talk about. In fact, it extends beyond actual speech. In a recent example, a professor's Academic Freedom was threatened when the professor



refused to shake the hand of the University President at convocation.

We also learned about the most recent views of defamation. In the heat of academic debate, hot discussion may lead to an allegation that Prof. X has defamed President Y. While defamation can lead to litigation, it can also be used as a way to discipline Prof. X. Suppose Prof. X says that actions by President Y are “just like Hitler!” The collective agreement may have a “civility clause” that says how people ought to treat each other in campus discourse. (As you can imagine, CAUT urges unions to avoid letting management put such clauses in contracts).

The administration may use that clause to discipline Prof. X. If and when the case gets to arbitration, the Arbitrator will rely on the civility clause and the clause on Academic Freedom to come to a decision. The Arbitrator may also rely on the existing laws and precedents related to defamation, thus importing them into Academic Freedom standards on campus.

In that light, it is useful for grievance officers to be conversant with the current litigation concerning defamation. Prof. X will probably claim that what he said about President Y is “fair comment”. But the administration (though its lawyer), will respond that it can only be fair comment if Prof. X had an “honest belief” that what he said was true at the time he said it. But that aspect of defamation is hard to prove. Did Prof. X really have an “honest belief” that President Y was “like Hitler”? Probably not.

A recent decision by the Supreme Court of Canada, however, has softened the “honest belief” test. It found in favour of a radio

commentator who was being sued for defamation for saying that someone was not only like Hitler, but also like the Ku Klux Klan and other odious people. Did the commentator have an “honest belief” that the person – a public figure – was actually like those people? The Court recognized that the “honest belief” test was too strict. Instead, the Court set forth a new set of criteria for defamation cases. Here they are:

To use the “fair comment” defence, the professor’s comment must contain four elements:

- (a) the comment must be on a matter of public interest;
- (b) the comment must be based on fact;
- (c) the comment, though it can include inferences of fact, must be recognizable as comment;
- (d) the comment must satisfy the following objective test: could any person honestly express that opinion on the proved facts? (WIC Radio vs. Simpson, Supreme Court of Canada 2008).

The radio commentator and the radio station that employed him won the case based on those criteria and, in our campus example, Prof X might too.

### **Control over teaching**

Returning to intra-mural threats to Academic Freedom: Many such threats involve the classroom. At the Forum, we discussed the control an employer may try to exert over the professor as a teaching professional. For instance, does the administration have the right to specify what your marks should be? When I was on the Academic Freedom



Committee of CAUT, we had more than one case where a Dean or an even higher administrator changed a student's grade or otherwise interfered with a teacher's grading practices. Can you fail a whole class? Can the employer specify that your marks for a class must fall within a given range?

Another matter of Academic Freedom related to the classroom: A professor was accused

of saying something "inappropriate" in class. The administration in making a case of discipline, demanded the professor turn over his class notes. When he refused, his notes were accessed by the administration on university server. Clearly, where you store your notes and other communications with students (such as e-mail) can have an impact on your ability to defend yourself in academic freedom cases.

## ***In Memorium: Remembering Joyce Conrad***

***By Barbara Moore, former President of CUPE 3912***

In the early 1990s, academic teachers, lecturers, and teaching assistants were suddenly being hired in place of full-time academic faculty for a pittance of the wages the universities in Canada paid full-time and tenured faculty members. Fully qualified to teach the areas and disciplines they had

studied and received Masters and Doctoral degrees in, these precarious workers desperately needed to unite in one voice, or one union, to have collective decision making and negotiations for better working conditions and better pay. Joyce Conrad and I met as the Education Workers of Canada merged with the Canadian Union of Public Employees in late 1994 early 1995. Joyce had been actively trying to promote unionization at Saint Mary's University. But after the new CUPE 3912 won a union certification order to begin negotiations with Dalhousie University, it was decided to organize part-time faculty workers at both Saint Mary's and Mount Saint Vincent Universities and in February, 1995, those organizing campaigns began and were successful. Still it took until April 1998, before

all three universities signed their first collective agreements with CUPE 3912.

Joyce participated in every job necessary to successfully serve the interests of the membership of CUPE 3912 and she served as the Vice-President representing members at Saint Mary's for many years and she served those members very well.

Joyce taught Sociology and Women's Studies and I did as well, so we had great discussions on published works about the working classes in Canada. Joyce was a great believer in social justice and was a favourite with students at SMU and also at Mount Saint Vincent University. Joyce and I also had in common our dedication to the women's movement in that she had worked with women at Bryony House in Halifax and I was one of four founders of Chrysalis House, now in Kentville. Joyce also was engaged in a number of government research projects regarding indigenous women and women in rural Nova Scotia which were important additions to a sparse collection of women's issues in Nova Scotia. We both gained our degrees later in life and raised children while

studying. She was a well read and interesting academic who enjoyed teaching students about the social implications of the economic, historical, political and theoretical aspects of our lives.

Joyce was a bunk mate at CUPE National and Provincial conventions and we had loads of fun due to Joyce's great sense of humour. We also had great working teams on the negotiation committees at all three universities and in those early years other dedicated executive members joined negotiations and were invaluable in standing firm to gain better conditions for our workers.

There was Michael Earle who was our official treasurer as well as negotiator and 3912 historian; Marvin Silver was involved in the first campaigns and negotiations at Dalhousie and also served on the executive; Kent Baker was a very able negotiator who served on the executive for several years and these are just to name a few of the early members who organized and negotiated. Joyce worked well with everyone but was also a firm negotiator. Former CUPE 3912 President, Steve Cloutier, recently told me that he became interested in being on the Executive of 3912 at the encouragement of Joyce and he was glad he made the decision to offer for President for a number of years.

As my partner and I became permanent attendees at the Stan Rogers Festival in Canso, NS each summer, we were delighted

to learn that Joyce and her partner, Paul, had a Bed and Breakfast in Queensport, a short drive from Canso, and we began to join other couples each year at Joyce's for her lovely hospitality, cozy accommodations and excellent breakfasts and conversations. The discussions involved which talent at the Stanfest we all liked the best to Nova Scotia politics – always lively and fun. It was at our last stay with Joyce in 2015, that she told us she had been diagnosed with Alzheimers and sadly would no longer be operating the B & B after that summer. I was stunned and heartsick for her but she put on a brave face for us. That was the last time I saw Joyce and we lost touch as I was hired as a full-time faculty member at Acadia and resigned my position as President of CUPE 3912. I thought of her very often and tried to find out how to contact her family to see how she was doing but no one seemed to have that information and time went by too quickly before I saw her obituary in the Chronicle Herald this week.

To Joyce's partner Paul and her children, Gwen, Gail, Michael and Ian, plus her grandchildren, we all send our condolences and expressions of thanks and love for all she freely gave of her time and attention to improve the lives of so many. She was a strong trade unionist, an amazing teacher, a dedicated daughter, mother and grandmother and a great friend to us all.

## ***Waiting in Line (On Precedence)***

***By Carlos Pessoa, CUPE 3912 Vice-president for Saint Mary's University***

On the CUPE 3912 website, precedence is presented as "one of the most important

terms of our collective agreements." After a probationary period, which varies among the

three universities (Mount Saint Vincent, Saint Mary's and Dalhousie University), a member achieves precedence and is added to the precedence list. From then on, the number of courses one teaches is translated into precedence points and ranking on the list. Those who have taught the most and for the longest move up the list. This, in turn, sets priority for who gets hired. Those who have taught the longest get priority.

This ensures that an employer hires those who, through the years, have contributed to the development of programs and departments more broadly. In other words, it is an offer of security that one receives as he/she spends more of his/her life contributing to the university. Precedence guarantees that we are treated equitably based on experience and ensures that motivations such as nepotism, prejudice, or the quest for cheap labour will not drive departmental hiring decisions.

Employers have occasionally tried to bypass the list of precedence through various tactics such as removing faculty with consecutive unsatisfactory evaluations or looking to professionals to develop online courses

outside of the precedence list. Such efforts threaten to undermine our most crucial achievement as a union to date – the protection of job security for our long-term members.

Understandably, junior members can find precedence a frustrating impediment to their ability to secure work. While I recognize this frustration, it is important that we show solidarity in valuing the labour contributions of senior members. These individuals did not start at the top of the list; their position was established with hard work under precarious conditions. Rest assured, everyone who teaches consistently at any one of our three universities will gain precedence at that institution in due time. For information about how that works at each institution consult our webpage:

<https://3912.cupe.ca/rights-and-protection/precedence/>

In the meantime, let's continue to work together to defend this important achievement as we move forward in our campaign for better working conditions for all CUPE 3912 members.

## ***Outreach Coordinator Introduction***

***By David Banoub, CUPE 3912 Outreach Coordinator***

I am a part-time instructor in political science, Canadian studies, and history, and I have taught at Dalhousie, Saint Mary's, and Mount Saint Vincent. My BA is from Memorial University, and my MA and PhD are both from Carleton University.

Since 2017, I have had the pleasure of being the part-time faculty liaison for CUPE 3912. This work has involved sharing information between our executive and part-time faculty members, bringing campaign and event information to members' offices, and managing our Facebook page and Twitter

account. I have also compiled our membership brochure, and helped to organize pub nights, the recent tabling campaign, and the workshop on LGBTQIA2s+ inclusion in the classroom.

As the outreach coordinator, I will continue to do that work, but also work to liaise between teaching assistants at Dalhousie and the executive as well. I will be taking over updating and managing our website — I'm looking forward to being trained by our current webmaster, Amy Donovan.

Once things are back to normal, I look forward to seeing many of you again, and meeting new members at events or at your

offices. Going forward if there is a type of event or particular workshop you would like us to organize, please let me know:

[outreach.cupe3912@gmail.com](mailto:outreach.cupe3912@gmail.com)

Stay well!

## Online End-of-Term Social

We will send out an email with the Zoom link.

Friday April 17, 2020  
3-4 pm



# MAYWORKS

K'JIPUKTUK | HALIFAX

DIGITAL  
EDITION

Festival  
of Working  
People &  
the Arts

EDUCATE  
AGITATE  
ORGANIZE  
CELEBRATE



MAY 2020

MAYWORKSHALIFAX.CA

VOICES FROM THE PANDEMIC: COVID 19 & WORK  
TEST THEIR LOGIK | THE BIG SING | DOG ISLAND | NFB PLAYLIST | REEL JUSTICE | DAPOPO THEATRE  
AND TWO SOLITARY SOUNDWALKS  
VISTA BY ZUPPA THEATRE CO. | WALKING GOTTINGEN BY JAYDE TYNES & FRANCELLE FIALLOS

