

# **The Academic Freedom Language of CAUT Member Associations**

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## **Les clauses de la liberté académique des associations membres de l'ACPPU**

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# **CAUT Model Clause on Academic Freedom**

## **Academic Freedom**

**1**

The institution<sup>1</sup> serves the common good of society, through searching for, and disseminating, knowledge, and understanding and through fostering independent thinking and expression in academic staff and students. These ends cannot be achieved without academic freedom. All academic staff members have the right to academic freedom.

**2**

Academic freedom includes the right, without restriction by prescribed doctrine, to freedom to teach and discuss; freedom to carry out research and disseminate and publish the results thereof; freedom to produce and perform creative works; freedom to engage in service<sup>2</sup>; freedom to express one's opinion about the institution, its administration, and the system in which one works; freedom to acquire, preserve, and provide access to documentary material in all formats; and freedom to participate in professional and representative academic bodies. Academic freedom always entails freedom from institutional censorship.

**3**

Academic freedom does not require neutrality on the part of the individual. Academic freedom makes intellectual discourse, critique, and commitment possible. All academic staff members have the right to fulfil their functions without reprisal or repression by the employer, the state, or any other source.

**4**

All academic staff members have the right to freedom of thought, conscience, religion, expression, assembly, and association and the right to liberty and security of the person and freedom of movement. Academic staff members must not be hindered or impeded in exercising their civil rights as individuals, including the right to contribute to social change through free expression of opinion on matters of public interest. Academic staff members must not suffer any institutional penalties because of the exercise of such rights.

**5**

Academic staff members are entitled to have representatives on and to participate in collegial governing bodies in accordance with their role in the fulfilment of the institution's academic and educational mission. Academic staff members shall constitute at least a majority on committees or collegial governing bodies responsible for academic matters including but not limited to curriculum, assessment procedures and standards, appointment, tenure and promotion.

## **6**

Academic freedom is a right of members of the academic staff, not of the institution. The employer shall not abridge academic freedom on any grounds, including claims of institutional autonomy.

**Approved by the CAUT Council, April 2016.**

### **Endnote**

1. The term “institution” is meant to include universities and colleges. Replace the term with the appropriate term for your institution.
2. See Policy Statement on Service.

# Clause modèle de l'ACPPU sur la liberté académique

## Liberté académique

1

L'établissement d'enseignement<sup>1</sup> œuvre pour le bien commun de la société en contribuant à la quête et à la diffusion du savoir, de la vérité et des idées et en encourageant les membres du personnel académique et les étudiants à penser et à s'exprimer en toute indépendance. La liberté académique est indispensable pour arriver à ces fins. Tous les membres du personnel académique ont droit à la liberté académique.

2

La liberté académique comprend le droit, non restreint à une doctrine prescrite, à la liberté d'enseignement et de discussion, à la liberté d'effectuer des recherches et d'en diffuser et publier les résultats, à la liberté de réaliser et d'exécuter des œuvres de création, à la liberté de servir l'établissement d'enseignement et la collectivité<sup>2</sup>, à la liberté d'exprimer librement ses opinions au sujet de l'établissement d'enseignement, de son administration ou du système au sein duquel une personne travaille, à la liberté de ne pas être assujetti à la censure institutionnelle, à la liberté d'acquérir et de conserver des documents d'information dans tous les formats et d'en favoriser l'accès, et à la liberté de prendre part à des organismes professionnels, universitaires ou collégiaux représentatifs.

3

La liberté académique n'exige pas la neutralité de la part du personnel académique. Elle rend possibles le discours intellectuel, la critique et l'engagement. Tous les membres du personnel académique ont le droit d'accomplir leurs tâches sans craindre de représailles ni de répression de la part de l'employeur, de l'État ou d'une autre source.

4

Tous les membres du personnel académique jouissent de la liberté de pensée, de conscience, de religion, d'expression, de réunion et d'association et du droit à la liberté et à la sécurité de la personne ainsi qu'à la liberté de mouvement. Ils ne doivent pas être retenus ni empêchés d'exercer leurs droits civiques, y compris le droit de contribuer au progrès social en exprimant librement leur opinion sur des questions d'intérêt public. Ils ne doivent pas non plus être frappés de sanctions de la part de leur établissement en conséquence de l'exercice de ces droits.

5

L'exercice de la liberté académique au sein de l'établissement d'enseignement est indissociable du principe et de la pratique de la gouvernance collégiale. Tous les membres du personnel académique ont le droit d'être représentés au sein des organes directeurs

collégiaux et d'y participer conformément au rôle qui leur revient dans la réalisation de la mission académique et pédagogique de l'établissement. La liberté académique implique que, pour ce qui concerne les questions académiques, dont le programme d'études, les procédures et normes d'évaluation, les nominations, la permanence, les promotions et les autres questions relatives à l'enseignement et à la recherche, les membres du personnel académique forment à tout le moins la majorité des membres des comités ou des organes directeurs collégiaux responsable des politiques académiques.

6

Le droit à la liberté académique appartient aux individus et non pas à l'établissement d'enseignement. L'autonomie de l'établissement ne prime pas sur la liberté académique. Toute prétention de l'employeur voulant que l'autonomie de l'établissement ait priorité sur la liberté académique des individus constitue une forme de censure institutionnelle.

**Approuvé par le Conseil de l'ACPPU en avril 2016.**

#### **Notes de fin**

1. Le mot « établissement d'enseignement » désigne à la fois une université ou un collège. Veuillez le remplacer par le mot qui correspond à votre établissement.
2. Voir l'énoncé de principes sur les activités de service.

# Acadia University Faculty Association

(1 July 2014 – 30 June 2017)

## Article 5.00: Academic Freedom

- 5.10 The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research.
- 5.20 Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes intellectual discourse, critique, and commitment possible.
- 5.30 Employees are entitled, regardless of prescribed doctrine, to:
- (a) freedom in carrying out research, and in publishing the results thereof;
  - (b) freedom of teaching and of discussion;
  - (c) freedom in producing and performing creative works;
  - (d) freedom to critically evaluate societal institutions;
  - (e) freedom to engage in service to the institution and the community;
  - (f) freedom to acquire, preserve, and provide access to documentary material in all formats;
  - (g) freedom to participate in professional and representative academic bodies;
  - (h) freedom from institutional censorship.
- 5.40 Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising such freedom, Employees have a responsibility to respect the academic freedom and rights of other members of the University community.
- 5.50 The Parties agree that they shall not infringe or abridge in any way the academic freedom of Employees.
- 5.60 The Parties shall scrupulously adhere to and protect these principles against threats from inside and outside the University.



## **Association of the Academic Staff of the University of Alberta**

(All Units: 1 July 2015 – 30 June 2018)

*Faculty, Librarian, Faculty Service Officer (FSO), Temporary Administrative and Professional Staff (TAPS), Trust/Research Academic Staff (TRAS), Academic Teaching Staff (ATS) agreements*

### Article 3: Academic Freedom and Access to Information [Faculty 2017]

#### Academic Freedom

- 3.01 The University of Alberta is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge.
- 3.02 The University expects each staff member to engage in these endeavours.
- 3.03 The parties to this Agreement subscribe to the principles of academic freedom, that is, the right to examine, to question, to teach, to learn, to investigate, to speculate, to comment, to criticize without deference to prescribed doctrine. Academic freedom does not confer legal immunity; nor does it diminish the obligation of members to meet their responsibilities to the University as set out in Article 7 (University responsibilities).
- 3.04 Members have the right to publish the results of their research without interference or censorship by the institution or its agents.

*There is no academic freedom language in the Administrative and Professional Officer agreement.*

# **Algoma University Faculty Association**

(Full-Time: 1 July 2015 – 30 June 2016)

(Part-Time Contract Faculty: 1 July 2016 – 30 June 2019)

## 10: Academic Freedom

- 10.01 The parties agree that the common good of society depends upon the search for truth and its free exposition. The fundamental purpose of a university and its unique contribution is the search for new knowledge and the free dissemination of what is known. Academic freedom is essential to these endeavours, both in teaching and in research, development, scholarly, and creative work. The parties further agree to abide by the principles of academic freedom as expressed in this agreement and more particularly in the following clauses.
- 10.02 Each member shall be free in the choice and pursuit of research consistent with the objectives and purposes of a university and in the publication of the results, subject only to the normally expected level of performance of his/her other duties and responsibilities.
- 10.03 Each member shall have freedom of discussion. However, in the exercise of this freedom in the classroom, reasonable restraint shall be used in introducing matters unrelated to his/her subject. The Board shall not require conformity to any religious beliefs, doctrines or practices.
- 10.04 The Board shall not impose supervision or other restraints upon, nor will it assume responsibility for what it said or written by a member acting as a private citizen. However, as a person of learning, he/she shall exercise good judgment and shall make it clear that he/she is not acting as a spokesperson for the University.
- 10.05 The Board shall expect and encourage each member to participate in, and contribute new ideas to, the promotion of the objectives of the University. Furthermore, it shall respect the right of each member to disagree with academic or administrative decisions. However, criticism of or advocacy of changes in the policies, programmes or administrative practices of the University shall be in the proper academic tradition of reasonable discussion.
- 10.06 If a member believes that his/her Academic Freedom has been violated, he/she shall address the concern to Tenure and Promotions Committee (TPC). The TPC shall recommend a remedy, which can include, but is not limited to, filing a grievance, instituting a policy change, or recommending disciplinary action.

*The language in the agreement for Part-Time Contract Faculty is the same except in 10.06:*

- 10.06 If a member believes that his/her Academic Freedom has been violated, he/she shall address the concern to Tenure and Promotions Committee (TPC) (see FT CBA, article 15.02 for committee duties). The TPC shall recommend a remedy, which can include, but is not limited to, filing a grievance, instituting a policy change, or recommending disciplinary action.

# **Athabasca University Faculty Association**

(1 July 2016 – 30 June 2018)

## Article 11: Academic and Professional Freedom

### 11.1 General

Although these statements occur within the body of this Agreement, the various items herein are not subject to negotiation, abrogation, or diminution in any way. They may, however, be subject to later interpretation. Staff Members shall not be hindered or impeded in any way by the Council or the Association from exercising their legal rights as citizens, nor shall they suffer any penalties because of the exercise of such legal rights.

### 11.2 Academic Freedom

The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. The parties agree that they will not infringe or abridge the academic freedom of any member of the academic community. Members of the University community are entitled, regardless of prescribed doctrine, to freedom in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticize Athabasca University and the Association, and freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to basic research and teaching, course development and delivery in a honest search for knowledge.

### 11.3 Professional Freedom

Each Professional Staff Member must be free to pursue excellence in the professional's field of competence, must be encouraged to contribute to the intellectual life of the University community, and must be encouraged to contribute to the intellectual life of the professional groups to which the Professional Staff Member belongs.

# **Atlantic School of Theology Faculty Association**

(1 April 2014 – 31 March 2019)

## Article 10: Academic Freedom of Members

### 10.10 Academic Freedom of Members

- (a) The common good of society depends on the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching function of the University as well as in its scholarship and research.
- (b) Members shall not be hindered or impeded in any way by the Employer or the Association from exercising their legal rights as citizens. Academic freedom does not confer legal immunity, nor does it diminish the responsibility of Members to meet their contractual obligations to the Employer. The parties to this Agreement agree that they will not infringe or abridge the academic freedom of any Member.
- (c) Members are entitled to freedom in investigation, speculation, research activities, and in publishing and otherwise disseminating the results thereof; freedom in carrying out their professional responsibilities; freedom of teaching and of discussion; freedom to criticize the University, the Employer, the Administration, the Association, affiliated organizations and ecclesial bodies; and freedom from institutional censorship.
- (d) Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising their academic freedom, Members have a responsibility to respect the academic freedom and rights of other persons within the University community.
- (e) Given the Employer's commitment to ensuring that the AST library provides to the University community the opportunity to access all expressions of knowledge, intellectual activity, information and ideas (subject to the University's financial and physical resources and its policies on confidentiality), it is the responsibility of Members who are Professional Librarians to promote such access, and to resist responsibly any efforts to limit such access.

## **Association of Professors of Bishop's University**

(Full-Time Faculty: 1 July 2016 – 30 June 2020)

(Contract Faculty: 1 July 2012 – 30 June 2015)

(Librarians: 1 July 2016 – 30 June 2020)

### Article 5: Academic Freedom

- 5.1 The Corporation and the Association acknowledge that the University is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, the parties agree to abide by the principles of academic freedom as expressed in the following statement. Academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without deference to prescribed doctrine, as well as the right to criticize the University, the Corporation and the Association in a lawful and non-violent manner, and to criticize society at large. Specifically, and without limiting the above, academic freedom entitles members to:
- a) freedom in carrying out their activities as teachers subject to the academic regulations of Senate,
  - b) freedom in pursuing research and scholarship and in publishing or making public the results thereof, and
  - c) freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual, nor does it preclude commitment on the part of an individual. Rather academic freedom makes such commitment possible. The right to academic freedom carries with it the duty to use that freedom in a responsible way.

*The preceding language is the same in the Contract Faculty collective agreement.*

*The Librarians' collective agreement contains the following language:*

### Article 4: Intellectual Freedom and Intellectual Property

#### 4.01 Intellectual Freedom

The Corporation and the Association acknowledge that the University is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, the parties agree to abide by the principles of intellectual freedom as expressed in the following statement. Intellectual freedom is the freedom to examine, question, teach and learn, and it involves the right to investigate, speculate, and comment without deference to prescribed doctrine, as well as the right to criticize the University, the Corporation and the Association in a lawful and nonviolent manner, and to criticize society at large. Specifically, and without limiting the above, intellectual freedom entitles Members to: (a) freedom in carrying out their activities as librarians; (b) freedom in pursuing research and scholarship and in publishing or making public the results thereof, and (c) freedom from institutional censorship. Intellectual freedom does not require neutrality on the part of the individual, nor does it preclude commitment on the part of an individual. Rather, intellectual freedom makes such commitment possible. The right to intellectual freedom carries with it the duty to use that freedom in a responsible way.

# **Brandon University Faculty Association**

(1 April 2015 – 31 March 2019)

## Article 5: Academic Freedom

- 5.1 Academic freedom is essential to the pursuit and dissemination of truth and knowledge as well as to the fulfillment of the University's objectives.
- 5.2 Academic Freedom includes the freedom
  - to examine, to question, to teach, and to learn;
  - to disseminate opinions on questions relating to the member's teaching, professional, and research activities both inside and outside the classroom;
  - to pursue, without interference or reprisal, a member's own research, creative or professional activities, and to publish the results thereof.
- 5.3 Academic freedom respects the rights of members by protecting them from institutional censorship or reprisal when they act as members of the society or members of the University.
- 5.4 Academic freedom does not require neutrality on the part of the member. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. Members shall attempt to make clear that, except when specifically authorized to do so, they are acting in their own name and not in the name of the Employer.
- 5.5 The Parties agree that they will not infringe or abridge the academic freedom of any member.

# Brescia Faculty Association

(1 July 2016 – 30 June 2020)

## Article 6: Academic Freedom

- 6.1 The common good of society depends upon each individual's freedom of expression, and academic freedom in higher education is an essential aspect of that common good. The history of intellectual growth and discovery clearly demonstrates the value of academic freedom. Brescia University College is committed to the pursuit of truth, the advancement of learning and the dissemination of knowledge.
- 6.2 All members of the Brescia University College faculty are entitled to the exercise of academic freedom. Academic freedom includes the right to carry out research and publish the results, and to teach, write, propose and discuss, without deference to prescribed doctrine. It also includes the right to criticize anything, including the Brescia Faculty Association and Brescia University College, and to cooperate with colleagues in academic matters without interference. Academic freedom does not require neutrality on the part of faculty members.
- 6.3 Academic freedom includes the right to make statements or publish research, which may discomfit those who provide research or educational resources.
- 6.4 Obligations of faculty members include the responsibility to respect the rights and freedoms of others and preservation of the confidentiality necessary in personal, academic and administrative deliberations. Faculty must respect the right of other members of the academic community – faculty, staff and students – to express their opinions.
- 6.5 In the classroom, there are freedoms and responsibilities. The credibility of the principles of Academic Freedom depends upon a collective commitment to exercise those freedoms in a manner consistent with the scholarly obligation to base research and teaching on an honest and ethical search for knowledge, intellectual rigour, and sound academic procedure. As professors, faculty members are required to teach what is in accordance with the truth, as they see it. In this capacity, it is the duty of faculty members, in each course they teach, not to endorse views which they know to be false. Faculty members have the responsibility to conduct class discussions in an open manner that invites critical thinking. Acknowledging these principles, Brescia University College recognizes the great benefits to be extracted from the free transmission and exchange of ideas, and from the collaborative testing and challenging of views, however controversial. Consequently, Brescia University College will not threaten faculty members with sanctions, or impose sanctions upon them after the fact, for academic discussions conducted in accordance with this policy within the classroom or the content of the material that figures in the courses they teach.
- 6.6 When engaged in teaching, research or scholarship, or when engaging in public discourse, Brescia faculty have a responsibility to reflect upon Brescia University College's values, its Catholic identity and their own ethical principles. Faculty members are also expected to act in accordance with the law, including, but not limited to, the Ontario *Human Rights Code* and the Canadian *Charter of Rights and Freedoms*. Notwithstanding this principle, it is understood that non-violent civil disobedience can in some instances be consistent with academic freedom. In cases where convictions are brought against faculty members, Brescia University College will not impose sanctions upon faculty members unless those convictions bear directly on their fitness for continuing employment as scholars and teachers.
- 6.7 It is expected that the Administration of Brescia University College and the Brescia Faculty Association will promote, cherish and protect academic freedom, particularly in situations where there may be external pressures to silence an individual or a group.

- 6.8 All faculty members have the right to fulfil their functions without discrimination of any kind and without interference or repression from University administrators, politicians, or others. No member of Brescia University College's academic community shall suffer any penalty or reprisals for the exercise of academic freedom in accordance with this policy, nor will any such penalty or reprisal be countenanced.
- 6.9 In their capacity as researchers and scholars, individual researchers do not represent the views of Brescia University College. Faculty shall not purport to speak on behalf of Brescia University College unless specifically authorized to do so. A statement of affiliation with, or position in Brescia University College, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of Brescia University College.
- 6.10 A faculty member who intends to publish a statement, research results, or an opinion piece that in his or her opinion might reasonably be expected to invite intense public scrutiny may wish, in order to allow for a timely response by the University, to inform the Principal in advance of the publication date, if doing so is practicable and reasonable. Such a provision of information would be entirely voluntary and by no means required or expected. In the event of receiving such information, neither the Principal nor Brescia University College will attempt in any way to dissuade the faculty member from releasing his or her statement, nor shall the release of this material be hindered by Brescia in any way, either overtly or subtly. In the event of faculty statements causing intense public scrutiny where no such advance notice was provided to the Principal, the faculty member shall be subject to no sanction or censure because of the lack of notice.
- 6.11 The Administration of Brescia University College, each member of Faculty and the Brescia Faculty Association agree to uphold and protect these principles of academic freedom.



# **University Of British Columbia Faculty Association**

(1 July 2016 – 30 June 2019)

## Part 1: Framework for Collective Bargaining

THE UNIVERSITY OF BRITISH COLUMBIA  
and the  
FACULTY ASSOCIATION OF THE UNIVERSITY OF BRITISH COLUMBIA

DESIRING to promote fair and proper economic conditions and terms of appointment for Faculty Members, Librarians, and Program Directors at The University of British Columbia;

RECOGNIZING that the University is a community of scholars whose essential functions are the pursuit and dissemination of knowledge and understanding through research and teaching and that academic freedom is essential to carrying out these functions;

BEING DETERMINED not to interfere with that academic freedom;

CONFIRM THAT the members of the University enjoy certain rights and privileges essential to the fulfilment of its primary functions: instruction and the pursuit of knowledge. Central among these rights is the freedom, within the law, to pursue what seems to them as fruitful avenues of inquiry, to teach and to learn unhindered by external or non-academic constraints, to engage in full and unrestricted consideration of any opinion. This freedom extends not only to the regular members of the University but to all who are invited to participate in its forum. Suppression of this freedom, whether by institutions of the state, the officers of the University or the actions of private individuals, would prevent the University from carrying out its primary functions. All members of the University must recognize this fundamental principle and must share responsibility for supporting, safeguarding and preserving this central freedom. Behaviour which obstructs free and full discussion, not only of ideas which are safe and accepted but of those which may be unpopular or even abhorrent, vitally threatens the integrity of the University's forum. Such behaviour cannot be tolerated.

# BCIT Faculty and Staff Association

(1 July 2014 – 30 June 2019)

## Article 7.1: Academic Freedom

7.1.1 There shall be no infringement or abridgment of the academic freedom of any faculty member. Society benefits from the search for knowledge and its free exposition. Academic freedom is essential to both these purposes in the teaching function of the Institute as well as in scholarship and research.

Academic freedom is the freedom to examine, question, teach, and learn and it involves the right to investigate, speculate, and comment without regard to prescribed doctrine. Academic freedom ensures the following:

- Freedom in the conduct of teaching;
- Freedom in undertaking research and publishing or making public the results thereof, without infringing upon the Institute's copyright privileges;
- Freedom from institutional censorship.

Academic freedom carries with it the duty to use that freedom in a responsible way and in a manner consistent with the scholarly obligation to base teaching and research on an honest search for knowledge and the obligation to follow the curriculum requirements of the instructional assignment.

7.1.2 Subject to Articles 7.1.3 and 7.1.4, members of the Bargaining Unit shall be governed by their own discretion in their presentation of course material within the constraints of professional conduct as Faculty, Assistant Instructors, and Technical Staff.

7.1.3 The provisions of this Article shall be subject to such modification as a legal accrediting body requires, provided that:

7.1.3.1 the accrediting body legally governs the right of a graduate to practice; and

7.1.3.2 the particular requirement as to teaching method is specified precisely by the accrediting body; and,

7.1.3.3 the specific provision is stated by the accrediting body as being essential to continued accreditation of the course or program, or licensing of BCIT graduates.

7.1.4 In Industry Services when course materials include specific lesson plans and/or presentation guidelines, the instructor will be expected to follow the plans and guidelines; otherwise the method of presentation will be left to the instructor's discretion.

# **Brock University Faculty Association**

(1 July 2017 – 30 June 2020)

## Article 11. Academic Freedom

- 11.01 (a) The Parties acknowledge that they are committed to the pursuit of truth, the advancement of learning, and the creation, interpretation, preservation and dissemination of knowledge. To this end, they agree to uphold and protect the principles of academic freedom as expressed in the following statement: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment publicly without deference to prescribed doctrine. The Parties agree that they will not infringe upon or abridge the academic freedom of any member of the University community.
- (b) The right to academic freedom does not permit members of the University Community to infringe upon the academic freedom of other members.
- 11.02 Academic freedom does not require neutrality in expression or attitude. Rather, academic freedom makes commitment possible and may result in strong statements of beliefs and positions. The credibility and acceptability of the principle of academic freedom depend upon that freedom being used in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. Likewise, these freedoms do not confer legal immunity or legal defense by the University for positions that members may take which are not specifically sanctioned by the University.
- 11.03 The Parties have a responsibility for the development and maintenance of academic freedom and the intellectual freedom implied therein. The Parties agree that every person has the right to have access to all expressions of knowledge, creativity and intellectual activity, such rights being essential to the health and development of a free society. Specifically, it is the responsibility of the University to facilitate access, to the best of its ability, to all expressions of knowledge and intellectual activity, including those which some elements of society may consider unconventional, unpopular, or unacceptable, by acquiring the widest possible variety of materials and by making all library and information access facilities and services available to members of the University community.
- 11.04 Members shall be free in the choice and pursuit of research/scholarly/creative activities and in publishing the results and conclusions thereof; free in the choice and pursuit of teaching methods and content; free to discuss and criticize, including criticism of the University and the Union; and they shall be free from censorship by the Parties.
- Professional librarians shall be free to state their professional views on matters relating to their discipline. They also have a responsibility not to practice or permit censorship in the selection or use of library materials and to strive to provide to members of the University community the fullest possible access to information sources regardless of how controversial those may be.
- 11.05 Members shall have a right to disclose publicly information about risks to research participants or the general public or threats to the public interest that become known in the course of their research.

# **Faculty Association of the University of Calgary**

(1 July 2016 – 30 June 2017)

## Article 6: Academic Freedom

- 6.1 The University is committed to the pursuit of truth and the advancement of learning as well as to the dissemination of knowledge. The Parties to this Agreement subscribe to the principles of academic freedom, that is, the right of the academic staff to examine, to question, to teach, to learn, to investigate, to speculate, to comment and to criticize without deference to prescribed doctrines, and recognize the right of academic staff to engage in these activities. Academic freedom includes the duty to use that freedom in a manner consistent with the responsibility to base research and teaching on an honest search for knowledge.

# Canadian Military Colleges Faculty Association

(1 July 2010 – 30 June 2014)

## Article 5: Academic Freedom and Academic Responsibility

### 5.01 General Definition

UTs have a right to academic freedom. Academic freedom does not confer legal immunity, nor does it diminish the responsibility of UTs to fulfil their academic obligations. It is defined as the freedom, individually or collectively, to pursue, to develop and to transmit knowledge through research, study, discussion, documentation, production, creation, teaching, lecturing and writing, regardless of prescribed or official doctrine and without constriction by institutional censorship. It includes:

### 5.02 The Freedom to Teach, and Its Responsibilities

UTs teaching courses have the right to the free expression of their views on the subject area, and may use and refer to materials and their treatment thereof without reference or adherence to prescribed doctrine. In such circumstances, the UT is expected to cover topics according to the calendar description, to remain up to date in the knowledge of the discipline, treat students fairly and ethically, and teach effectively; which includes using fair, reasoned and fact-based arguments and showing a willingness to accommodate the expression of differing points of view.

### 5.03 The Freedom to Research, and Its Responsibilities

UTs have the freedom to carry out scholarly research within areas of their expertise without reference or adherence to prescribed doctrine. This should not be interpreted to preclude or inhibit the ability of UTs to develop new areas of expertise. UTs are expected to meet established ethical guidelines for work with animal or human subjects, to deal fairly with colleagues and students, to carry out their research in the spirit of an honest search for knowledge, and to base findings upon a critical appraisal of available evidence and a reasoned analysis of its interpretation.

### 5.04 The Freedom to Publish, and Its Responsibilities

UTs have the right to publish the results of their research, without interference or censorship by the institution, its agents, or others. This should not be interpreted as prohibiting the UT from accepting restrictions upon publication as a condition of receiving support for the UT's research from a sponsor. Researchers have a responsibility to report findings honestly and accurately, and to recognize appropriately the contributions of others to the work they report.

### 5.05 Freedom of Expression, and Its Responsibilities

UTs have the right to freedom of expression. UTs who are commenting in their areas of disciplinary expertise are bound by the same obligation to honest and accurate scholarship which attends the right to publish research. In the exercise of this right, UTs shall not create ambiguities as to whether they are speaking in a professional capacity or as private citizens, nor shall they claim to speak on behalf of the College unless so authorized.

### 5.06 Academic Freedom and the Specific Mission of the CMC

The special mission of the College does not diminish the academic freedom of the UT. Nonetheless, the special mission makes the College vulnerable to harm from misunderstandings that may arise from public discussion or publication in areas that speak directly to that special mission. This places on the UT, embarking upon such public

discussion or publication, a somewhat greater responsibility for clarity than might attend similar actions in areas not closely associated with the mission. The College will be better placed to correct any public misunderstandings and assure the UT's academic freedom, if the College and the UT are in a position to anticipate the impact of the UT's discourse. To this end, UTs are encouraged to advise the Principal before any anticipated public discussion or publication which, in the opinion of the UT, relates closely to the special mission of the College.

# **Cape Breton University Faculty Association**

(1 July 2016 – 30 June 2019)

## Article 12: Academic Freedom

- 12.1 The common good of society depends upon the search for knowledge and its free expression. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. Academic freedom does not require neutrality on the part of the individual; rather, academic freedom makes commitment possible.
- 12.2 The Parties agree that Members are entitled, regardless of prescribed doctrine, to freedom in the practice of their professions of teacher and scholar and librarian, freedom in carrying out research and in publishing the results thereof, freedom of teaching and discussion, freedom of creative activity, freedom to select, acquire, disseminate, or use information (including the selection and use of teaching and support materials) in the exercise of their professional responsibilities, freedom to criticize the University and the Association, and freedom from institutional censorship. When expressing opinions in any public forum external to the University, Members shall not purport to speak for the University unless so authorized.
- 12.3 The Parties agree that Members have a responsibility to respect the academic freedom and rights of other members of the University community. The Parties agree that they will not infringe or abridge the academic freedom of any Member. Academic freedom does not confer legal immunity, nor does it diminish the obligations of Members to meet their employment duties and responsibilities to the University. Members have a duty to exercise academic freedom responsibly and in a manner that is consistent with their academic and other obligations as teachers, and scholars, and librarians.
- 12.4 The Parties agree that the censorship of information is inimical to the free pursuit of knowledge. The collection, organization, and dissemination of knowledge by Members will be done freely and without bias in support of the research, teaching and study needs of the University community. The Parties agree that no censorship based on moral, religious, or political views shall be exercised or allowed against any material which a Member desires to be placed in the library collections of the University.

# **Carleton University Academic Staff Association**

(1 May 2014 – 30 April 2017)

## Article 4: Academic Freedom

4.1 The common good of society depends upon the search for truth and its free exposition. Universities with academic freedom are essential to these purposes both in teaching and scholarship/research. Employees are entitled, therefore, to:

- (a) freedom in carrying out research and in publishing the results thereof,
- (b) freedom in carrying out teaching and in discussing his/her subject and,
- (c) freedom from institutional censorship.

Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for truth.



# **Concordia University Faculty Association**

(30 June 2015 – 31 May 2018)

## Article 6: Academic Freedom

6.01 The purpose of academic freedom is to provide security for fundamental academic values.

A university environment characterized by freedom of speech and of enquiry is required by the members to carry out the University's purpose. Freedom of speech guarantees the University as an open forum for the exchange of ideas; freedom of enquiry guarantees the University's commitment to the open investigation and interpretation of ideas.

Within the unique university context, the most crucial of human rights is the right to academic freedom. We affirm that this right is meaningless unless it entails the right to raise probing questions and challenges to the beliefs of society at large.

The parties agree to respect the right of all members of the academic community to exercise their academic freedom.

The commitments, rights, and responsibilities of members involve three major related roles: to participate in the search for basic truths, and to communicate openly the results of this search; to develop creative scholarship in specific disciplines, within which the students participate in the process of rational enquiry; to encourage where feasible the generalized application of scholarship and research to the benefit of the university community and the common good of society.

Members are entitled to freedom, without any form of institutional censorship, to disseminate their knowledge both inside and outside the classroom, to conduct research which they believe will enhance knowledge and to communicate the results of such research.

6.02 Members are entitled to exercise their political rights provided they respect their obligations to the Employer specified in the Collective Agreement.

# Concordia University College of Alberta Faculty Association

(1 July 2016 – 30 June 2021)

## Article 2: Academic Freedom

- 2.1 The parties agree that the terms and conditions of this article on Academic Freedom apply only to the Members.
- 2.2 The Parties agree that academic freedom grants Members the right to pursue knowledge and truth in their research and to disseminate the findings of that research both in their publications and in their classrooms. Because Concordia was founded on the faith and intellectual integrity characteristic of the Lutheran university tradition, faculty and students of various beliefs and backgrounds can engage in dialogue and collectively pursue knowledge through research and enquiry. Consistent with Concordia's Lutheran tradition, its faculty foster an attitude of intellectual humility, and maintain an atmosphere of mutual respect for differing scholarly perspectives.
- 2.3 Concordia upholds academic freedom for its faculty and students, recognizing it as essential to a properly functioning university. Concordia affirms the Statement of Universities Canada on Academic Freedom and Institutional Autonomy.
- 2.4 Academic freedom includes the freedom to challenge established paradigms, to propose new theories, and to debate conventional thinking in all areas of inquiry. The Parties particularly encourage, in the spirit of academic freedom, the active questioning by its faculty and students of any secular, sacred, or ideological status quo.
- 2.5 Members are free to openly examine, criticize, and dispute various academic points of view. Members are expected to exercise their academic freedom conscientiously by seeking accuracy in all their statements and by respecting other scholarly perspectives.
- 2.6 When speaking and writing outside the institution, Members enjoy the same freedoms and exercise the same responsibilities as other citizens. Mindful that the public may judge the profession and the institution by their public comments, the Parties agree that Members should strive to be accurate, respect the opinions of others, and, when necessary, distinguish personal comments from those authorized on behalf of Concordia. Concordia assumes no responsibility for views expressed by Members when speaking and writing outside the institution.
- 2.7 The Parties agree to uphold, protect, and promote academic freedom as essential to the University's objective to serve the common good through searching for, and disseminating, knowledge, truth, and understanding, and through fostering independent thinking and expression in academic staff and students. Concordia faculty have a responsibility to support the academic freedom of students by encouraging free inquiry, by showing respect for dissenting student opinions, and by providing the opportunity for discussion and the expression of varying viewpoints, while treating all students fairly, respectfully, and without prejudice.
- 2.8 Academic freedom does not require neutrality on the part of the Member. Academic freedom makes intellectual discourse, critique and commitment possible.
- 2.9 Academic freedom does not confer legal immunity and carries with it the duty to use that freedom in a responsible manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising their legal rights, Members shall not be hindered or impeded by either Party in any manner contrary to this Agreement.
- 2.10 Concordia recognizes that, as at any academic institution, freedoms are never absolute. Where the limits of academic freedom are alleged to have been exceeded, Concordia will

apply the principles of procedural and natural justice in its investigations. Contraventions of this Article and/or Concordia's Statement of Academic Freedom will be dealt with according to Article 13 (Discipline: Faculty Members) or Article 25 (Grievance and Arbitration) or Article 38 (Discipline: Academic Service Officers) of the Collective Agreement.

## **CUPE 3912**

(CUPE 3912-D (Dalhousie): 1 September 2012 – 31 August 2016)

(CUPE3912-M (Mount Saint Vincent): 1 September 2012 – 31 August 2016)

(CUPE3912-S (Saint Mary's): 1 September 2012 – 31 August 2016)

*Language in the CUPE 3912-D agreement:*

### Article 20: Academic Freedom

- 20.1 Part-Time Academics with primary responsibility for presenting or designing a course shall be accorded academic freedom to present or design a course insofar as the employee abides by the course design, contents and methods of delivery as determined by the Employer. Notwithstanding the foregoing, the Employer reserves the right to specify what teaching materials are to be used in order to conform to course descriptions, programs curriculum and requirements to meet academic objectives of the academic unit and/or the Employer. In academic units where it is the practice to consult with academic staff with respect to texts and course syllabi for coordinated, multi-section courses, this practice will be extended to Part-Time Academics assigned to teach such courses where it is practicable in the circumstances to do so.
- 20.2 The right to academic freedom carries with it the duty to use that freedom in a responsible way, with due regard to the rights of others and due concern for the duties appropriate to the placement. Academic freedom does not confer legal immunity nor does it diminish the obligation of Part-Time Academic employees to meet the duties and responsibilities of their assignment.

*Language in the CUPE 3912-M agreement:*

### Article 7: Academic Freedom

- 7.1 Members with primary responsibility for designing a course shall be accorded academic freedom in that work.
- 7.2 The Employer and the Union agree to abide by the principles of academic freedom as expressed in the following statement: academic freedom involves the right to teach, investigate, speculate, and publish without deference to prescribed doctrine and free from institutional censorship. It involves the right to criticize the University. The right to academic freedom carries with it the duty to use that freedom in a responsible way.
- 7.3 Academic freedom does not confer legal immunity, nor does it diminish the obligation of members to meet their responsibilities as defined in this Agreement.
- 7.4 The Employer agrees that members have the right to privacy in their personal and professional communications and files, whether on paper or in electronic form. The level of privacy, however, does not exceed that of reasonable expectations.

*Language in the CUPE 3912-S agreement:*

### Article 21: Academic Freedom and Intellectual Property

- 21.01 Part-time faculty with primary responsibility for designing a course shall be accorded academic freedom in that work.
- 21.02 The search for knowledge and its free exposition are vital to the purposes of the University and to the common good of society. Academic freedom is essential to those purposes and is the right of every faculty member with respect to his/her teaching activities. In the classroom, employees may select, present and discuss material relevant to the objectives of

the course. They may also express opinion provided in doing so the faculty member shall show respect for the opinion of others, have due regard for the best interests of the University and make every effort to indicate that he/she is not acting as spokesperson for the University.

The faculty member's right to academic freedom carries with it the duty to use that freedom in a responsible way, consistent with fair and ethical dealings with students and colleagues, consistent with the scholarly obligation to base teaching on an honest search for knowledge and consistent with the faculty member's performance of teaching and other responsibilities under this agreement. Academic freedom does not confer legal immunity, nor does it diminish the obligation of employees to meet their contractual responsibilities to the University.

# Dalhousie Faculty Association

(1 July 2014 – 30 June 2017)

## Article 3: Academic Freedom

- 3.01 The Parties recognize and affirm that academic freedom is essential to the fulfillment of the purpose of Dalhousie University in the search for knowledge and the communication of knowledge to students, colleagues and society at large. The Parties agree that academic freedom carries with it a corresponding responsibility on the part of Members to use their freedom responsibly, with due concern for the rights of others, for the duties appropriate to the Member's university appointment, and for the welfare of society. Academic freedom does not confer legal immunity either inside or outside Dalhousie University, nor does it prevent collective self-governance and peer evaluation as conducted or approved by the Senate or by other academic, research or professional bodies whether within or outside Dalhousie University. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible.
- 3.02 The Parties agree that they will not infringe or abridge the academic freedom of any member of the academic community. Members of the bargaining unit are entitled to freedom, as appropriate to the Member's university appointment, in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticize, including criticism of the Board and the Association, and freedom from institutional censorship.
- 3.03 Academic freedom, as appropriate to the Member's university appointment, implies protection of Members by the Board and the Association from pressure intended to hinder or prevent them pursuing their scholarly and research interests and communicating the results thereof to students, colleagues and the community at large. The Parties acknowledge this responsibility, whether such pressure emanates from inside or outside the University.

# Grant MacEwan University Faculty Association

(1 July 2017 – 30 June 2019)

## Article 29: Academic Freedom

### 29.1 Preamble

29.1.1 Academic Freedom is a principle shared by the Parties to this Agreement. It is the cornerstone of a University's role to serve the common good of society. As such, Academic Freedom inheres in a University community to foster the search for, and dissemination of, knowledge through the leadership in thought and expression of its faculty members. The Parties agree that a University cannot fulfill its purpose as a public institution without an unwavering commitment to both the idea and the practice of Academic Freedom.

29.1.2 Academic Freedom is a right of all Members of the Faculty Association. The Board of Governors, the Faculty Association, or the administration of the University will not abridge on any grounds the legitimate exercise of Academic Freedom.

29.1.3 The exercise of Academic Freedom as per this Article will not, of itself, be grounds for discipline.

### 29.2 Principles

29.2.1 The responsibility of Members under the terms of this Agreement to advance and communicate knowledge is inseparable from the examination, questioning, and testing of accepted ideas and established opinion.

29.2.2 The free and open pursuit of knowledge by faculty members sometimes results in differing judgments with respect to truth. Such differences are valued because the expression of unpopular judgments or interpretations of scholarly enquiry advances the search for knowledge beyond prevailing opinion or popular belief as may exist at a given time.

29.2.3 The shared principle of Academic Freedom respects the right of faculty members to search for truth and advance knowledge in a climate that supports independent thought and expression. Academic Freedom is the freedom of faculty members to teach, to design, and to develop curriculum and pedagogy; to engage in professional practice; to engage in scholarly activity, including research and creative work; to publish, perform, or otherwise present the products of that scholarly activity; to engage in institutional governance; and to engage in service to the institution and community without being subject to infringement of the Academic Freedom upon which their work is based.

29.2.4 Coupled with the right to Academic Freedom are equally high standards of Academic Responsibility. Academic Responsibility includes adherence to policies approved via University governance processes and acknowledgement of the University's duty to manage its affairs in accordance with its mission and mandate.

Academic Responsibility also requires respect for the rights of others, the exercise of Academic Freedom in a reasonable manner, and acknowledgement of the approved academic objectives of the institution.

29.2.5 Academic Responsibility as expressed in 29.2.4 does not require agreement with policies nor does it preclude criticism of policies and procedures without fear of censure or interference. The University is, and should be, a place where vigorous debate about governance is encouraged. The Parties agree that such debate when

conducted in a respectful and reasonable manner strengthens collegial self-governance and allows the best ideas about governance policy and practice to be implemented.

### 29.3 Teaching

29.3.1 Academic Freedom includes the right to teach approved and assigned courses without fear of censure or interference. To that end, Members have the right to select course materials, content, methodology, and sequence of topics to be taught. Faculty members will exercise this freedom responsibly within the requirements of approved course syllabi.

29.3.2 Faculty members have the right and responsibility to participate in decision-making with respect to the development of curriculum and pedagogy; new programs; new course offerings; modifications of existing courses; and degree, diploma, or certificate requirements. Their participation in such decision-making will be afforded by a system of appointed or elected Department, Faculty/School, and University committees as will exist in accordance with approved policy at a given time.

### 29.4 Research, Publication, and other Scholarly Activities

29.4.1 Members are free to select topics for research and/or creative work and in the publication, performance, or presentation in any form of the products of that research and/or creative work. Members have the responsibility to ensure that all research and creative activity meets high scholarly and ethical standards. Honest and thoughtful inquiry, reasoned discourse, rigorous analysis of evidence, and peer review are core elements of those standards.

### 29.5 University Governance

29.5.1 Members have the right and responsibility to participate in University governance by providing counsel and advice on matters of planning and policy. Members share a right and responsibility for shaping the direction of their respective Departments and Faculties/Schools, and for serving on University-wide councils and committees. Since participation of Members in these areas is vital to academic governance, the University and all its Members have a shared responsibility to participate in University governance.

### 29.6 Professional and Community Activities

29.6.1 Members, as citizens and members of learned professions, have a right to personal and professional opinions, no matter how unpopular they may be, and to state these publicly without censorship or fear of harassment or reprisal. In any exercise of freedom of expression, Members will not purport to speak on behalf of the University unless so authorized by the Board, or the University President or designate. An indication of affiliation with the University should not be construed as speaking on behalf of the University. When exercising these rights as citizens within the University, individuals must be cognizant of, and sensitive to, the fact that other members of the University also enjoy these same rights and freedoms.



# University of Guelph Faculty Association

(1 July 2014 – 30 June 2017)

(Unit 2 (Ridgetown and Clinton): 1 May 2015 – 30 April 2019)

## Article 7: Academic Freedom

- 7.1 The Parties acknowledge that the common good of society depends upon the search for knowledge and its free exposition. Academic Freedom in universities is essential to both of these purposes in the scholarly pursuit of teaching and research.
- 7.2 The Parties agree to abide by the principles of Academic Freedom as expressed in this Article. Furthermore, the Parties recognize that universities are communities in which the right to criticize all aspects of society is valued and respected.
- 7.3 Academic Freedom is the right to examine, pursue, develop, and transmit knowledge and ideas through research, teaching, study, discussion, documentation, production, creation or writing. Academic Freedom specifically provides protection of:
- a) the pursuit of research, creative and scholarly activities, and publishing or making public the results thereof;
  - b) the ability to teach and discuss;
  - c) the creation or performance of works of art;
  - d) freedom in service to the University, discipline, or community through the application of professional or academic skills; and
  - e) freedom from institutional censorship; all without deference to prescribed doctrine.
- 7.4 Academic Freedom does not require neutrality on the part of the individual nor does it preclude commitment on the part of the individual. Rather, Academic Freedom makes such commitment possible.
- 7.5 Academic Freedom does not confer legal immunity in respect of opinions that may be expressed or activities that may be undertaken, nor does it diminish the obligations of members to meet their duties and responsibilities to the University.
- 7.6 The Parties agree to uphold and protect the principles of Academic Freedom as specified herein and take necessary steps to protect Members from harassment, threats, or abuse intended to limit or inhibit the exercise of Academic Freedom.
- 7.7 The exercise of Academic Freedom as per this Article shall not be grounds for disciplinary proceedings.

*The language in the agreement for Unit 2 is the same except in 7.1, 7.3, and 7.5:*

- 7.1 The Parties acknowledge that the University is committed to the pursuit of truth, the advancement of learning and the interpretation and dissemination of knowledge through teaching (including extension, technology transfer and training), research and scholarship. Academic Freedom is essential to the carrying out of these functions.
- 7.3 Academic Freedom is the freedom to examine, question, teach and learn, and it involves the right to investigate, speculate, and comment without deference to prescribed doctrine. It involves the right to express personal opinion freely and publicly and to criticize the University, society at large and the government of the day. Specifically, academic freedom entitles Members to the following:

- a) the pursuit of scholarship and research and in publishing or making public the results thereof;
- b) freedom from institutional censorship;

7.5 Academic Freedom does not confer legal immunity in respect of opinions that may be expressed or activities that may be undertaken, nor does it diminish the obligations of members to meet their duties and responsibilities to the University. In exercising academic freedom, Members shall respect the academic freedom of others.

# **Association des professeur-e-s du Collège universitaire de Hearst**

(1<sup>er</sup> juillet 2015 – 30 juin 2018)

## Article 6 : Liberté universitaire

### 6.1 Énoncé de principes sur la liberté universitaire

Le bien commun de la société dépend de la quête du savoir et de sa libre présentation. La liberté d'expression dans les universités est essentielle à ces deux fins dans l'enseignement de l'université ainsi que dans son érudition et sa recherche. L'Université et l'Association ne doivent en rien empêcher les professeur-e-s d'exercer leurs droits légaux de citoyens ni ne doivent les frapper de pénalités à cause de l'exercice de ces droits. Les parties s'engagent à ne violer ni limiter la liberté universitaire d'aucun membre de la collectivité universitaire. Le mode de prestation de cours n'impose aucune démarche pédagogique. Le personnel universitaire a le droit, peu importe la doctrine prescrite, à la liberté d'effectuer des recherches et d'en publier les résultats, à la liberté d'enseignement et de discussion, à la liberté de critiquer l'Université et l'Association et à ne pas être assujetti à la censure ou à l'ingérence institutionnelle. La liberté universitaire n'exige pas la neutralité de la part des membres. Elle rend plutôt l'engagement possible. La liberté universitaire comporte l'obligation d'en faire un usage compatible avec le devoir de fonder la recherche et l'enseignement sur une quête sincère du savoir.

# Huron University College Faculty Association

(1 May 2018 – 30 April 2019)

## Appendix C:

### Academic Freedom

Huron University College Academic Freedom Policy

ISSUED: October 12, 1996

REVISED: March 26, 2010

- 1 Huron University College serves the common good of society, through the pursuit of knowledge and understanding, the dissemination of research findings, and by fostering independent thinking and expression among students and faculty. These ends cannot be achieved without academic freedom. All faculty members have the right to academic freedom.
- 2 Academic freedom includes the right, without restriction by prescribed doctrine, to freedom of teaching and discussion; freedom in carrying out research and disseminating and publishing the results thereof with the understanding that such freedom shall be exercised in accordance with the Tri-Council Policy on Ethical Conduct for Research Involving Humans; freedom in producing and performing creative works; freedom to engage in service to the institution and the community; freedom to express freely one's opinion about the institution, its administration, or the system in which one works; freedom from institutional censorship; freedom to acquire, preserve, and provide access to documentary material in all formats; and freedom to participate in professional and representative academic bodies.
- 3 Academic freedom does not require neutrality on the part of the individual. Academic freedom makes intellectual discourse, critique, and commitment possible. All faculty members have the right to fulfill their functions without reprisal or repression by the employer, the state, or any other source.
- 4 All faculty members have the right to freedom of thought, conscience, religion, expression, assembly, and association and the right to liberty and security of the person and freedom of movement. Faculty members must not be hindered or impeded in exercising their civil rights as citizens, including the right to contribute to social change through the free expression of opinion on matters of public interest. Faculty members must not suffer any institutional penalties because of the exercise of such rights. Such rights do not, however, include the right of the individual faculty member to speak on behalf of Huron University College unless authorized in accordance with the College's Media Relations Policy.
- 5 The principle and practice of collegial governance is essential for the exercise of academic freedom within Huron University College. Faculty members are entitled to have representatives on and to participate in college governing bodies in accordance with their role in the fulfillment of the Huron's academic and educational mission. Academic freedom means that on academic matters, including curriculum, assessment procedures and standards, appointment, tenure and promotion, and other matters relating to teaching and research, elected faculty members shall constitute at least a majority on committees or college governing bodies responsible for academic policies.
- 6 The College's institutional right to be self-determining and self-governing shall not take precedence over an individual's academic freedom. Any claim by the Administration at Huron University College that this institutional right takes priority over the academic freedom of individuals represents a form of institutional censorship.

# **King's University College Faculty Association**

(1 May 2017 – 30 April 2020)

## Article 1.3: Academic Freedom

The common good of society depends upon the search for knowledge and its free exposition. Academic Freedom is recognized by both parties as essential to the life and functioning of the University as an institution of higher learning and as a centre for research and scholarship. Academic freedom does not imply neutrality on the part of the individual. Rather, it is academic freedom that makes commitment possible. The right to academic freedom carries with it the duty to use that freedom in a responsible way in the instruction of students, in the production of scholarly work, and the efficient functioning of the College. All Faculty have a responsibility to promote or at least respect the Catholic identity of the College.

All Faculty Members are entitled: to carry out their research and publish its results; to teach, to employ a pedagogical style of their choice; to be creative; to select, acquire, disseminate, and use documents of their choice in the exercise of their professional activities; and to criticize the University and the Association in a responsible way, irrespective of any prescribed doctrine and free from any and all institutional censorship. Faculty Members shall not be hindered or impeded in any way by the Employer or the Faculty Association in exercising their contractual rights as members of the College community or legal rights as citizens of the community at large, nor shall they suffer any penalties because of the exercise of such legal rights. Finally, Faculty Members have the right to cite affiliation with and title at King's University College when exercising their rights of action or expression. Faculty Members shall, however, endeavour to ensure that their actions or expressions are not interpreted as representing the official position of King's University College.

# **University of King's College Teachers' Association**

(1 July 2016 – 30 June 2019)

## Article 4: Academic Freedom

The University of King's College recognizes academic freedom as indispensable to its purposes. Freedom of a Member to study, to teach, and to pursue knowledge according to their best professional judgment is a prerequisite for a university to fulfill its role in society. Accordingly,

- 4.1 Academic freedom is the right of every academic member from the time of first appointment.
- 4.2 Academic freedom presupposes a mutual undertaking on the part of the Member that they will continue to perform their duties conscientiously and, on the part of the University, that the Member may continue to enjoy academic freedom with an appointment that shall be terminated only in accordance with the provisions of this Collective Agreement.
- 4.3 The parties understand and agree that academic freedom, howsoever it is defined through processes of faculty self-governance, presupposes the protections enshrined in Article 6 of this Collective Agreement.

# Lakehead University Faculty Association

(1 September 2016 – 31 August 2020)

## Article 15: Academic Freedom

- 15.01 The parties recognize that the University, in pursuing its objects and purposes, subscribes to the principle of academic freedom which encourages the search for knowledge and its free expression.
- 15.01.01 Faculty members have the right to examine, question, teach, learn, investigate, speculate, comment, publish, and criticize, without deference to prescribed doctrines. Academic freedom makes possible commitment that may result in strong statements of beliefs and positions, and protects against any University penalty for exercising that freedom. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.
- 15.01.02 Librarian members have the right and responsibility to make knowledge, ideas, and information freely available, no matter how controversial, without deference to prescribed doctrine or institutional censorship. Academic freedom also ensures the member's right to disseminate the results of his/her research and to express his/her professional opinion freely and publicly, without University penalty for exercising that freedom. Members recognize that academic freedom involves a duty to use that freedom in a responsible way.

## **Laurentian University Faculty Association**

(1 July 2017 – 30 June 2020)

(Sudbury: 1 July 2015 – 30 June 2018)

(Huntington: 1 July 2016 – 30 June 2020)

(Thorneloe: 1 July 2014 – 30 June 2017)

### 3.10: Academic Freedom

- 3.10.1 In addition to their legal rights as citizens, Members have the right to academic freedom. Academic freedom is the right to search for truth, knowledge and understanding and to express freely what one believes. The University as an institution and the community of its scholars have a duty to protect and defend the search for knowledge and truth by all that inquire, teach, offer professional library service and learn under its auspices. They shall be free to carry out research and to publish its results, free to teach, to discuss and to criticize both the University and the wider society it serves.
- 3.10.2 Academic freedom includes the right, without restriction by prescribed doctrine, to freedom in teaching; freedom in research and scholarship including the right to disseminate and publish the results thereof; freedom to produce and perform creative works; freedom to acquire, preserve, and provide access to documentary material in all formats; freedom to participate in professional and representative academic bodies; freedom to engage in service to the institution and the community; and freedom to express one's opinion about the University, its administration, and the system in which one works. Academic freedom does not confer legal immunity. It requires the acknowledgement of the work of others and the acceptance of responsibility for one's own beliefs and utterances.
- 3.10.3 The principle and practice of collegial governance is essential for the exercise of academic freedom within the University. Members are entitled to have representatives on and to participate in collegial governing bodies in accordance with their role in the fulfillment of the University's academic and educational mission. The administration recognizes that faculty are the experts in their own disciplines and fields of practice as well as regarding academic matters generally.
- The Parties recognize that openness and transparency are essential to collegiality and academic freedom.
- 3.10.4 Academic freedom also entails the right of academic staff to exercise their civil liberties as individuals, including the right to contribute to social change through free expression on matters of public interest, without being censored, impeded or hindered by the Employer.
- 3.10.5 The Employer shall not abridge academic freedom on any grounds, including claims of institutional autonomy.
- 3.10.6 The Parties agree that Members have a right to privacy, consistent with the traditions of Academic Freedom and the provisions of this Article.

Previous deletion: Removed reference to Respectful Workplace Policy.



*The language in the agreement with Thorneloe University is different in sub-articles 3.10.1, 3.10.2, and 3.10.3:*

- 3.10.1 In addition to their legal rights as citizens, Members have the right to academic freedom. Academic freedom is the right to search for truth, knowledge and understanding and to express freely what one believes. The University and Faculty Association as institutions and the community of their scholars have a duty to protect and defend the search for knowledge and truth by all that inquire, teach, and learn under its auspices. They shall be free to carry out research and to publish its results, free to teach, to discuss and to criticize both the University and the wider society it serves.
- 3.10.2 Academic freedom includes the right, without restriction by prescribed doctrine, to freedom in teaching; freedom in research and scholarship including the right to disseminate and publish the results thereof; freedom to produce and perform creative works; freedom to acquire, preserve, and provide access to documentary material in all formats; freedom to participate in professional and representative academic bodies; freedom to engage in service to the institution and the community; and freedom to express one's opinion about the University, its administration, and the system in which one works.
- 3.10.3 The principle and practice of collegial governance is essential for the exercise of academic freedom within the University. Members are entitled to have representatives on and to participate in collegial governing bodies in accordance with their role in the fulfillment of the University's academic and educational mission.

*The language in the agreement with the University of Sudbury is different:*

Article 0: Preamble

0.02 Academic freedom

- (a) As the fundamental objective of the University is the search for new knowledge and the free dissemination of what is known, academic freedom is essential to its teaching and research activities. The Parties acknowledge their commitment to the pursuit of truth, the advancement of learning, and the creation, interpretation, preservation and dissemination of knowledge. To this end, they agree to abide by the principle of academic freedom, defined as the freedom to examine, question, teach and learn, including the right to investigate, speculate and comment publicly, to carry out research and to disseminate the results thereof. However, in doing so they shall maintain the proper academic tradition of reasonable discussion.
- (b) Faculty members shall be: free in the choice and pursuit of research and in publishing the results and conclusions thereof; free in the choice and pursuit of teaching methods and content without deference to prescribed doctrine, consistent with the explicit rights and responsibilities of Senate; free to state their professional views on matters relating to their discipline, free to discuss and criticize, including respectful criticism of the Employer, the Union, and any public or private institution; and free from institutional censorship.
- (c) Academic freedom does not require neutrality in expression or attitude, nor does it preclude commitment on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom does not confer legal immunity, nor does it diminish the obligations of members to perform satisfactorily their duties and responsibilities in their capacity as professors of the University.

- (d) The viability of, and the protections provided by, the principle of academic freedom are not absolute, but depend upon a collective commitment of Members to exercise that principle in a manner consistent with their scholarly obligations as professors to base research and teaching on an honest and responsible search for knowledge and to uphold the norms of civil discourse, especially with regard to criticism, which in the academic setting is respectful, constructive, *ad rem*, reasonable, balanced, and fair in the use of evidence.
- (e) Academic freedom also carries the responsibility to respect the right of other members of the academic community – faculty, staff and students – to express their opinions. The Parties agree that, in their exercise of academic freedom, they will not infringe upon or abridge the academic freedom of any member of the University community, nor the basic right of students to acquire the knowledge and skills relating to the course being taught.
- (f) The Employer shall respect the right of each Member to disagree respectfully with academic or administrative decisions. However, criticism of, or advocacy of changes in, the policies, programs or administrative practices of the University shall be in the proper tradition of reasonable discussion, and consistent with established procedures.
- (g) The Employer shall not supervise or restrain, nor will it assume responsibility for, what is expressed by a Member acting as a private citizen. However, as scholars, professors shall exercise good judgment and shall make it clear that they are not acting on behalf of the University.
- (h) For the good of the University community as a whole, the Parties recognize and accept their mutual responsibility for the development and maintenance of a culture of academic freedom and the intellectual freedom implied therein.

*The language in the agreement with Huntington University is different:*

#### Article 2: Academic Freedom

- 2.01 In addition to their legal rights as citizens, Members have the right to academic freedom. Academic freedom is the right to search for truth, knowledge and understanding and to express freely what one believes. The University and Faculty Association as institutions and the community of their scholars have a duty to protect and defend the search for knowledge and truth by all who enquire, teach, and learn under its auspices. They shall be free to carry out research and to publish its results, free to teach, to discuss and to criticize both the University and the wider society it serves. However, in doing so they shall maintain the proper academic tradition of reasonable discussion.
- 2.02 Academic freedom entails the obligation to base all research and teaching on a responsible search for truth and knowledge. It requires the fulfillment of responsibilities to other Members of the teaching and learning community. It requires the acknowledgement of the work of others and the acceptance of responsibility for one's own beliefs and utterances. Academic freedom does not confer legal immunity.

# Syndicat de professeurs et professeures de l'Université Laval

(1<sup>er</sup> juin 2016 – 31 mai 2020)

## Chapitre 1.4 Droits, devoirs, obligations et liberté universitaire

1.4.01 Les droits et obligations réciproques que se reconnaissent les parties dans la présente convention visent à assurer aux professeures et professeurs les conditions de travail les plus appropriées pour réaliser les missions principales de l'Université, particulièrement la poursuite de l'excellence de l'enseignement, de la recherche et de la création.

1.4.02 Les missions principales de l'Université sont la création, la transmission et la diffusion du savoir ainsi que la formation supérieure des personnes. Cela implique la recherche et l'expression intellectuelles libres et critiques, et, partant, la liberté universitaire, indispensable pour atteindre ces missions. L'Employeur respecte la liberté universitaire des professeures et professeurs.

La professeure ou le professeur a droit à la liberté universitaire, d'enseignement, de recherche, de création et de critique sans aucune contrainte discriminatoire qu'elle soit institutionnelle ou externe; cette liberté universitaire s'exerce dans le respect de la liberté d'opinion d'autrui.

La liberté universitaire garantit l'accomplissement des fonctions professorales.

La liberté universitaire comprend le droit pour la professeure ou le professeur d'exercer ses fonctions professorales sans être obligé d'adhérer à une doctrine prescrite et sans restriction de pensée ou d'opinion.

Cette liberté comprend notamment :

- a) la liberté d'enseigner et de discuter;
- b) la liberté d'effectuer des activités de recherche et de création et d'en diffuser les résultats et la liberté d'exécuter et de diffuser des œuvres de création;
- c) le droit d'expression, comprenant la critique de la société, des institutions, des doctrines, dogmes et opinions, des lois, des politiques et des programmes publics et notamment des règlements et politiques universitaires, scientifiques ou gouvernementaux. Ce droit d'expression peut s'exercer à l'intérieur comme à l'extérieur de l'université;

La liberté universitaire implique que les professeures et professeurs, notamment par leurs activités de participation interne, contribuent à la gouvernance de l'Université.

1.4.03 Les professeures et professeurs reconnaissent leur devoir de loyauté et de confidentialité, au sens du Code civil du Québec. Les professeures, les professeurs, le Syndicat et l'Employeur reconnaissent, dans leurs pratiques, leur devoir de civisme et de civilité.

1.4.04 La professeure ou le professeur comme l'Employeur sont assujettis aux politiques, aux règlements et aux procédures de l'Université, pourvu qu'ils soient conformes à la convention collective. La professeure ou le professeur comme les représentants de l'Employeur exercent leurs fonctions respectives avec conscience professionnelle.

Notamment, la professeure ou le professeur et l'Employeur font preuve d'honnêteté et de bonne foi dans leurs relations avec leurs interlocutrices et interlocuteurs dans l'exercice de leurs fonctions; ils manifestent aussi honnêteté et transparence en matière de conflits d'intérêts réels ou apparents.

- 1.4.05 L'Employeur et le Syndicat veillent à ce que les professeures et professeurs jouissent, dans l'exercice de leurs fonctions, des libertés et droits fondamentaux protégés par la Charte des droits et libertés de la personne.
- L'Employeur applique la convention sans discrimination au sens de la Charte des droits et libertés de la personne et des dispositions pertinentes de la législation du travail.
- 1.4.06 La professeure ou le professeur a le droit d'exercer ses fonctions professorales à l'abri de toute forme de harcèlement.
- L'Employeur reconnaît sa responsabilité de créer et de maintenir pour les professeures et professeurs un milieu de travail dans lequel chacune et chacun a droit à la protection de sa dignité ainsi que de sa santé, de sa sécurité et de son intégrité physiques et psychologiques.
- Le Syndicat s'implique dans les stratégies et les actions visant à maintenir un milieu de travail exempt de tout harcèlement.
- 1.4.07 L'Employeur reconnaît la liberté universitaire des professeures et professeurs en ce qui concerne l'utilisation des subventions de recherche, dans le respect des règlements des organismes subventionnaires et des politiques de l'Université.
- 1.4.08 L'Employeur s'engage à prendre fait et cause pour toute professeure ou tout professeur dont la responsabilité civile est engagée par l'exercice de ses fonctions au service de l'Université. Il convient de n'exercer contre la professeure ou le professeur aucune réclamation à cet égard, à moins de faute lourde de la part de la professeure ou du professeur. Dans ce cas, la preuve de la faute lourde incombe à l'Employeur.
- 1.4.09 L'Employeur doit maintenir des conditions de travail qui respectent les normes de sécurité et d'hygiène conformément à la législation pertinente.
- 1.4.10 L'Employeur a la responsabilité de faire diffuser, au sein de l'Université Laval, ce qu'est la conduite responsable de la recherche et de la création, notamment les exigences des organismes impliqués, les conséquences du non-respect de ces exigences et le processus d'examen de toute plainte.

# University of Lethbridge Faculty Association

(Faculty Handbook: 1 July 2016 – 30 June 2018)

(Sessional Lecturer Handbook: 1 May 2015 – 30 April 2018)

## *Preamble*

The Board of Governors of The University of Lethbridge and The University of Lethbridge Faculty Association recognize that the main purposes of the University are:

- to promote the disinterested pursuit of truth and advancement of knowledge.
- to promote the generation and transmission of knowledge with proper consideration given to the need for an educated citizenry.
- and to give appropriate consideration to society's needs for expert advice as well as pure and applied research.

The common good of society depends upon the search for truth and its free exposition. Academic freedom in both teaching and research is essential to these purposes. Members are entitled to the freedom to carry out research and to publish the results, to the freedom to teach and discuss their subjects, and to the freedom from institutional censorship.

Academic freedom carries with it the duty to use that freedom in a responsible way.

## Article 11.01 Academic Freedom

- 11.01.1 The Board and Association recognize the need to protect academic freedom. Academic freedom is generally understood as the right to teach, engage in scholarly activity, and perform service without interference and without jeopardizing employment. This freedom is central to the University's mission and purpose and entails the right to participate in public life, to criticize University or other administrations, to champion unpopular positions, to engage in frank discussion of controversial matters, and to raise questions and challenges which may be viewed as counter to the beliefs of society.
- 11.01.2 Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base teaching, scholarly activity and service in an honest and careful search for knowledge.
- 11.01.3 Members shall respect the academic freedom of others despite differences of opinion.
- 11.01.4 Academic freedom does not diminish the obligation of Members to fulfill their duties and responsibilities as defined within this Handbook.
- 11.01.5 The Board and the Association recognize their respective responsibilities to defend academic freedom as specified in this Article. These responsibilities may include, but are not limited to, providing legal support to Members in matters that arise from the exercise of academic freedom in accord with Article 11.01, educating Members on the rights and responsibilities related to academic freedom, and promoting academic freedom.

*In the Sessional Lecturer Handbook, Academic Freedom is covered under Article 10.01 and 10.02:*

## Article 10.01: Rights and Responsibilities

- 10.1.3 The Board and the Association recognize Members' rights and duties associated with academic freedom, in particular, freedom to form ideas, discuss ideas, publish

ideas, and teach ideas which challenge opinions regarding academic and administrative matters.

- 10.1.4 Members shall respect the academic freedom of other Members despite differences of opinion, provided standards, methods and traditions of the discipline are given due respect. Criticism of the ideas or performances of Members by other Members or by administrators shall give due respect to these rights in accordance with this Handbook. Members have a duty to exercise their own academic freedom with reasonable judgment and rigour. Both parties shall make efforts to promote and preserve good will among all members of the university community.
- 10.1.5 Clauses of this Article may be limited by other Articles of the Sessional Lecturers Handbook.

#### Article 10.02: Rights of Members

##### 10.02.6 Relationship to the Community

When addressing themselves to the community at large, Members retain the rights and responsibilities which flow from the concept of academic freedom.

# University of Manitoba Faculty Association

(1 April 2017 – 31 March 2021)

## Article 37: Academic Freedom

- 37.1 The essential functions of a university are the pursuit, creation, and dissemination of knowledge through research and other scholarly and creative activities, and by teaching. Academic Freedom is essential to these functions and ensures the right of Members to teach, investigate, and speculate, and/or to create or perform works of art, without deference to prescribed doctrine. Furthermore, universities are communities in which the right to criticize all aspects of society is valued and respected. These rights are to be understood as central to the protection of the public interest and the pursuit of truth.
- 37.2 Academic Freedom specifically entails, but is not necessarily limited to, the right to:
- 37.2.1 conduct research and to publish, subject to approval by ethics Review Boards where necessary, and to the provisions of any contract with a third party that imposes a delay on the publication of the Member's research provided that the contract complies with Article 14;
  - 37.2.2 teach and discuss;
  - 37.2.3 select, acquire, disseminate, or critique documents or other materials in the exercise of the Member's Academic Rights and Responsibilities;
  - 37.2.4 exercise professional judgment in the acquisition and selections of library materials, and in ensuring that these materials are freely accessible;
  - 37.2.5 criticize the University, the Association or any corporate, political, public or private institution; and
  - 37.2.6 create, exhibit, perform or adjudicate works of art; all without deference to prescribed doctrine.
- 37.3 The University and the Association agree to uphold and protect the principles of Academic Freedom as specified herein and not to infringe upon or abridge them.
- 37.4 The exercise of Academic Freedom, as described in this Article, shall not cause the imposition of any penalty or reprisal on a Member by the University or the Association. Neither shall the University or the Association countenance the restraint of Academic Freedom or the imposition, arising from its exercise, of any penalties or reprisals upon Members by any person, institution, agency or corporate donor to the University or the Association, or from any source within the University.
- 37.5 The credibility of the principles of Academic Freedom depends upon a collective commitment to exercise these principles in a manner consistent with the scholarly obligation to base research and teaching on an honest and ethical search for knowledge.
- 37.6 Academic Freedom does not require neutrality on the part of a Member nor does it preclude commitment on the part of a Member. Rather, Academic Freedom makes such commitment possible. Academic Freedom also carries the responsibility to respect the rights and freedoms of others. In particular, Members are expected to recognize the right of other members of the academic community faculty, staff, and students to express their opinions. Academic Freedom does not confer legal immunity or guarantee legal defence by the University in respect of positions taken which do not flow from the Members' responsibilities to the University nor does it diminish the obligation of Members to meet their responsibilities to the University.

- 37.7 Members shall not purport to speak on behalf of the University or the Association unless specifically authorized to do so. A statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the University. A statement of Membership or position in the Association shall not be construed as an attempt to speak on behalf of the Association.
- 37.8 This Article applies to Members in their capacity as academic staff members with faculty/academic librarian rank. It does not apply to Heads of Departments, or their associates or assistants in their administrative capacities, though it does apply to the appointments of these persons as faculty members, academic librarians and instructor.



# McGill Association of University Teachers

(1 June 2017 – 30 May 2018)

*There is no specific language on academic freedom in the McGill Handbook. However, academic freedom is referenced in other policies, such as in the examples below.*

## **Handbook of Regulations and Policies for Academic and Librarian Staff**

[McGill University]

### Chapter 5: Regulations Concerning Complaints of Sexual Harassment

- 1.3 For the purposes of Section 1.1 [Definitions], academic freedom is understood to be a reciprocal freedom between parties in any academic relationship, and the exercise of one person's rights may not infringe upon another's. The right of academic freedom is conferred equally upon all members of the McGill community, including faculty, students, and administrative and support staff.

### Chapter 6: Regulations on Research Policy

#### *Preamble*

Research in the University is relevant for the general benefits of society, as well as for specific intellectual purposes. It should be used to increase knowledge in ways that do not harm society. Furthermore, all teaching in the University should have a base in the creative experience of scholarly and scientific inquiry.

The University recognizes that research flourishes only in a climate of academic freedom. Since the conditions for good research in our many disciplines are quite different, individual investigators are normally expected to assume direct responsibility for the intellectual and ethical quality of the work. A serious responsibility rests on the individual members of the community who are best equipped through special knowledge to remain aware of the consequences of their research activity; the researcher must balance the possibility of harmful application against potential benefits.

## **Policy on harassment, sexual harassment and discrimination prohibited by law**

[McGill University]

### Section 7: Academic Freedom

- 7.1 Nothing in this Policy shall abridge academic freedom in the University's educational mission. Prohibitions against Harassment, Sexual Harassment and Discrimination Prohibited by Law do not extend to statements or written materials that are relevant and appropriately related to the subject matter of courses.

## **McMaster University Faculty Association**

(1 July 2017 – 30 June 2019)

*Statement on Academic Freedom [Faculty Handbook]  
(SPS E1)*

*Approved by Senate — December 14, 2011*

*Approved by the Board of Governors — December 15, 2011*

McMaster University is dedicated to the pursuit and dissemination of knowledge. The University's faculty members enjoy certain rights and privileges essential to these twin objectives. Central among these rights and privileges is the academic freedom, within the terms of their appointment, to pursue multiple avenues of inquiry; to teach and to learn unhindered by non-academic constraints; and to engage in full and unrestricted consideration of any opinion. This freedom extends not only to members of the University faculty, but to all who are invited by faculty to participate in its academic fora. All faculty members of the University must recognize this fundamental principle and must share responsibility for supporting, safeguarding and preserving this central freedom. Behaviour that obstructs free and full academic and scholarly pursuit, not only of ideas which are safe and accepted but of those which may be unpopular or even abhorrent, vitally threatens the integrity of the University, and cannot be tolerated.

Suppression of academic freedom would prevent the University from carrying out its primary functions. In particular, as an autonomous institution McMaster University will protect its faculty from any efforts, from whatever source, to limit or suppress academic freedom.

Academic freedom carries with it the duty to use that freedom in a responsible and professional manner consistent with the pursuit and dissemination of knowledge.

# **McMaster University Academic Librarians' Association**

(1 August 2015 – 31 July 2019)

## Article 8: Respectful Workplace

8.02 (b) The University recognizes that the work of employees supports the academic mission of the University. The parties agree that employees enjoy freedom of speech and freedom of thought. The parties also agree that the diversity of traditions across disciplines necessitates that an employee's freedom to pursue his/her own direction of research will vary according individual supervisor/employee arrangements. The parties also agree that no employee will be disciplined for the fact of exercising reasonable intellectual discretion pursuant to, and within the parameters of, the principles described in Article 8.02(a) above and within the scope of the provisions of Article 4 of this Agreement.

## Article 15: Workload and Hours Worked

15.03 The Parties recognize employees as professional academic librarians such that they have a degree of autonomy in managing their workload and hours worked.

## Article 24: Performance Review Process

24.05 (a) The diversity of professional interests and expertise among employees requires that they have the freedom to pursue developments and opportunities in self-directed professional service and professional activity. This freedom is constrained by the value of the employee's pursuits to the librarian's professional advancement, the Library and the broader library and research community.

# Memorial University of Newfoundland Faculty Association

(30 October 2014 – 31 August 2017)

## Article 2: Academic Rights and Freedoms

- 2.01 All ASMs [Academic Staff Members] enjoy equal rights to academic freedom.
- 2.02 Academic freedom is necessary for the pursuit of the University's purposes. The defence of academic freedom is an obligation on all members of the University community. Academic freedom does not require neutrality on the part of the individual, nor does it preclude commitment. Rather it makes commitment possible.
- 2.03 Therefore, the Parties agree to uphold the right of ASMs to teach, to learn, to carry out research, to publish, to comment, to criticise, to acquire and disseminate knowledge, to create, and to perform; all of these without deference to prescribed doctrine.
- 2.04 Academic freedom includes the right to discuss and criticize policies and actions of the University and the Association and protects against the imposition of any penalty by either Party for exercising that right.
- 2.05 Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base one's research and teaching on an honest search for knowledge. In exercising the freedom to comment and criticize, ASMs have a corresponding obligation to use academic freedom in a responsible manner by recognizing the rights of other members of the University community, and by affirming the rights of others to hold differing points of view.
- 2.06 Academic freedom does not confer legal immunity, nor does it diminish the responsibilities of ASMs to fulfill their academic obligations. ASMs as such shall not be hindered or impeded in any way by the Association or by the University from exercising their legal rights, nor shall they suffer any penalty imposed by either Party for exercising those rights.
- 2.07 ASMs retain all their freedoms as citizens to express themselves. The University accepts no responsibility for such expressions and exercises no censorship. In statements outside the University, ASMs shall not claim to speak on behalf of the University unless specifically authorized to do so. Should confusion arise concerning whether an ASM was speaking on behalf of the University, the ASM shall issue a disclaimer.

# **Association des bibliothécaires, professeures et professeurs de l'Université de Moncton**

(Professeurs et bibliothécaires : 1<sup>er</sup> juillet 2014 – 30 juin 2019)

(Chargés de cours : 1<sup>er</sup> janvier 2014 – 30 juin 2016)

## Article 4 : Liberté universitaire et politique, principes généraux d'éthique

- 4.01 Toute employée et tout employé jouit de la liberté universitaire et politique. Dans son essence, la liberté universitaire et politique est le droit d'exercer ses fonctions sans déférence à une doctrine prescrite. Elle entraîne donc pour les deux parties ainsi que pour toute employée et tout employé et toute administratrice ou tout administrateur l'obligation d'exercer leurs fonctions en respectant la liberté d'opinion d'autrui. L'employée ou l'employé est libre d'exprimer ses opinions personnelles à l'intérieur ou à l'extérieur de l'Université, sans préjudice des droits et obligations rattachés à son statut.
- 4.02 La liberté universitaire garantit aux professeures, professeurs et bibliothécaires la possibilité de former et de soutenir des opinions fermes dans le cadre de leur enseignement et de leurs travaux de recherche. C'est le droit d'enquêter, d'émettre des hypothèses et de formuler des observations sans devoir se soumettre à une doctrine prescrite. C'est le droit de critiquer l'Université, l'Association des bibliothécaires, professeures et professeurs et la société en général. C'est le droit d'être à l'abri de la censure institutionnelle. C'est le droit d'exercer ses droits légaux de citoyens, de jouir du droit à la liberté d'expression, sans encourir de sanction.
- 4.03 Les parties reconnaissent le droit fondamental de libre expression et des responsabilités qui en découlent et s'engagent à n'exercer aucune pression ou tentative d'intimidation portant atteinte à l'exercice de ce droit.

*Dans la convention collective des « chargé(e)s de cours », la liberté universitaire se trouve sous l'article 5 avec quelques changements :*

## Article 5 : Liberté universitaire et politique, non-discrimination et déontologie professionnelle

- 5.01 Les membres employés jouissent de la liberté universitaire et politique. Dans son essence, la liberté universitaire et politique est le droit d'exercer ses fonctions sans déférence à une doctrine prescrite. Elle entraîne donc pour les membres employés et toute administratrice ou tout administrateur l'obligation d'exercer leurs fonctions en respectant la liberté d'opinion d'autrui. Les membres employés sont libres d'exprimer leurs opinions personnelles à l'intérieur ou à l'extérieur de l'Université, sans préjudice des droits et obligations rattachés à leur statut.
- 4.02 La liberté universitaire garantit à tous les membres employés la possibilité de former et de soutenir des opinions fermes dans le cadre de leur enseignement. C'est le droit d'enquêter, d'émettre des hypothèses et de formuler des observations sans devoir se soumettre à une doctrine prescrite. C'est le droit de critiquer l'Université, l'Association et la société en général. C'est le droit d'être à l'abri de la censure institutionnelle. C'est le droit d'exercer ses droits légaux de citoyens, de jouir du droit à la liberté d'expression, sans encourir de sanction.
- 4.03 Les parties reconnaissent le droit fondamental de libre expression et des responsabilités qui en découlent et s'engagent à n'exercer aucune pression ou tentative d'intimidation portant atteinte à l'exercice de ce droit.

# **Association des bibliothécaires, professeures et professeurs de l'Université de Moncton, campus d'Edmundston**

(1<sup>er</sup> juillet 2013 – 30 juin 2016)

## Article 6 : Libertés universitaire et politique

6.01 Il est entendu que les libertés universitaire et politique sont essentielles à la quête du savoir et de la vérité, des valeurs intrinsèques au bien commun de la société et nécessaires à l'accomplissement du rôle de l'Université.

Dans son essence, la liberté universitaire, comme la liberté politique, est le droit d'exercer sa fonction sans être contraint d'adhérer à une doctrine prescrite. Elles n'exigent pas la neutralité des membres; elles rendent plutôt leur engagement possible. Ainsi, le membre est libre d'exprimer ses opinions personnelles à l'intérieur ou à l'extérieur de l'Université.

6.02 À l'instar d'autres groupes et individus, les membres jouissent de la liberté politique. Ils ont le droit d'exercer des droits reconnus en matière civile, politique, sociale et culturelle. Ils ne doivent pas être retenus ou empêchés d'exercer leurs droits civiques, entre autres choses, le droit de contribuer à l'évolution sociale.

6.03 Les membres jouissent de la liberté universitaire. Celle-ci leur donne le droit, non restreint à une doctrine prescrite et à l'abri la censure institutionnelle, à la liberté :

- d'enquêter, d'émettre des hypothèses et d'exprimer ou de soutenir des opinions fermes dans le cadre de leur enseignement et de leurs travaux de RDC;
- d'effectuer des recherches et d'en publier les résultats;
- de réaliser et d'exécuter des œuvres de création;
- de servir l'établissement d'enseignement et la collectivité;
- de critiquer l'Université, l'Association et la société en général;
- de prendre part à des organismes professionnels ou universitaires représentatifs.

6.04 Les membres ont le droit d'exercer les libertés susmentionnées sans subir de discrimination ni encourir de mesures restrictives ou répressives. Il est entendu que l'exercice de ces libertés comporte le devoir de respecter les opinions d'autrui et d'assumer les responsabilités qui s'y rattachent.

# **Association des bibliothécaires, professeures et professeurs de l'Université de Moncton, campus de Shippagan**

(1<sup>er</sup> juillet 2014 – 30 juin 2018)

## Article 8 : Liberté universitaire, liberté politique et non-discrimination

- 8.1 La liberté universitaire est la reconnaissance du droit d'exercer les libertés civiles et les responsabilités civiques qui s'y rattachent dans un milieu universitaire. En particulier elle protège la liberté d'une ou d'un membre de répandre ses opinions sur des questions qui touchent sa (ses) discipline(s) tant à l'intérieur qu'à l'extérieur des salles de cours, de poursuivre des recherches qui, à son avis, peuvent accroître le savoir et de communiquer les résultats de ces recherches, sans ingérence de la part de l'Université, de ses agents ou de tout organisme extérieur.
- 8.2 Le droit d'exercer ses libertés politiques dans le respect de ses obligations vis-à-vis de l'Université est reconnu à tout membre. La ou le membre est libre d'exprimer ses opinions personnelles à l'intérieur ou à l'extérieur de l'Université, sans préjudice aux droits et obligations rattachés à son statut.
- 8.5 À moins qu'elle ou qu'il soit pleinement autorisé à parler au nom de l'Université, la ou le membre lorsqu'elle ou il fait des déclarations doit spécifier qu'elle ou il parle en son nom personnel et ne représente aucunement l'Université.

*Les sous-dispositions 8.3 et 8.4 concernent la non-discrimination et ne sont pas incluses dans ce document.*

# Mount Allison Faculty Association

(Full-Time: 1 July 2016 – 30 June 2019)

(Part-Time: 1 July 2016 – 30 June 2019)

## Article 9: Academic and Intellectual Freedom and Privacy Rights

9.01 The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the fulfillment of an employee's professional responsibilities, which are specified in Clause 12.01 of this Agreement. The parties agree that they will not infringe or abridge the academic freedom of any member of the bargaining unit. Members of the bargaining unit are entitled, regardless of prescribed doctrine, to freedom in carrying out research and creative activity, and in publishing the results thereof; freedom of teaching and of discussion; freedom to criticize the university and the faculty association; and freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge, and with due regard for the rights of others. Freedom in teaching necessarily includes the freedom of an employee to determine pedagogy, and the use of those teaching and support materials which she/he believes to be appropriate.

*The language in the Part-Time agreement is different:*

9.01 The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the fulfillment of a Part-time Employee's professional responsibilities, which are specified in Clause 12.01 of this Agreement. The Parties agree that they will not infringe or abridge the academic freedom of any member of the Bargaining Unit. Members of the Bargaining Unit are entitled, regardless of prescribed doctrine, to freedom in carrying out research and creative activity, and in publishing the results thereof; freedom of teaching and of discussion; freedom to criticize the University and the Faculty Association, except that this freedom does not diminish the Part-time Employee's responsibilities under any other employment relationship she/he may have with the University; and freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge, and with due regard for the rights of others. Freedom in teaching necessarily includes the freedom of a Part-time Employee to determine pedagogy, and the use of those teaching and support materials which he or she believes to be appropriate.



# **Mount Royal Faculty Association**

(1 July 2016 – 30 June 2018)

## Article 23: Academic Freedom

- 23.1 The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in educational institutions is essential to both these purposes in the teaching function of the institution as well as in its scholarship and research.
- 23.2 Academic freedom as a right belongs to the individual faculty member, not the Faculty Association or the University. Academic freedom does not confer legal immunity nor does it diminish the obligation to meet employment duties and responsibilities.
- 23.3 Academic staff shall not be hindered or impeded in any way by the institution or the faculty association from exercising their legal rights as citizens, nor shall they suffer any penalties because of the exercise of such legal rights. Academic members of the community are entitled, regardless of prescribed doctrine, to freedom in designing and carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticize the University and the faculty association and freedom from institutional censorship.
- 23.4 Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.
- 23.5 In exercising the freedom to comment and criticize, academic staff members have a corresponding obligation to use academic freedom in a responsible manner. This implies recognition of the rights of other members of the academic community and a tolerance of differing points of view.

# **Mount Saint Vincent University Faculty Association**

(1 July 2015 – 30 June 2018)

## Article 2: Academic Freedom

- 2.1 The Employer and the Association agree to abide by the principles of academic freedom as expressed in the following statement: academic freedom involves the right to teach, investigate, speculate, and publish without deference to prescribed doctrine and free from institutional censorship. It involves the right to criticize the University and the Association. The right to academic freedom carries with it the duty to use that freedom in a responsible way.
- 2.2 The Employer agrees that members have the right to privacy in their personal and professional communications and files, whether on paper or in electronic form. The level of privacy, however, does not exceed that of reasonable expectations.
- 2.3 Academic freedom does not confer legal immunity, nor does it diminish the obligation of members to meet their responsibilities as defined in this Agreement.

## **Association of University of New Brunswick Teachers**

(Full-Time (Group 1): 1 July 2016 – 30 June 2020)

(Contract Academic Employees (Group 2): 1 May 2016 – 30 April 2020)

- 14.01 The unimpeded search for knowledge and its free exposition are vital to a university and to the common good of society. To this end, the Parties agree to strive to uphold and to protect the principles of academic freedom and not to infringe upon or abridge academic freedom as set out in this article.
- 14.02 Employees shall have:
- a) freedom of discussion, freedom to criticize, including criticism of the University of New Brunswick and the Association, freedom from censorship by the Parties, and freedom to consider and study all available expressions of creativity, knowledge, and intellectual activity, including those which may be considered by some elements of society to be unconventional, unpopular or unacceptable;
  - b) freedom in the choice and pursuit of research, and freedom to disseminate or to withhold dissemination of the results and conclusions of such research;
  - c) freedom in the choice and pursuit of teaching methods, and to state their views on matters relating to their discipline.
- 14.03 Academic freedom does not require neutrality; rather, academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research, teaching and scholarship on an honest search for knowledge.
- 14.04 Academic freedom does not confer legal immunity, nor does it diminish the obligation of Employees to meet their responsibilities to the University of New Brunswick. Employees shall not be hindered or impeded in any way, by either of the Parties, from exercising their legal rights, nor shall they suffer any penalties because of the exercise of such legal rights.

*The language in the Contract Academic Employees agreement is the same except in 14.02:*

- 14.02 Contract Academic Employees shall have:
- a) freedom of discussion, freedom to criticize, including criticism of the University of New Brunswick and the Association, freedom from censorship by the Parties, and freedom to consider and study all available expressions of creativity, knowledge, and intellectual activity, including those which may be considered by some elements of society to be unconventional, unpopular or unacceptable;
  - b) freedom in the choice and pursuit of research, and freedom to disseminate or to withhold dissemination of the results and conclusions of such research;
  - c) freedom in the choice and pursuit of teaching methods, and to state their views on matters relating to their discipline.

# **Nipissing University Faculty Association**

(Full-Time Academic Staff: 1 May 2015 – 30 April 2019)

(Contract Academic Staff: 1 May 2016 – 30 April 2019)

## 17: Academic Freedom and Academic Responsibility

### 17.1 General Definition

- (a) Members have a right to academic freedom, which is defined as the freedom, (i) individually or collectively, to acquire, to pursue, to develop, to preserve, and to transmit knowledge through research, study, examination, questioning, discussion, documentation (in all formats), production, creation, teaching, lecturing, writing, and performance, regardless of prescribed or official doctrine and without constriction by institutional censorship; and (ii) to disseminate their opinion(s) on any questions related to their teaching, professional and creative activities, and research both inside and outside the classroom.
- (b) The parties agree that academic freedom does not require neutrality on the part of the individual. It is furthermore agreed that academic freedom makes intellectual discourse, critique, and commitment possible.

### 17.2 The freedom to teach and its responsibilities

- (a) Members teaching courses have the right to the free expression of their views on the subject area, and may use and refer to materials and their treatment thereof without reference or adherence to prescribed or official doctrine.
- (b) In such circumstances, the Member is expected to cover topics according to the Calendar description, to remain up to date in the knowledge of the discipline, treat students fairly and ethically, and teach effectively, which includes using fair, reasoned and fact-based arguments and showing a willingness to accommodate the expression of differing points of view.

### 17.3 The freedom to research and its responsibilities

- (a) Members have the freedom to carry out scholarly research within areas of their expertise without reference or adherence to prescribed or official doctrine. This also recognizes that Members' expertise can evolve over time in conjunction with new collaborations, combinations of disciplines, emerging theories and areas of interest.
- (b) Researchers are expected to meet ethical guidelines for work with animal or human subjects in accordance with procedures established by the University's Research Ethics Board, the regulations and protocols of the University's Animal Care Committee, and government regulatory bodies. Researchers are expected to deal fairly with colleagues, assistants, and students with whom they conduct research, to carry out the research in the spirit of a genuine search for knowledge, and to base findings upon a critical appraisal of available data and a reasoned analysis of their interpretation.

### 17.4 The freedom to publish and its responsibilities

- (a) Members have the right to publish the results of their research, creative, or professional activities, without interference or censorship by the institution, its agents, or others.
- (b) Researchers have a responsibility to report findings fairly and accurately, and to recognize appropriately the contributions of others to the work they report.

#### 17.5 The freedom of artistic expression and its responsibilities

- (a) Members engaged in the creation and presentation of works in the visual and performing arts are as entitled to the protection afforded by the commitment to academic freedom as are their colleagues who write, teach, and study in other academic disciplines. Artistic expression, including presentations to the public, will have the same assurance of academic freedom.
- (b) Direct or indirect attempts to impose tests of propriety, ideology, or religion on the artistic activity of these Members will be resisted by the University community, it being agreed that such tests are acts of censorship that limit the freedom to explore, to teach, and to learn.
- (c) Members in the visual and performing arts, when called upon to select or judge the artistic work of colleagues and students, must ensure that the criteria are educational and artistic and are applied in a fair and impartial manner.

#### 17.6 The freedom to speak intramurally or extramurally and its responsibilities

- (a) Members have the right to speak intramurally and extramurally, including the right to express freely their opinion(s) about the University and its administrators, the government of the day, or society at large.
- (b) When speaking intramurally, Members are expected to deal fairly and professionally with all members of the University community.
- (c) Speakers who are commenting on their scholarship are bound by the same responsibilities which attend the right to publish research.
- (d) In any exercise of freedom of expression, Members will not purport to speak on behalf of the University unless so authorized by the Board, the President or his/her designate. An indication of affiliation with the University should not be construed as speaking on behalf of the University.

*In the CAS agreement, Academic Freedom and Academic Responsibility are covered under Article 6. The language is otherwise the same except in sub-article 6.3 and 6.4:*

#### 17.3 The freedom to research and its responsibilities

While Members are not required to perform research as part of their duties and responsibilities, Members choosing to engage in research are bound by the following:

- (a) Members have the freedom to carry out scholarly research within areas of their expertise without reference or adherence to prescribed or official doctrine. This also recognizes that Members' expertise can evolve over time in conjunction with new collaborations, combinations of disciplines, emerging theories and areas of interest.
- (b) Researchers are expected to meet ethical guidelines for work with animal or human subjects in accordance with procedures established by the University's Research Ethics Board, the regulations and protocols of the University's Animal Care Committee, and government regulatory bodies. Researchers are expected to deal fairly with colleagues, assistants, and students with whom they conduct research, to carry out the research in the spirit of a genuine search for knowledge, and to base findings upon a critical appraisal of available data and a reasoned analysis of their interpretation.

17.4 The freedom to publish and its responsibilities

While Members are not required to do so:

- (a) Members have the right to publish the results of their research, creative, or professional activities, without interference or censorship by the institution, its agents, or others.
- (b) Researchers have a responsibility to report findings fairly and accurately, and to recognize appropriately the contributions of others to the work they report.

# University of Northern British Columbia Faculty Association

(1 July 2014 – 30 June 2019)

## Article 2: Academic Freedom

- 2.1 The common good of society depends upon the search for knowledge and its free expression. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. Members shall not be hindered or impeded in any way by the Employer or the Association from exercising their legal rights nor shall they suffer any penalties because of the exercise of such legal rights.
- 2.2 The Parties agree that they will not infringe or abridge the academic freedom of any Member. Members are entitled, regardless of prescribed doctrine, to freedom to practice their professions; freedom in carrying out research and in publishing the results thereof; freedom of teaching and discussion; freedom of creative activity; freedom to select, acquire, disseminate, or use documents in the exercise of their professional responsibilities; freedom to criticize the University, the Employer, and the Association; freedom from institutional censorship; and freedom to choose their directions of research.
- 2.3 In exercising such freedom, Members have an obligation to acknowledge and the responsibility to respect the academic freedom and rights of other members of the UNBC community.
- 2.4 The censorship of information is incompatible with the free pursuit of knowledge. The collection, organization, and dissemination of knowledge will be done freely and without bias in support of the research, teaching, and study needs of the UNBC community. The Parties agree that no censorship based on moral, religious, or political values shall be exercised or allowed against any material which a Member desires to be placed in the library collections of UNBC.
- 2.5 Academic freedom does not require neutrality on the part of the individual; rather, academic freedom makes commitment possible. Academic freedom does not confer legal immunity, nor does it diminish the obligations of Members to meet their duties and responsibilities. Members have a duty to exercise that freedom in a manner consistent with the academic obligations of teachers and scholars, Librarians and Senior Laboratory Instructors.

## Article 3: Openness and transparency

- 3.1 The Parties agree that openness and transparency are essential to encourage collegiality and academic freedom. Openness and transparency shall extend to matters before the open Board of Governors and the open meetings of Senate. The Parties also agree that an open and transparent process is equally applicable to open meetings of standing committees and sub-committees.
- 3.2 For issues that affect academic units at UNBC, established collegial processes will be followed. This includes consultation between the senior UNBC Administration and the Association and assumes that proposals of significance are reviewed by appropriate collegial bodies including College Council and, where appropriate, Senate.

# Northern Ontario School of Medicine Faculty and Staff Association

(Unit 1: 1 July 2015 – 30 June 2018)

(Unit 2 (Staff): 1 May 2016 – 30 April 2020)

## 13: Academic Freedom

- 1.3.1 The common good of society depends upon the search for knowledge and its free exposition. Academic Freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without deference to prescribed doctrine. Academic Freedom does not require neutrality on the part of the individual; on the contrary, Academic Freedom makes commitment to a position or course of action possible.
- 1.3.2 The School is dedicated to the pursuit and dissemination of knowledge. Its members enjoy certain rights and privileges essential to these twin objectives. Central among these rights and privileges is the freedom within the law to pursue what in their opinion are fruitful avenues of inquiry, to teach and to learn in an environment unhindered by external or non-academic constraints, and to engage in full and unrestricted consideration of any opinion. This freedom extends to Members and to all who are invited to participate in its activities. The Board and Members are deemed to recognize this fundamental principle and are deemed to share responsibility for its support, its safeguard and its preservation. Behaviour obstructing free and full discussion of ideas which are safe and accepted and those which may be unpopular or abhorrent threatens the integrity of the School and shall not be tolerated.
- 1.3.3 Suppression of Academic Freedom will prevent the School from carrying out its primary functions. In particular, as an autonomous institution the Board shall shield and protect Faculty and Library Members from any efforts by the state or its agents, the officers of the Board or its agents, its Members, private individuals, corporations and other entities to limit or suppress Academic Freedom.
- 1.3.4 The Board is committed to protecting the Integrity of Research, to abiding by ethical principles in all its research and to prohibiting conflicts of interest arising from relationships between researchers and third parties from affecting research.
- 1.3.5 With respect to risks associated with research involving human subjects, all contracts, protocols or investigator agreements for industrial sponsorship shall be deemed to provide that investigators shall not be prevented by the sponsor or anyone else from informing participants in the study, Members of the research group, physicians administering the treatment, research ethics boards, regulatory agencies and the scientific community, and the public of risks to participants or threats to the public interest that the investigators identify during the research. These provisions also apply to any risks from a treatment so identified following the conclusion of a trial if there are patients being administered the treatment in a non-trial setting. The term "risk" includes but is not limited to the inefficacy of the treatment and direct safety concerns.
- 1.3.6 All research contracts and all protocols or investigator agreements for sponsorship of clinical or other trials or for participation in trials shall reproduce this Article 1.3 (Academic Freedom).
- 1.3.7 The School is an open environment for the pursuit of scholarly work. Academic Freedom and critical inquiry depend on the communication of the findings and results of intellectual investigation. The Board shall not interfere with a Member's freedom to publish the results of scholarly inquiry and research, except for limitations imposed by duly constituted research ethics boards.



- 1.3.8 The Board shall expect and encourage each Member to participate in, and contribute new ideas to, the promotion of the objectives of the School. Furthermore, it shall respect the right of each Member to disagree with academic or administrative decisions. However, criticism of, or advocacy of, changes in the policies, programs or administrative practices of the School shall be in the proper academic tradition of reasonable discussion.
- 1.3.8.1 The principle and practice of collegial governance supports the exercise of Academic Freedom within the School. Members are entitled to have representatives on and to participate in School collegial governing bodies such as Academic Council and its Committees and Subcommittees, as well as the Divisions and Units, and in accordance with their role in the fulfillment of the School's academic and educational mission. The Parties understand that section 8.1 does not guarantee Member seats on Academic Council Committees and Subcommittees whose mandate is outside of their duties.
- 1.3.9 Members have the right to freedom of expression, including the right to criticize the government of the day, the administration of the School, or the Union.
- 1.3.10 Members have the freedom to exercise professional judgment in the acquisition of materials, and in ensuring that these materials are freely accessible to all for bona fide teaching and research purposes, no matter how controversial these materials may be.
- 1.3.11 Librarian Members have the right and responsibility to make knowledge, ideas, and information freely available, no matter how controversial, without deference to prescribed doctrine or institutional censorship. Academic freedom also ensures the Member's right to disseminate the results of his/her research and to express his/her professional opinion freely and publicly, without Board penalty for exercising that freedom.

*There is an academic freedom clause in Unit 1's collective agreement for professional staff, referred to as "Professional Freedom".*

Article 1.21: Professional Freedom

Each Professional Staff Member (Learner Affairs Officers, Curriculum Instructional Designers and ME Database Administrators) must be free to pursue excellence in the professional's field of competence, must be encouraged to contribute to the intellectual life of the School and University communities, and must be encouraged to contribute to the intellectual life of the professional groups to which the Professional Staff Member belongs.

# **Faculty Union of the Nova Scotia College of Art and Design**

(Unit I: 1 January 2016 – 30 June 2018)

(Unit II: 1 January 2016 – 30 June 2018)

## Article 8: Academic Freedom and Responsibility

### 8.01 General Principles

- (A) The search for truth and its free exposition are vital to the purposes of NSCAD University and to the common good of society.
- (B) Academic freedom is essential to those purposes and is the right of every employee with respect to his/her teaching or librarianship and Professional and/or Scholarly activities.
- (C) The employee's right to academic freedom carries with it the duty to use that freedom in a responsible way, consistent with fair and ethical dealings with students and colleagues, and consistent with the employee's performance of teaching and/or other responsibilities under this Agreement.

### 8.02 Specific Aspects

Specific aspects of an employee's academic freedom are:

- (A) the right to select, present, and discuss material relevant to the objectives of the course;
- (B) the right to pursue, without deference to prescribed doctrine or institutional censorship, his/her Professional and/or Scholarly activities, and to publish and/or make public the results thereof;
- (C) the right to express opinions, including criticism of NSCAD University, provided in doing so the employee shall show respect for the opinion of others, have due regard for the best interests of NSCAD University, and make every effort to indicate that he/she is not acting as spokesperson for NSCAD University; and
- (D) in the case of Librarians, the right to make information freely available, without deference to prescribed doctrine or institutional censorship.

*There is no academic freedom language in the Unit II collective agreement.*

# **Ontario College of Art and Design Faculty Association**

(1 July 2016 – 30 June 2020)

## Article 5: Endorsement of AUCC Statement on Academic Freedom and Institutional Autonomy

### 5.1 Endorsement

- 5.1.1 The Parties endorse the “Statement on Academic Freedom and Institutional Autonomy”, as adopted by the Association of Universities and Colleges of Canada (“AUCC”) on May 5, 1988, and attached to this Agreement as Appendix A.
- 5.1.2 The Parties shall uphold and protect the principles of academic freedom.
- 5.1.3 Academic freedom is essential to the teaching function of the university, as well as to the creative and scholarly pursuits of the faculty, academic staff, other staff, and students. This includes a commitment to unfettered intellectual and aesthetic inquiry and judgment and to the provision of those textual, audio, and visual resources necessary to free inquiry and practice. Academic freedom includes: the right of responsible teaching from a subjective point of view; the right to freedom of creative practice or expression; and the right of dialogue, discussion, debate and criticism in the exercise of professional responsibilities including those referred to herein.

# University of Ontario Institute of Technology Faculty Association

(Tenured/Tenure-track Faculty: 1 July 2015 – 30 June 2018)

(Teaching Faculty: 12 February 2014 – 30 June 2017)

*Language for Tenured/Tenured-track Faculty Unit:*

## Article 14: Academic Freedom

- 14.01 UOIT regards academic freedom as indispensable to the pursuit of knowledge and of service to the common good of society, through searching for, and disseminating, knowledge and understanding, and through fostering independent thinking and expression. These ends cannot be achieved without academic freedom.
- 14.02 Academic freedom of Faculty Members resides at the core of the University's mission and includes the freedom to: teach and discuss; engage in research and define research questions; pursue the answers with rigor; disseminate knowledge; produce and perform creative works; express one's opinion about the University, its administration, and the system in which one works; and select, acquire, disseminate, or critique documents or other materials as is relevant in the performance of the Faculty Member's Teaching and Research obligations. Accordingly, academic freedom is the right of every Faculty Member.
- 14.03 Faculty Members have an obligation to exercise this freedom with integrity and with due regard for the rights and freedoms of others.
- 14.04 Academic freedom neither confers legal immunity in respect of opinions that may be expressed or activities that may be undertaken, nor does it relieve Faculty Members from the requirement to perform their duties and responsibilities to the University.
- 14.05 Faculty Members shall not purport to speak on behalf of the University or the Association unless specifically authorized to do so. A statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the University.

*The language in the Teaching Faculty Unit agreement is slightly different in sub-articles 14.02 to 14.05:*

- 14.02 Academic freedom of Teaching Faculty Members resides at the core of the University's mission and includes the freedom to: teach and discuss; engage in research and define research questions; pursue the answers with rigor; disseminate knowledge; produce and perform creative works; express one's opinion about the University, its administration, and the system in which one works; and select, acquire, disseminate, or critique documents or other materials as is relevant in the performance of the Teaching Faculty Member's Teaching obligations, and if applicable, research obligations. Accordingly, academic freedom is the right of every Teaching Faculty Member.
- 14.03 Teaching Faculty Members have an obligation to exercise this freedom with integrity and with due regard for the rights and freedoms of others.
- 14.04 Academic freedom neither confers legal immunity in respect of opinions that may be expressed or activities that may be undertaken, nor does it relieve Teaching Faculty Members from the requirement to perform their duties and responsibilities to the University.
- 14.05 Teaching Faculty Members shall not purport to speak on behalf of the University or the Association unless specifically authorized to do so. A statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the University.

# Osgoode Hall Faculty Association

(1 July 2015 – 30 June 2018)

## Article 11: Academic Freedom

- 11.01 The parties agree to continue their practice of upholding, protecting, and promoting academic freedom as essential to the pursuit of truth and the fulfilment of the University's objectives. Academic freedom includes the freedom of an employee to examine, question, teach, and learn; to disseminate her opinion(s) on any questions related to her teaching, professional activities, and research both inside and outside the classroom; to pursue without interference or reprisal, and consistent with the time constraints imposed by her other University duties, her research, creative or professional activities, and to freely publish and make public the results thereof; to criticize the University or society at large; and to be free from institutional censorship. Academic freedom does not require neutrality on the part of the individual, nor does it preclude commitment on the part of the individual. Rather, academic freedom makes such commitment possible.
- 11.02 When exercising their rights of action and expression as citizens, employees shall endeavour to ensure that their private actions or expressions are not interpreted as representing positions of York University. Any published views of the Administration concerning the Association shall be clearly identified as representing the views of the York University Administration.

# Association of Professors of the University of Ottawa

(1 May 2016 – 30 April 2018)

## Article 9: Academic Freedom

- (a) The parties agree neither to infringe nor abridge the academic freedom of the members. Academic freedom is the right of reasonable exercise of civil liberties and responsibilities in an academic setting. As such it protects each member's freedom to disseminate her opinions both inside and outside the classroom, to practice her profession as teacher and scholar, librarian, or counsellor, to carry out such scholarly and teaching activities as she believes will contribute to and disseminate knowledge, and to express and disseminate the results of her scholarly activities in a reasonable manner, to select, acquire, disseminate and use documents in the exercise of her professional responsibilities, without interference from the employer, its agents, or any outside bodies. All the above-mentioned activities are to be conducted with due and proper regard for the academic freedom of others and without contravening the provisions of this agreement. Academic freedom does not require neutrality on the part of the member, but rather makes commitment possible. However, academic freedom does not confer legal immunity, nor does it diminish the obligations of members to meet their duties and responsibilities.
- (b) The parties agree that no censorship based on moral, religious, or political values shall be exercised or allowed against any material which a member desires to be placed in the library collections of the University of Ottawa.

*[In French: ]*

## Article 9 : Liberté universitaire

- a) Les parties s'engagent à ne point enfreindre ou diminuer la liberté universitaire des membres. La liberté universitaire est le droit à un exercice raisonnable des libertés civiles et des responsabilités civiques dans un milieu universitaire. Au nom de cette liberté universitaire, chaque membre a le droit de disséminer ses opinions à l'intérieur et à l'extérieur de la salle de classe, de pratiquer sa profession en tant qu'enseignant et savant, bibliothécaire, ou conseiller, de poursuivre les activités d'enseignement et des activités savantes qui à son avis sont susceptibles d'accroître et de disséminer les connaissances, de communiquer et de disséminer d'une manière raisonnable les résultats de ses travaux savants, et de choisir, acquérir, disséminer et utiliser des documents dans l'exercice de ses responsabilités professionnelles, sans ingérence de la part de l'Employeur, de ses agents, ou d'autorités extérieures. Toutes les activités susmentionnées doivent être conduites en tenant bien compte de la liberté universitaire d'autrui et sans enfreindre les dispositions de la présente convention. L'exercice de la liberté universitaire n'implique pas que le membre demeure neutre ; il rend plutôt l'engagement possible. Toutefois, la liberté universitaire ne confère pas l'immunité juridique, et elle n'enlève rien à l'obligation des membres de bien s'acquitter de leurs tâches et de leurs responsabilités.
- (b) Les parties acceptent qu'aucune censure s'inspirant de valeurs morales, religieuses ou politiques ne soit exercée à l'encontre de tout matériel qu'un membre désirerait faire ajouter aux collections des bibliothèques de l'Université d'Ottawa.

# University of Prince Edward Island Faculty Association

(Unit 1: 1 July 2016– 30 June 2020)

(Clinical Veterinary Professionals (Unit 2): 1 July 2016 – 30 June 2020)

## A-4: Academic Freedom

- A.4.1 The Parties are committed to and agree to strive to uphold and to protect the principles of academic freedom as expressed in the following statement: academic freedom involves the right to teach, to investigate, to speculate, to publish and to collect and make available library materials without deference to prescribed doctrine and free from institutional censorship. It includes the freedom to criticize the University and the Association. The right to academic freedom carries with it the duty to use that freedom in a responsible way.
- A.4.2 Members hold the following rights and freedoms subject to certain exceptions described in Section G1.10 and G2.13:
- a) the right to speak freely and criticize, including criticism of the University of Prince Edward Island and the Association, freedom from censorship by the Parties, and freedom to consider and study all available expressions of creativity, knowledge and intellectual activity, including those which may be considered by some elements of society to be unconventional, unpopular or unacceptable;
  - b) the right to do research, freedom in the choice and pursuit of research and scholarly endeavours without deference to prescribed doctrine and free from institutional censorship, freedom to disseminate or to withhold dissemination of the results and conclusion of such scholarly endeavours;
  - c) freedom in the choice and pursuit of teaching without deference to prescribed doctrine, and free from institutional censorship;
  - d) freedom in professional practice and to collect and make available library materials without deference to prescribed doctrine and free from institutional censorship;
  - e) freedom to state their views on matters relating to their discipline.
- A.4.3 Academic freedom does not require neutrality; rather, academic freedom carries with it the duty to use that freedom in a manner consistent with an honest search for knowledge.
- A.4.4 Academic freedom does not confer legal immunity, nor does it diminish the obligation of Members to meet their responsibilities as defined in this Agreement. Members shall not be hindered or impeded in any way, by either of the Parties, from exercising their legal rights, nor shall the University impose any penalties because of the exercise of such legal rights.

*The language in the Unit 2 agreement is different:*

- A.4.1 Within the context of their respective rights, duties and responsibilities, Members have the academic freedom to investigate, to speculate, to publish and teach without deference to prescribed doctrine and free from institutional censorship, when engaged in teaching and research.

# Queen's University Faculty Association

(21 August 2015 – 30 April 2019)

## Article 14: Academic Freedom

### 14.1 Generally,

- (a) the unimpeded search for knowledge and its free expression and exposition are vital to a University and to the common good of society;
- (b) Members have the right to academic freedom which shall include the freedom, individually or collectively, to develop and transmit knowledge and opinion through research, study, discussion, documentation, production, creation, teaching, lecturing and publication, regardless of prescribed or official doctrine, and without limitation or constriction by institutional censorship; and
- (c) the Parties agree to uphold and to protect the principles of academic freedom, not to infringe upon or abridge academic freedom as set out in this Article, and to use all reasonable means in their power to protect that freedom when it is threatened.

### 14.2 Academic freedom includes the following interacting freedoms: freedom to teach, freedom to research, freedom to publish, freedom of expression, freedom to acquire materials. Academic freedom ensures that

- (a) Members teaching courses have the right to the free expression of their views, and may choose course content, use teaching methods and refer to materials without censorship or reference or adherence to prescribed doctrine;
- (b) Members have the freedom to carry out scholarly research without reference or adherence to prescribed doctrine;
- (c) Members have the right to publish the results of their research without interference or censorship by the institution, its agents or others;
- (d) Members have the right to freedom of expression, including the right to criticize the government of the day, the administration of the institution, or the Association; and
- (e) Members have the freedom to exercise professional judgment in the acquisition of materials, and in ensuring that these materials are freely accessible to all for bona fide teaching and research purposes, no matter how controversial these materials may be.

### 14.3 Academic freedom does not require neutrality; rather, it carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research, teaching, publication and other forms of scholarly expression in an honest search for knowledge.

### 14.4 Academic freedom does not confer legal immunity; nor does it diminish the obligation of Members to meet their responsibilities to the University, including those set out in Article 15.

### 14.5 In the exercise of academic freedom, Members shall respect the academic freedom of others. In addition, Members are expected to recognize the rights of other members of the University community — faculty, staff and students.

### 14.6 In any exercise of freedom of expression, Members should not purport to speak on behalf of the University unless so authorized. An indication of affiliation with the University should not be construed as speaking on behalf of the University.



## **University of Regina Faculty Association**

(Academic Staff: 1 July 2014 – 30 June 2017)

(Administrative, professional, and technical employees: 1 July 2014 – 30 June 2017)

(Campion College: 1 July 2014 – 30 June 2017)

(Luther College: 1 July 2014 – 30 June 2017)

(FNU – Academic Staff: 1 July 2015 – 30 June 2018)

(FNU – Sessional Academic Staff: 1 January 2017 – 31 December 2019)

(FNU – Administrative, professional, and technical employees: 1 April 2014 – 31 March 2017)

*Language in the Academic Staff agreement:*

### 2: Academic Freedom

- 2.1.1 Academic freedom is essential to the teaching, research and scholarship functions of a university. The parties agree that they shall protect the academic freedom of academic staff members in the performance of their duties as described in Article 16 and elsewhere in the agreement.
- 2.1.2 The University shall defend the academic freedom of members from interference from any source. The University shall not be held accountable for infringements of academic freedom originating beyond the control of the University including, but not limited to, legislation.
- 2.1.3 Academic staff members have the right, through freedom of speech, to speak on issues not related to the performance of their duties. The parties shall recognize and respect that right.

*The language in the Campion College agreement is different:*

- 2.1.1 Academic freedom is essential to the functioning of a university, and to the teaching, research, scholarship, professional activities, and service to the College and community. The parties agree that they shall protect the academic freedom of each member of the academic staff.
- 2.1.2 As applied to academic duties described in Article 16 and elsewhere in the agreement, academic staff members shall engage in teaching, research and scholarship, and other related activities free from intentional interference. The College shall defend the academic freedom of members from interference from any source. The College shall not be held accountable for infringements of academic freedom originating beyond the control of the College including, but not limited to, legislation.

If the academic remedies available to resolve disputes are not successful, there are dispute resolution procedures established within the applicable legislation.

*The language in the Luther College agreement is different:*

- 2.1.1 Academic freedom is essential to the teaching, research and scholarship functions of a university or college. The parties agree that they shall protect the academic freedom of each member of the academic staff.
- 2.1.2 As applied to academic duties described in Article 16 and elsewhere in the agreement, academic freedom provides that each academic staff member shall engage in teaching, scholarship/research and other related activities free from arbitrary interference. The College shall defend the academic freedom of members from interference from any source. The College shall not be held accountable for infringements of academic freedom originating beyond the control of the College including, but not limited to, legislation.

If the academic remedies available to resolve disputes are not successful, there are dispute resolution procedures established within the applicable legislation.

The academic staff member has the right to speak on issues beyond teaching and research through freedom of speech and the College shall recognize and respect that right. The academic staff member shall not suffer censorship or discipline by the College for exercising that right.

The College shall not be held accountable for nor be required to defend comments made by an academic staff member, whether such comments are made in the context of academic freedom or freedom of speech. The College also has the right to present its own position with respect to such comments.

*There is no academic freedom clause in the APT collective agreement at U of R.*

*The language in the First Nations University – AS agreement is different:*

2.2 Academic freedom is essential to the teaching, research, scholarship and community development functions of the University. The University will defend the academic freedom of members from interference from any source; however, the University will not be held accountable for infringements of academic freedom originating beyond the control of the University.

2.2.1 The University recognizes that freedom to discover and disseminate knowledge and understanding through research and teaching is fundamental to the advancement of wisdom, and that such freedom is basic to the protection of the rights of the students in learning and the rights of the teacher in teaching.

2.2.2 The parties agree to continue their practice of upholding, protecting, and promoting academic freedom as essential to the pursuit of truth and the fulfilment of the University's objectives. Academic freedom includes:

- the freedom of academic staff members to examine, question, teach, and learn;
- to disseminate their opinion(s) on questions related to their teaching, professional activities, and research both inside and outside the classroom;
- to pursue without interference or reprisal, and consistent with the time constraints imposed by their other University duties, their research, creative or professional activities, and to publish and make public the results thereof;
- to have the worth and validity of academic works judged by their peers and Elders in committee, rather than by political interest groups and individuals.

Academic staff members shall conduct their activities with due and proper respect for the intellectual property of First Nations peoples and communities, including, but not limited to, knowledge, ways of knowing, practices, and traditions, for the academic freedom of others, and without contravening the provisions of this agreement.

2.2.3 Academic freedom does not require neutrality, nor does it preclude commitment on the part of the individual. Rather, academic freedom makes such commitment possible. However, academic freedom does not confer legal immunity, nor does it diminish the obligations of members to meet their duties and responsibilities.

2.2.4 Members of the University academic community are entitled to enjoy freedoms essential to teach, to conduct research and to publish the results thereof, freedom to initiate and to enter into dialogue and discussion in areas of interest and

competence, as well as freedom to examine, evaluate, and make critical commentary on matters pertaining to, and subject to, the rigors of academic inquiry.

- 2.2.5 Each academic staff member is entitled to freedom from institutional and political censure in conducting his or her activities relevant to the carrying out of his or her duties as set out in Article 18 of this agreement.
- 2.2.6 In activities in the community at large, academics may not purport to represent the University unless specifically authorized to do so by the President.
- 2.2.7 The University will endeavour to ensure that time and resources are made available to members of the academic community to contribute to the growth of knowledge and to carry out research needed by the First Nations community.
- 2.2.8 The University will endeavour to provide structural support such as institutional autonomy, permanent employment status, an academic forum, representative peer committees in areas such as academic freedom, rank and promotion, grievances, and ethics.

*The language in the FNU - SAS agreement is the same as the FNU - AS except in 2.2.2 and 2.2.5:*

- 2.2.2 The parties agree to continue their practice of upholding, protecting, and promoting academic freedom as essential to the pursuit of truth and the fulfilment of the University's objectives. Academic freedom includes:

- the freedom of sessional academic staff members to examine, question, teach, and learn;
- to disseminate their opinion(s) on questions related to their teaching, professional activities, and research both inside and outside the classroom;
- to pursue without interference or reprisal, and consistent with the time constraints imposed by their other University duties, their research, creative or professional activities, and to publish and make public the results thereof;
- to have the worth and validity of academic works judged by their peers and Elders in committee, rather than by political interest groups and individuals.

Sessional Academic staff members shall conduct their activities with due and proper respect for the intellectual property of First Nations peoples and communities, including, but not limited to, knowledge, ways of knowing, practices, and traditions, for the academic freedom of others, and without contravening the provisions of this agreement.

- 2.2.5 Each sessional academic staff member is entitled to freedom from institutional and political censure in conducting his or her activities relevant to the carrying out of his or her duties as set out in Article 19 of this agreement.

*There is no academic freedom clause in the FNU - APT collective agreement.*

# Royal Roads University Faculty Association

(1 April 2014 – 31 March 2019)

## Article 13: Academic Freedom

### 13.1 Definition of Academic Freedom

Academic freedom includes the right, without restriction by prescribed doctrine, to freedom of teaching and discussion; freedom in carrying out research and disseminating and publishing the results thereof; freedom in producing and performing creative works; freedom to engage in service to the institution and the community; freedom to express freely one's opinion about the University and its administration; freedom to express freely one's opinion about the Association; freedom from institutional censorship; freedom to acquire, preserve, and provide access to documentary material in all formats; and freedom to participate in professional and representative academic bodies.

### 13.2 Exercise of Academic Freedom

The common good of democratic society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching, the research and scholarship, and the service and academic administration functions of the University.

In support of the legitimate exercise of academic freedom, the Parties commit to the following principles:

- (a) the right of Members to the exercise of academic freedom as defined in Article 13.1;
- (b) the right of Members to engage in these activities with the presumption that the legitimate exercise of academic freedom will not be attenuated by the threat of outside influence or by restriction from within the University;
- (c) the right of Members to exercise their academic freedom in debates and decisions relevant to their collegial participation at the University, and as this participation is limited by management rights as defined in Article 4, and by the terms of the Royal Roads University Act.

# **Ryerson Faculty Association**

(1 July 2015 – 30 June 2018)

## Article 11: Academic Freedom

- A. Faculty members and Professional Librarians have the right to academic freedom.
- B. Academic freedom is the right to search for truth, knowledge and understanding and to express freely what one believes.
- C. The University as an institution and the community of its scholars have a duty to protect and defend the search for knowledge and understanding by all who inquire, teach, offer professional library service and learn under their auspices. They shall be free to teach, to carry out scholarly research and creative activities and to publish the results thereof, and to discuss and to criticize both the University and the wider society it serves.
- D. Furthermore, faculty members and Professional Librarians are entitled, regardless of prescribed doctrine, to freedom:
  - 1. to practice their professions of teacher and scholar;
  - 2. in their teaching and SRC duties and publishing the results thereof;
  - 3. to select, acquire, disseminate, or use documents in the exercise of their professional responsibilities;
  - 4. to discuss and to criticize the University, the Association, and society; and
  - 5. from censorship by the University in these areas.
- E. In exercising such freedom, there is a responsibility to adhere to the law and to respect the academic freedom of all others who enjoy academic freedom.
- F. The censorship of information is inimical to the free pursuit of knowledge. The collection, organization, and dissemination of knowledge will be done freely and without bias in support of the teaching, SRC and study needs of the University community. The parties agree that no censorship based on moral, religious or political values shall be exercised or allowed against any material which an individual from either party desires to be placed in the library collections of the University.
- G. Academic freedom does not require neutrality on the part of the individual. Neither does it confer legal immunity nor diminish the obligation of individuals to meet their duties and responsibilities.

# **Saint Mary's University Faculty Union**

(1 September 2015 – 31 August 2018)

## Article 8: Academic Freedom, Rights, and Responsibilities

### 8.1 Academic freedom – Faculty Members

The common good of society depends on the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. Faculty shall not be hindered or impeded in any way by the University or the Faculty Union from exercising their legal rights as citizens. Academic freedom does not confer legal immunity, nor does it diminish the obligation of faculty to meet their contractual responsibilities to the university. The parties agree that they will not infringe or abridge the academic freedom of any Faculty Member. Faculty Members are entitled, regardless of prescribed doctrine, to freedom in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to criticize the university and the faculty union, and freedom from institutional censorship. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising their academic freedom, Faculty have a responsibility to respect the academic freedom and rights of other members of the University Community.

### 8.2 Academic freedom – Professional Librarians

The University is committed to ensuring that its library provide to the University Community the opportunity to access all expressions of knowledge, intellectual activity, information and ideas, subject to the University's policies on confidentiality and its resources. It is the responsibility of Librarians to promote such access, and to responsibly resist any efforts to limit such access. Such responsibility implies the right to investigate, speculate and disseminate knowledge. This responsibility does not confer legal immunity, nor does it diminish the responsibility of Librarians to meet their contractual obligations to the University. Professional Librarians shall not be hindered or impeded in any way by the University or the Union from exercising their legal rights as citizens. Professional Librarians are entitled, regardless of prescribed doctrine, to freedom in carrying out their professional responsibilities, freedom of discussion, and freedom from institutional censorship. In exercising their academic freedom, Librarians have a responsibility to respect the academic freedom and rights of other members of the University Community.

# **Association des professeures et professeurs de l'Université Saint-Paul**

(1<sup>er</sup> mai 2015 – 30 avril 2018)

## Article 2 : Liberté universitaire

- 2.1 L'Université œuvre pour le bien commun de l'Église et de la société en contribuant à la quête et à la diffusion du savoir, de la vérité et des idées, et en encourageant la pensée autonome et son expression parmi son personnel universitaire et ses étudiants. Or, ces objectifs ne peuvent être atteints sans la liberté universitaire. Tous les Membres ont le droit de jouir de la liberté universitaire.
- 2.2 La liberté universitaire comprend le droit à la liberté d'enseignement et de débat; la liberté de mener des recherches et d'en diffuser et d'en publier les résultats; la liberté de produire et d'exécuter des ouvrages de création; la liberté de s'engager au service de l'Université, de l'Église et de la collectivité; la liberté d'exprimer librement son opinion au sujet de l'Université, de son administration ou du système au sein duquel la personne travaille; la liberté de ne pas être assujéti à la censure institutionnelle; la liberté d'acquérir, de préserver et de rendre accessibles des matériaux documentaires de toutes sortes; et la liberté de participer aux activités d'organismes universitaires représentatifs.
- 2.3 La liberté universitaire n'exige pas la neutralité de la part du personnel universitaire. La liberté universitaire comporte le droit de se servir de cette liberté d'une façon qui soit conforme à l'obligation du savant de fonder ses recherches, son enseignement et sa science sur une quête honnête du savoir. La liberté universitaire ne confère pas l'immunité légale, non plus qu'elle ne vient tempérer l'obligation qui incombe aux Membres de satisfaire à leurs responsabilités envers l'Université.

*[En anglais : ]*

## Article 2: Academic Freedom

- 2.1 The University serves the common good of Church and society through searching for and disseminating knowledge, truth, and understanding and through fostering independent thinking and expression in academic staff and students. These ends cannot be achieved without academic freedom. All Members have the right to academic freedom.
- 2.2 Academic freedom includes the right to freedom of teaching and discussion; freedom in carrying out research and disseminating and publishing the results thereof; freedom in producing and performing creative works; freedom to engage in service to the University, the Church, and the community; freedom to express freely one's opinion about the University, its administration, or the system in which one works; freedom from institutional censorship; freedom to acquire, preserve, and provide access to documentary material in all formats; and freedom to participate in professional and representative academic bodies.
- 2.3 Academic freedom does not require neutrality. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research, teaching, and scholarship on an honest search for knowledge. Academic freedom does not confer legal immunity, nor does it diminish the obligation of Members to meet their responsibilities to the University.

# Association des professeurs et professionnels de l'Université de Saint-Boniface

(1<sup>er</sup> août 2012 – 31 juillet 2016)

## Article 8 : Liberté universitaire

- 8.1 Toute société doit, pour assurer son développement, faire un travail de recherche et permettre la propagation d'idées nouvelles dans la poursuite d'une plus grande connaissance.

Tout employé jouit de la liberté universitaire. Dans son essence, la liberté universitaire est le droit d'exercer ses fonctions sans déférence à une doctrine prescrite. Elle entraîne donc pour les deux parties ainsi que pour tout employé et tout administrateur l'obligation d'exercer leurs fonctions en respectant la liberté d'opinion d'autrui. L'employé est libre d'exprimer ses opinions personnelles et professionnelles à l'intérieur ou à l'extérieur du Collège, sans préjudice des droits et obligations rattachés à son statut.

- 8.2 Le Collège s'engage à assurer l'exercice de la liberté universitaire. La liberté universitaire garantit aux employés la possibilité de former et de soutenir des opinions fermes dans le cadre de leur enseignement et de leurs travaux de recherche. C'est le droit d'enquêter, d'émettre des hypothèses et de formuler des observations sans censure et sans devoir se soumettre à une doctrine prescrite. C'est le droit de critiquer la société en général. C'est le droit d'être à l'abri de la censure institutionnelle. C'est également le droit d'exercer ses droits légaux de citoyens, de jouir du droit à la liberté d'expression, sans encourir de sanction.
- 8.3 Les parties reconnaissent le droit fondamental de libre expression et des responsabilités qui en découlent et s'engagent à n'exercer aucune pression ou tentative d'intimidation portant atteinte à l'exercice de ce droit.
- 8.4 Les parties reconnaissent que la confidentialité des communications électroniques est essentielle dans une institution universitaire.
- 8.5 L'employeur s'engage à prendre fait et cause pour tout employé dont la responsabilité civile est engagée par le fait de l'exercice normal de ses fonctions à moins de faute grave de la part de l'employé. L'employeur remboursera à tout employé les frais de défense encourus en cas de poursuite criminelle, pénale ou civile intentée contre lui pour des actes posés dans l'exercice normal de ses fonctions, lorsque le jugement l'acquittant de ces accusations aura acquis l'autorité de la chose jugée. L'exercice normal des fonctions d'un employé ne comprend pas les activités professionnelles extérieures décrites à l'article 19.
- 8.6 Les parties patronale et syndicale reconnaissent que tout document produit par un professeur ou professionnel-enseignant est sous sa garde et son contrôle, à la seule exception suivante:

les documents reliés spécifiquement aux fonctions administratives du professeur ou professionnel-enseignant en tant que directeur d'une unité administrative, tel qu'un vice-doyen, directeur d'école professionnelle universitaire, chef de secteur ou coordonnateur de programme, auquel cas les notes personnelles et annotations sont néanmoins sous la garde et le contrôle du professeur ou professionnel enseignant.

Les parties reconnaissent que les documents sous la garde et le contrôle du professeur ou professionnel-enseignant jouissent de la même protection que tout autre document de la vie privée, quel que soit le médium sous lequel il est entreposé (papier, fichier informatisé ...) et quel que soit son mode de transmission.



# **Association des professeurs, professeures et bibliothécaires de l'Université Sainte-Anne**

(1<sup>er</sup> juillet 2016 – 30 juin 2020)

## Article 3 : Liberté universitaire

- 3.1 Les parties reconnaissent et affirment que la liberté universitaire est essentielle à la poursuite des buts de l'Université Sainte-Anne, à la poursuite de la connaissance et de la communication de cette connaissance aux étudiants, aux collègues et à la société en général. La liberté universitaire entraîne, pour les parties, l'obligation d'en faire usage en respectant les droits d'autrui. La liberté universitaire n'exige pas la neutralité de la part de l'individu.
- 3.2 Les parties s'engagent à ne pas enfreindre et à ne pas réduire la liberté universitaire du membre de la communauté de l'Université. Les membres ont le droit à la liberté de poursuivre leurs recherches et d'en publier les résultats, à la liberté d'enseigner et de discuter, à la liberté de créer, à la liberté de réaliser et d'exécuter des œuvres de création et à la liberté de critiquer d'une façon raisonnable.
- 3.3 Dans le cadre des fonctions pour lesquelles le membre a été engagé par l'Université, la liberté universitaire implique que ni l'Association ni l'Université et son Conseil ne se plieront aux pressions ayant pour but d'entraver ou d'empêcher la poursuite de ses recherches et d'en communiquer les résultats aux étudiants, aux collègues et à la société en général. Cela étant dit, les deux parties reconnaissent la nécessité de respecter la politique d'éthique de la recherche de l'Université.
- 3.4 Lorsqu'il fait des déclarations à l'extérieur de l'Université, le membre doit affirmer qu'il ne se prononce pas au nom de l'Université à moins qu'il ne soit spécifiquement autorisé à le faire.

# University of Saskatchewan Faculty Association

(1 July 2014 – 30 June 2017)

## Article 6: Academic Freedom

- 6.1 The common good of society depends upon freedom in the search for knowledge and in its exposition. Academic freedom in teaching, scholarship and research at the University is essential to society. Accordingly, all employees, whether tenured or not and regardless of prescribed doctrine, are entitled to the exercise of their rights as citizens and to freedom in carrying out research and in publishing its results, freedom of discussion, freedom to teach the subject assigned in classes, freedom to criticize the University and the Association without suffering censorship or discipline. Academic freedom does not require neutrality on the part of the individual, but makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base teaching and research on an honest search for knowledge.
- 6.2 Employees shall not improperly represent themselves as speaking for the University.

# **Simon Fraser University Faculty Association**

(1 July 2014 – 30 June 2019)

## Article 12: Academic Freedom

- 12.1 Academic freedom is the freedom to examine, question, teach and learn, and it involves the right to investigate, speculate and comment without reference to prescribed doctrine, as well as the right to criticize the University, Association and society at large.
- 12.2 Specifically, academic freedom ensures:
  - 12.2.1 freedom in the conduct of teaching;
  - 12.2.2 freedom in undertaking research and publishing or making public the results thereof;
  - 12.2.3 freedom from institutional censorship.
- 12.3 Academic staff will not be hindered or impeded in any way by the University or the Association from exercising their legal rights as citizens, nor will they suffer any penalties because of the exercise of such rights. The parties agree that they will not infringe or abridge the academic freedom of any member of the academic community.
- 12.4 Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.
- 12.5 As part of their teaching activities, teachers are entitled to conduct frank discussion of potentially controversial matters which are related to their subjects. This freedom of expression will be based on mutual respect for the opinions of other members of the academic community.
- 12.6 Librarian and Archivist Faculty have a duty to promote and maintain intellectual freedom. They have a responsibility to protect academic freedom and are entitled to full protection of their own academic freedom and practices. For Librarians, this includes the right to express their academic judgment in the development of the Library collection and to make the collection accessible to all users in accordance with the University Library policies, even if the materials concerned are considered controversial. For Archivists, this includes the right to express their academic judgment in the acquisition and development of the Archives' holdings.

# **St. Francis Xavier Association of University Teachers**

(1 July 2016 – 30 June 2019)

## Article 1.5: Academic Freedom

- 1.0 Academic Freedom is essential in the teaching, scholarship, and research functions of the University.
- 1.1 Academic Freedom ensures that:
  - a) Members are entitled to freedom in carrying out research and in publishing the results thereof; and,
  - b) Members have the freedom to teach, to discuss, and to criticize without institutional censorship.
- 1.2 Academic freedom does not require neutrality on the part of the individual Member; rather it imposes the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.
- 1.3 Members shall not be hindered or impeded in any way by the University from exercising their legal rights as citizens; neither shall they suffer any penalties because of the exercise of such legal rights.
- 1.4 The University agrees that it will not infringe or abridge the academic freedom of any member of the academic community.
- 1.5 Nothing in this provision is intended to conflict with duties spelled out elsewhere in this agreement. In the delivery of courses, the academic freedom of members with primary responsibility for teaching the course takes precedence over those assisting in the teaching of that course.

# **St. Jerome's University Academic Staff Association**

(1 May 2013 – 30 April 2018)

(Contract Academic Staff: 25 April 2014 – 24 April 2018)

## Article 2: Academic Freedom

- 2.0 The Parties agree to uphold, protect, and promote academic freedom as essential to the University's objective to serve the common good through searching for, and disseminating, knowledge, truth, and understanding, and through fostering independent thinking and expression in academic staff and students.
- 2.1 Members possess the individual right, regardless of prescribed doctrine, to academic freedom, which includes the right to engage in the following without institutional censorship or reprisal provided the Member complies with relevant legal considerations and any related policies required by law:
- (a) examine, question, teach, and learn;
  - (b) disseminate opinions on any questions related to the Member's teaching, professional activities, and research both inside and outside the classroom;
  - (c) choose and pursue research, creative, or professional activities without interference or reprisal, and freely publish and make public the results thereof;
  - (d) choose and pursue teaching methods and content;
  - (e) create, exhibit, perform or adjudicate works of art;
  - (f) select, acquire, disseminate, or critique documents or other materials;
  - (g) criticize the Association, Employer or any other organizations, whether corporate, political, public, private, institutional, as well as society at large;
  - (h) engage in service to the institution and the community;
  - (i) participate in professional and representative academic bodies; and
  - (j) recommend library materials relevant to the pursuit of learning.
- 2.2 Academic freedom does not require neutrality on the part of the Member. Academic freedom makes intellectual discourse, critique and commitment possible.
- 2.3 Academic freedom does not confer legal immunity and carries with it the duty to use that freedom in a responsible manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. In exercising their legal rights, Members shall not be hindered or impeded by either Party in any manner contrary to this Agreement.
- 2.4 In any exercise of freedom of expression, Members shall not purport to convey an official position of the Employer unless so authorized by the Employer, President or his/her designate.

*The language in the CAS agreement is the same.*

**St. John's College Faculty Association**

*The provisions of the University of Manitoba Faculty Association agreement apply.*

## **St. Mary's University College Faculty Association**

*Collective agreement language is unavailable. However, the institutional commitment to academic freedom is articulated as follows:*

### Statement of Academic Freedom

Freedom of inquiry and freedom of expression define St. Mary's University College. The rights and obligations of academic freedom derive from the nature of academic life and are consistent with the objectives of the University College as a community of scholars that pursues the highest academic standards; promotes intellectual and spiritual growth; recognizes ethical and moral implications both of methods and discoveries; maintains respect for the inherent dignity of individuals as persons; and lives in the tradition of Catholic belief and its rich scholarly heritage.

Specific principles of academic freedom include freedom to teach and learn according to one's obligation and vision, and in accordance with the methods proper to each academic discipline; freedom to disseminate the fruits of study and research inspired by the scholarly obligation to pursue truth vigorously and honestly; and freedom to speak and write on issues in fulfillment of the obligations and legal rights of citizenship.

Correlative obligations include respectful allowance for the exercise of these freedoms by others; proper acknowledgement of the contributions made by others to one's work; preservation of the confidentiality necessary in personal, academic and administrative deliberations; and adherence in the course of one's conduct, utterances and work to the by-laws, mission, educational philosophy and educational objectives of the University College.

Members have the freedom to exercise professional judgement in the acquisition of materials and in ensuring these materials are freely accessible to all for bona fide teaching and research purposes, no matter how controversial these materials may be.

## **Faculty Association of the University of St. Thomas**

(Full-time: 1 July 2016 – 30 June 2019)

(Part-time: 1 July 2016 – 30 June 2019)

### Article 2.04: Academic Freedom

2.04.1 The Employer and the Union agree to abide by and protect the principles of academic freedom as expressed below.

St. Thomas University serves the common good of society, through searching for, and disseminating, knowledge, and understanding and through fostering independent thinking and expression in faculty and students. These ends cannot be achieved without academic freedom. All faculty have a right to academic freedom. Academic freedom makes intellectual discourse, critique, and commitment possible.

2.04.2 Employees shall have:

- (i) freedom of discussion, freedom to criticize, including criticism of the University and the Union, freedom from censorship by the Parties, and freedom to consider and study all available expressions of creativity, knowledge, and intellectual activity, including those which may be considered by some elements of society to be unconventional, unpopular or unacceptable;
- (ii) freedom in the choice and pursuit of research, and freedom to publish and to withhold publication of the results and conclusions of such research;
- (iii) freedom in the choice and pursuit of teaching, and to state their views on matters relating to their discipline;
- (iv) freedom to produce and perform creative works;
- (v) freedom to engage in service to the University and the community;
- (vi) freedom to participate in professional and representative academic bodies; and
- (vii) freedom to contribute to social change through free expression of opinion on matters of public interest.

2.04.3 Academic freedom does not require neutrality; rather, academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research, teaching and scholarship on an honest search for knowledge, and with regard to the academic freedom and rights of other members of the University community. Academic freedom does not confer legal immunity, nor does it diminish the obligation of Employees to meet their responsibilities to the University. Employees shall not be hindered or impeded in any way, by either of the Parties to this Agreement, from exercising their legal rights, nor shall they suffer any penalties because of the exercise of such legal rights.

*The language in the Part-Time agreement is the same.*



# **St. Thomas More College Faculty Union**

(1 July 2014 – 30 June 2017)

## Article 3: Academic Freedom

- 3.1 St. Thomas More College, as established under its Act of Incorporation, is committed to the pursuit of truth, the advancement of learning and the dissemination of knowledge. To this end academic freedom is the freedom of a member of the teaching faculty of the College:
  - i) to examine, question, teach and learn;
  - ii) to disseminate his/her opinion on questions related to his/her discipline both inside and outside the classroom;
  - iii) to carry out research which he/she believes will enhance knowledge;
  - iv) to express the results of such research in a reasonable manner;
  - v) to cooperate and collaborate with colleagues in academic matters without interference from the Board of Governors, its agents or any outside bodies;
  - vi) to criticize the College, University, and society at large.
- 3.2 Academic freedom is made possible and enhanced by the Catholic character of the College and is essential to Catholic Higher Education in Saskatchewan. Academic freedom does not require neutrality nor does it preclude commitment on the part of the member of the teaching faculty. Rather, academic freedom makes such commitment possible. Academic freedom therefore has this further purpose and aim, namely, that members of the teaching faculty may come to act with greater responsibility in fulfilling their duties in the collegial life of St. Thomas More College.
- 3.3 The right to criticize the College which allows for a wide range of discussion does not bring with it the right to challenge or jeopardize the existence or objectives of St. Thomas More College as guaranteed under the Act of Incorporation and implemented by federation with the University of Saskatchewan.
- 3.4 When exercising their rights of action and expression as citizens, members of the teaching faculty shall endeavour to ensure that their private actions or expressions are not interpreted as representing positions of St. Thomas More College or the University of Saskatchewan.
- 3.5 The College and the members of the teaching faculty, recognizing that the actions of each affect the other, will act responsibly so as to promote the well being of the College and collegiality in college life, and to combine the responsibilities of membership in a Catholic college with academic freedom in a university setting.
- 3.6 Academic freedom is exercised within a model of collegial governance.

# University of Toronto Faculty Association

(1 July 2017 – 30 June 2018)

(University of St. Michael's College: 1 July 2014 – 30 June 2017)

(Victoria Chapter of UTFA: N/a)

## Article 5: Academic Freedom and Responsibilities

1. The parties to this Agreement acknowledge that the University is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, they agree to abide by the principles of academic freedom as expressed in the following statement: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University and society at large. Specifically, and without limiting the above, academic freedom entitles faculty and librarians to:
  - (a) freedom in carrying out their activities:
  - (b) freedom in pursuing research and scholarship and in publishing or making public the results thereof; and
  - (c) from institutional censorship. Academic freedom does not require neutrality on the part of the individual nor does it preclude commitment on the part of the individual. Rather academic freedom makes such commitment possible.
2. A faculty member's professional obligations and responsibilities to the University shall encompass (i) teaching; (ii) research, scholarly or creative activity; (iii) service to the University. While the pattern of these duties may vary from individual to individual, they constitute the faculty member's principal obligation during the employment year, and include, without being restricted to, responsibilities as follows:
  - (a) A faculty member shall carry out his or her responsibility for teaching with all due attention to the establishment of fair and ethical dealings with students, taking care to make himself or herself accessible to students for academic consultation, to inform students adequately regarding course formats, assignments, and methods of evaluation, to maintain teaching schedules in all but exceptional circumstances, to inform students adequately of any necessary cancellation and rescheduling of instructions and to comply with established procedures and deadlines for determining, reporting and reviewing the grades of his or her students.
  - (b) A faculty member shall be entitled to and be expected to devote a reasonable proportion of his or her time to research and scholarly or creative work. He or she shall endeavour to make the results of such work accessible to the scholarly and general public through publications, lectures and other appropriate means. Faculty shall, in published works, indicate any reliance on the work and assistance of academic colleagues and students.
  - (c) Service to the University is performed by faculty members through participation in the decision-making councils of the University, and through sharing in the necessary administrative work of their Departments, Faculties, the University or the Association. In performance of these collegial and administrative activities, faculty members shall deal fairly and ethically with their colleagues, shall objectively assess the performance of their colleagues, shall avoid discrimination, shall not infringe their colleagues' academic freedom, and shall observe appropriate principles of confidentiality.
3. A librarian's professional obligations and responsibilities shall encompass (i) the development of his or her professional knowledge and performance, (ii) contributions to scholarship, (iii) service to the University. While the patterns of these duties may vary from

individual to individual, they constitute the librarian's principal obligation during the employment year. A librarian shall carry out his or her responsibilities with all due attention to the establishment of fair and ethical dealings with library users, colleagues and staff taking care to be properly accessible. A librarian shall foster a free exchange of ideas and shall not impose nor permit censorship. A librarian shall ensure the fullest possible access to library materials.

*The language in the University of St. Michael's College agreement is different:*

#### 5.1: Academic Freedom

- (a) Members may enjoy freedom in teaching, scholarship, including research and creative professional work, and publication. This is required by their responsibility to the integrity of their scholarship and discipline and its advancement, on the one hand, and, by their special position in relation to the service of the Word of God and as exercising a public ministry to and for the community of the faithful in the Church, on the other hand.
- (b) The Parties to this Agreement agree to uphold the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, the Parties agree to abide by the principle of academic freedom as expressed in the following statement: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University and society at large. As a Catholic University, the exercise of academic freedom is subject to the provisions of *Ex Corde* and Ordinances set out in the Preamble to this Agreement. Specifically, and without limiting the above, academic freedom entitles members to engage in the following:
  - (i) Examine, question, teach, learn and serve;
  - (ii) Disseminate opinions on any questions related to the member's teaching, professional practice or development, or scholarship, including research and creative professional work, both inside and outside the classroom;
  - (iii) Choose and pursue scholarship, including research and creative professional work, and professional development, without interference or reprisal, and freely publish and make public the results thereof;
  - (iv) Choose and pursue teaching methods and content;
  - (v) Create, exhibit, perform or adjudicate works of art;
  - (vi) Select, acquire, disseminate, or critique documents or other materials;
  - (vii) Criticize the Employer or any other organizations, whether corporate, political, public, private, institutional as well as society at large;
  - (viii) Engage in service to the institution and the community;
  - (ix) Participate in professional and representative academic bodies; and
  - (x) Recommend library material relevant to the pursuit of learning.
- (c) Academic freedom does not require neutrality on the part of the member. Academic freedom makes intellectual discourse, critique and commitment possible.
- (d) Academic freedom does not confer legal immunity and carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base scholarship, including research and creative professional work, and teaching on an honest search for knowledge.
- (e) In any exercise of freedom of expression, members shall not purport to convey an official position of the Employer unless so authorized.

*Collective agreement language is unavailable for the Victoria Chapter. However, the memorandum of agreement between the Board of Regents of Victoria University and the Victoria Chapter of the UTFA is articulated as follows:*

Article 3: Academic Freedom and Responsibilities

- 3.1 The parties to this Agreement acknowledge that Victoria University is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, they agree to abide by the principles of academic freedom as expressed in the following statement: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University and society at large. Specifically, and without limiting the above, academic freedom entitles faculty and librarians to:
- (a) freedom in carrying out their activities:
  - (b) freedom in pursuing research and scholarship and in publishing or making public the results thereof; and
  - (c) freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual nor does it preclude commitment on the part of the individual. Rather academic freedom makes such commitment possible.
2. A faculty member's professional obligations and responsibilities to Victoria University shall encompass (i) teaching; (ii) research, scholarly or creative professional activity; (iii) service to Victoria University and its federated and affiliated institutions. While the pattern of these duties may vary from individual to individual, they constitute the faculty member's principal obligation during the employment year, and include, without being restricted to, responsibilities as follows:
- (a) A faculty member shall carry out his or her responsibility for teaching with all due attention to the establishment of fair and ethical dealings with students, taking care to make himself or herself accessible to students for academic consultation, to inform students adequately regarding course formats, assignments, and methods of evaluation, to maintain teaching schedules in all but exceptional circumstances, to inform students adequately of any necessary cancellation and rescheduling of instructions and to comply with established procedures and deadlines for determining, reporting and reviewing the grades of his or her students.
  - (b) A faculty member shall be entitled to and be expected to devote a reasonable proportion of his or her time to research and scholarly or creative work. He or she shall endeavour to make the results of such work accessible to the scholarly and general public through publications, lectures and other appropriate means. Faculty shall, in published works, indicate any reliance on the work and assistance of academic colleagues and students.
  - (c) Service to Victoria University is performed by faculty members through participation in its federated and affiliated institutions including the decision-making councils of Victoria University and its Colleges, the University of Toronto, and the Toronto School of Theology, and through sharing in the necessary administrative work of their department, College, the University of Toronto, the Toronto School of Theology, Victoria University or the Chapter. In performance of these collegial and administrative activities, faculty members shall deal fairly and ethically with their colleagues, shall objectively assess the performance of their colleagues, shall avoid discrimination, shall not infringe their colleagues' academic freedom, and shall observe appropriate principles of confidentiality.

## University of Toronto – CUPE 3902

(Sessionals (Unit 3): 1 September 2014 – 31 August 2017)

(Postdocs (Unit 5): 1 January 2017 – 31 December 2019)

### Article 7: Academic Freedom

- 7.01 All members of the University Community have the rights and obligations set forth in the Statement of Institutional Purpose and the Statement on Freedom of Speech, as they exist from time to time.
- 7.02 Further, the parties to this Agreement acknowledge that the University is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, they agree to abide by the principles of academic freedom as expressed in the following statement with respect to Sessional Lecturers and Writing Instructors: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University, and society at large. Specifically, and without limiting the above, academic freedom entitles Sessional Lecturers to:
- (a) freedom in carrying out their assigned teaching;
  - (b) freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual nor does it preclude commitment on the part of the individual. Rather academic freedom makes such commitment possible.
- 7.03 Sessional Lecturers' professional obligations and responsibilities to the University shall encompass teaching, which includes, without being restricted to, responsibilities as follows:
- An employee shall carry out his or her responsibility for teaching with all due attention to the establishment of fair and ethical dealings with students, taking care to make himself or herself accessible to students for academic consultation, to inform students adequately regarding course formats, assignments, and methods of evaluation, to maintain teaching schedules in all but exceptional circumstances, to inform students adequately of any necessary cancellation and rescheduling of instructions and to comply with established procedures and deadlines for determining, reporting and reviewing the grades of his or her students.
- In performance of their duties, they shall deal fairly and ethically with their colleagues, shall avoid discrimination, shall not infringe their colleagues' academic freedom, and shall observe appropriate principles of confidentiality.
- 7.04 The University acknowledges that bargaining unit members may carry out research under the rubric of private scholarship. The parties understand and agree that such research is not an aspect of employment in this bargaining unit, and is not an expectation or condition of employment. The parties are agreed that any research undertaken by a member of the bargaining unit as a private scholar is not under the obligation of the University of Toronto, which assumes no liability for any such research.

*There is no academic freedom clause in the Unit 5 collective agreement at U of T.*

# **Trent University Faculty Association**

(1 July 2016 – 30 June 2019)

## I.2.3: Academic Freedom

The common good of society depends upon the search for knowledge and its free exposition. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. Academic staff shall not be hindered or impeded in any way by the University or the Association from exercising their legal rights as citizens, nor shall they suffer any penalties because of their exercise of such legal rights. The parties agree that they will not infringe or abridge the academic freedom of any member of the academic community. Members of the academic community are entitled, regardless of prescribed doctrine, to freedom in carrying out research and in publishing the results thereof, freedom of teaching and of discussion, freedom to select, acquire, disseminate, or use information, freedom to criticize the University and the Association, and freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual. Rather, academic freedom makes commitment possible. Academic freedom carries with it the duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. The claim of academic freedom shall not excuse members from meeting the duties and responsibilities set forth in VIII.1 (i) and VIII.2(i) of this Agreement, provided that the allocation of such duties and responsibilities in accordance with VIII.3 through VIII.7 shall not conflict with principles of academic freedom.

# University of Victoria Faculty Association

(1 July 2015 – 30 June 2019)

## Article 4. Academic Freedom

- 4.1 In a democratic society, academic freedom in teaching, scholarship, and research is a fundamental value that is essential to the common good. The search for knowledge and the free expression of it are inherent rights that both Parties will protect vigilantly. Academic freedom is the freedom to conduct research, examine, question, teach and learn, and it involves the right to investigate, speculate and comment, as well as the right to criticize and challenge the University, the Association and society at large.
- 4.2 The Parties agree that they will not infringe on or abridge the academic freedom of any Member. Members have the right, regardless of prescribed doctrine, to be free from the threat of institutional reprisals and arbitrary constraint, and without regard to outside influence, to pursue their academic interests and activities, to conduct research and publish the results thereof, to engage in teaching and discussion, to pursue creative activity, and to select, acquire, disseminate, or otherwise use all forms of documentary materials in the exercise of their professional responsibilities.
- 4.3 Except as otherwise specified in this Agreement, Members will not be hindered in any way by the University or the Association in the exercise of their legal rights, including but not limited to the exercise of their freedom of thought, belief, opinion or expression, nor will they suffer any institutional reprisals because they choose to exercise such rights. A Member must not purport to represent or speak on behalf of the University except to the extent that the Member has been authorized by the University. This does not limit Members in expressing their own academic or professional opinions.
- 4.4 Access to information is fundamental to the free pursuit of knowledge. The Parties recognize and agree that subject to the laws of Canada and the Province of British Columbia:
  - 4.4.1 The collection, organization, and dissemination of knowledge must proceed fairly without censorship based on moral, religious, commercial, political or other grounds;
  - 4.4.2 Members have the right to collect, organize, disseminate and use any information, knowledge and creative works without censorship; and
  - 4.4.3 The development of the University Libraries' collections will proceed without censorship.
- 4.5 In exercising academic freedom, Members must act in a responsible manner and respect the academic freedom and rights of other members of the University community.

# Faculty Association of the University of Waterloo

(1 May 2015 – 30 April 2018)

## Article 6: Academic Freedom

- 6.1 Academic freedom provides the possibility of examining, questioning, teaching, and learning, and involves the right to investigate, speculate, and comment without deference to prescribed doctrine. As such, it entails the freedom of individuals to practise their professions of teacher, researcher and scholar, the freedom to publish their findings, the freedom to teach and engage in open discussion, the freedom to be creative, the freedom to select, acquire, disseminate, and use documents in the exercise of their professional activities, and the freedom to criticize the University and the Association. Academic freedom also entails freedom from institutional censorship.
- 6.2 The University and the Association recognize that the provision of academic freedom is particularly vital to those whose approaches to teaching, scholarship, and research result in criticism of and challenge to established, conventional beliefs and practices.
- 6.3 The academic freedom of any person shall not be infringed upon or abridged in any manner. As academic freedom will wither and die unless the university community as a whole is committed to it, the University and the Association agree to support and defend academic freedom at the University of Waterloo.
- 6.4 As the common good of society depends upon an unhampered search for knowledge and its free expression, and as academic freedom in universities is essential to the attainment of each of these purposes in the teaching function of the university as well as in the pursuit of its scholarship and research, those who are guaranteed academic freedom have also a responsibility in exercising it not to infringe upon the academic freedom and rights of other members of the university community. Indeed, academic freedom carries with it the duty to use that freedom in a manner that is consistent with the scholarly obligation to base research and teaching on an honest and ethical quest for knowledge.  
  
Academic freedom does not require neutrality on the part of the individual; rather, academic freedom makes commitment possible.
- 6.5 As the censorship of information is inimical to the free pursuit of learning, the creation, collection, organization, and dissemination of knowledge shall be done freely and without bias in support of the research, teaching, and study needs of the university community. No censorship shall be exercised or allowed against any material relevant to the pursuit of learning which a faculty member desires to be placed in the library collections of the University.



# University of Western Ontario Faculty Association

(1 July 2014 – 30 June 2018)

(Librarians and Archivists: 1 July 2015 – 30 June 2019)

1. The essential functions of a university are the pursuit, creation, and dissemination of knowledge through Research and other scholarly and creative activities, and by Teaching. Academic Freedom is essential to these functions and ensures the right of Members to teach, investigate, and speculate, and/or to create or perform works of art, without deference to prescribed doctrine.  
  
Furthermore, universities are communities in which the right to criticize all aspects of society is valued and respected. These rights are to be understood as central to the protection of the public interest and the pursuit of truth.
2. Academic Freedom specifically entails, but is not necessarily limited to, the right to:
  - a) conduct Research and to publish the results thereof in media, and according to a schedule, deemed appropriate by the Member(s) concerned, subject to the provisions of any contract with a third party that imposes a delay on the publication of the Member's Research. Any contractual arrangement concerning Research shall comply with standards of research conduct that membership in a professional body may impose on that Member, with the Articles Intellectual Property and Academic Responsibilities of Members, with relevant federal and provincial statutes, and with regulations and policies promulgated by Senate or the Board of Governors which are not in conflict with this Collective Agreement, for the protection of researchers, human subjects, the health and safety of the public, and the welfare of laboratory animals;
  - b) teach and discuss;
  - c) select, acquire, disseminate, or critique documents or other materials in the exercise of the Member's Academic Responsibilities;
  - d) criticize the Employer, the Association or any corporate, political, public or private institution; and
  - e) create, exhibit, perform or adjudicate works of art; all without deference to prescribed doctrine.
3. The Employer and the Association agree to uphold and protect the principles of Academic Freedom as specified herein and not to infringe upon or abridge them.
4. The exercise of Academic Freedom, as described in this Article, shall not cause the imposition of any penalty or reprisal on a Member by the Employer or the Association. Neither shall the Employer or the Association countenance the restraint of Academic Freedom or the imposition, arising from its exercise, of any penalties or reprisals upon Members by any person, institution, agency or corporation with whom the Employer or the Association does business, or by any donor to the University or the Association, or from any source within the University.
5. The credibility of the principles of Academic Freedom depends upon a collective commitment to exercise these principles in a manner consistent with the scholarly obligation to base research and teaching on an honest and ethical search for knowledge.
6. Academic Freedom does not require neutrality on the part of a Member nor does it preclude commitment on the part of a Member. Rather, Academic Freedom makes such commitment possible. Academic Freedom also carries the responsibility to respect the rights and freedoms of others. In particular, Members are expected to recognize the right of other

members of the academic community—faculty, staff, and students—to express their opinions. Academic Freedom does not confer legal immunity or legal defence by the Employer in respect of positions that may be taken but which are not specifically sanctioned by the Employer, nor does it diminish the obligation of Members to meet their responsibilities to the Employer.

7. Members shall not purport to speak on behalf of the Employer or the Association unless specifically authorized to do so. A statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the Employer. A statement of Membership or position in the Association shall not be construed as an attempt to speak on behalf of the Association.
8. The Parties endorse and subscribe to the statement defining Academic Freedom in the context of libraries and expressing the responsibility of libraries to uphold Academic Freedom, given originally as the Canadian Library Association's Statement on Intellectual Freedom (see Appendix B).

*The Librarians' and Archivists' agreement includes slightly modified language:*

1. The essential functions of a university are the pursuit, creation and dissemination of knowledge through research and other scholarly and creative activities, and by teaching. Academic Freedom is essential to these functions and ensures the right of Members who, as part of their Responsibilities, teach, investigate and speculate, and/or create exhibits or displays, to do so without deference to prescribed doctrine. Furthermore, universities are communities in which the right to criticize all aspects of society is valued and respected. Members shall enjoy the right to Academic Freedom and shall be free from institutional censorship. These rights are central to the protection of the public interest and the pursuit of truth.
2. Academic Freedom specifically entails, but is not necessarily limited to, the right of Members to state their views on matters relating to their expertise; to criticize the Employer, the Association or any corporate, political, public or private institution; and where the below-mentioned activities are part of their Responsibilities, to:
  - a) conduct research and to publish or make public the results thereof, and according to a schedule, deemed appropriate by the Member(s) concerned, subject to the provisions of any contract with a third party that imposes a delay on the publication of the Member's research. However, any contractual arrangement concerning research shall comply with standards of conduct that membership in a professional body may impose on that Member, with the Articles Intellectual Property and Responsibilities of Members, with relevant federal and provincial statutes, and with regulations and policies promulgated by Senate or the Board of Governors which are not in conflict with this Collective Agreement, for the protection of researchers, human subjects, and the health and safety of the public;
  - b) teach and discuss;
  - c) choose their own teaching methods;
  - d) select, acquire, disseminate or use materials in the exercise of the Member's Responsibilities, subject to the exceptions specified in Clauses 8.1, 8.1.1, and 8.1.2 below and relevant acquisitions and/or collections policy; and
  - e) create exhibits or displays; all without deference to prescribed doctrine.
3. The Employer and the Association agree to uphold and protect the principles of Academic Freedom as specified herein and not to infringe upon or abridge them.

4. The exercise of Academic Freedom, as described in this Article, shall not cause the imposition of any penalty or reprisal on a Member by the Employer or the Association. Neither shall the Employer or the Association countenance the restraint of Academic Freedom or the imposition, arising from its exercise, of any penalties or reprisals upon Members by any person, institution, agency or corporation with whom the Employer or the Association does business, or by any donor to the University or the Association, or from any source within the University.
5. The credibility of the principles of Academic Freedom depends upon a collective commitment to exercise these principles in a manner consistent with the professional obligation to assist and carry out Responsibilities based on an honest and ethical search for knowledge.
6. Academic Freedom does not require neutrality on the part of a Member nor does it preclude commitment on the part of a Member. Rather, Academic Freedom makes such commitment possible. Academic Freedom also carries the responsibility to respect the rights and freedoms of others. In particular, Members are expected to recognize the right of other members of the academic community – faculty, staff and students – to express their opinions. Academic Freedom does not confer legal immunity or legal defence by the Employer in respect of positions that may be taken but which are not specifically sanctioned by the Employer, nor diminish the obligation of Members to meet their responsibilities to the Employer.
7. Members shall not purport to speak on behalf of the Employer or the Association unless specifically authorized to do so. However, a statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the Employer. Similarly, a statement of Membership or position in the Association shall not be construed as an attempt to speak on behalf of the Association.
8. The Parties endorse and subscribe to the statement defining Academic Freedom in the context of libraries and expressing the responsibility of libraries to uphold Academic Freedom, given originally as the Canadian Library Association's Statement on Intellectual Freedom (see Appendix B).
  - 8.1 In accordance with the Statement on Intellectual Freedom (Appendix B), Members shall uphold the principles of access, intellectual freedom and free expression in the performance of their Responsibilities.
    - 8.1.1 The Parties acknowledge and accept that Members may restrict access to archival funds and collections in order to comply with the terms of a donor agreement, Regulations of Senate and University policy as approved and promulgated by the Board of Governors, or federal or provincial legislation; and may restrict access to fragile, rare or valuable original materials.
    - 8.1.2 The Parties acknowledge and accept that archivist Members must restrict access to University records transferred to the physical custody of The University of Western Ontario Archives to those individuals authorized by the transferring unit.

## **Wilfrid Laurier University Faculty Association**

(Full-Time Faculty and Professional Librarians: 1 July 2017 – 30 June 2020)

(Part-Time Contract Academic Staff and Part-Time Librarians: 1 September 2016 – 31 August 2019)

### Article 7: Academic Freedom

- 7.1 The common good of society depends upon the search for knowledge and its free expression. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. Members shall not be hindered or impeded in any way by the University or the Association from exercising their legal rights nor shall they suffer any penalties because of the exercise of such legal rights. The Parties agree that they will not infringe or abridge the academic freedom of any Member. Members are entitled, regardless of prescribed doctrine, to freedom to practice their professions of teacher and scholar, or librarian, freedom in carrying out research and in publishing the results thereof, freedom of teaching and discussion, freedom of creative activity, freedom to select, acquire, disseminate, or use documents in the exercise of their professional responsibilities, freedom to criticize the University and the Association, and freedom from institutional censorship.
- 7.2 In exercising such freedom, Members have a responsibility to respect the academic freedom and rights of other members of the university community.
- 7.3 The censorship of information is inimical to the free pursuit of knowledge. The collection, organization, and dissemination of knowledge will be done freely and without bias in support of the research, teaching, and study needs of the university community. The Parties agree that no censorship based on moral, religious, or political values shall be exercised or allowed against any material which a Member desires to be placed in the library collections of the University.
- 7.4 Academic freedom does not require neutrality on the part of the individual, rather, academic freedom makes commitment possible. Academic freedom does not confer legal immunity, nor does it diminish the obligations of Members to meet their duties and responsibilities. Members have a duty to exercise that freedom in a manner consistent with the academic obligations of teachers and scholars, and librarians.

*The language in the Part-Time agreement is different:*

- 7.1 The common good of society depends upon the search for knowledge and its free expression. Academic freedom in universities is essential to both these purposes in the teaching function of the university as well as in its scholarship and research. The Parties agree that they will not infringe or abridge the academic freedom of any Member. Members are entitled, regardless of prescribed doctrine, to the freedom to teach, discuss, carry out research and publish the results thereof, and engage in creative activities. Members shall have the freedom to select, acquire, disseminate, and use documents in the exercise of their responsibilities.
- 7.2 Members have a duty to exercise academic freedom in a manner consistent with the academic obligations of teachers, scholars, and librarians. These obligations include adherence to Senate and Faculty academic policies and regulations, and workload duties and responsibilities as set out in Articles 16 and 17.
- 7.3 In exercising academic freedom, Members have a responsibility to respect the academic freedom and rights of other members of the university community.
- 7.4 Members shall have the freedom to criticize the University and the Association, and freedom from institutional censorship.

- 7.5 Academic freedom does not require neutrality on the part of the individual, rather, academic freedom makes commitment possible. Academic freedom does not confer legal immunity, nor does it diminish the obligations of Members to meet their duties and responsibilities. Members shall not be hindered or impeded in any way by the University or the Association from exercising their legal rights nor shall they suffer any penalties because of the exercise of such legal rights.
- 7.6 The censorship of information is inimical to the free pursuit of knowledge. The collection, organization, and dissemination of knowledge will be done freely and without bias in support of the research, teaching, and study needs of the university community. The Parties agree that no censorship based on moral, religious, or political values shall be exercised or allowed against any material which a Member desires to be placed in the library collections of the University.

# **Windsor University Faculty Association**

(1 July 2017 – 30 June 2021)

## Article 10: Academic Freedom

- 10:01 The fundamental purpose of the University and its unique contribution is the search for new knowledge and the free dissemination of what is known. Academic freedom in universities is essential to both these purposes in the teaching function of the University as well as in its scholarship, research, and creative work.
- 10:02 Each member shall be free in the choice and pursuit of research consistent with the objectives and purposes of the University and in the publication of the results, subject only to the normally expected level of performance of his/her other duties and responsibilities.
- 10:03 Each member shall have freedom of discussion. However, in the exercise of this freedom in the classroom, reasonable restraint shall be used in introducing matters unrelated to his/her subject. The University shall not require conformity to any religious beliefs, doctrines or practices.
- 10:04 The University shall not impose supervision or other restraints upon, nor will it assume responsibility for, what is said or written by a member acting as a private citizen. However, as a person of learning he/she shall exercise good judgment and shall make it clear that he/she is not acting as a spokesperson for the University.
- 10:05 The University shall expect and encourage each member to participate in, and contribute new ideas to, the promotion of the objectives of the University. Furthermore, it shall respect the right of each member to disagree with academic or administrative decisions. However, criticism of, or advocacy of changes in, the policies, programs or administrative practices of the University shall be in the proper academic tradition of reasonable discussion.

# University of Winnipeg Faculty Association

(26 March 2016 – 24 September 2020)

(Contract Academic Staff: 1 August 2015 – 31 July 2019)

(Collegiate Division: 29 March 2015 – 30 March 2019)

## Article 7: Academic Freedom

- 7.01 The search for knowledge and its free exposition are fundamental characteristics of the continuing self-examination necessary to maintain a dynamic, free and vital society. In this context, Members shall not be hindered in the exercise of academic rights and shall be entitled to academic freedom. Academic freedom includes the right, without restriction by prescribed doctrine, to learn; freedom to teach and discuss; freedom to carry out research and disseminate and publish the results thereof; freedom to produce and perform creative works; freedom to engage in service to the institution and the community; freedom to express one's opinion about the institution, its administration, or the system in which one works; freedom from censorship by either Party.
- 7.02 Academic freedom does not require neutrality. Rather, academic freedom makes commitment possible and may result in strong statements of beliefs and positions. The credibility and acceptability of the principle of academic freedom depends in part upon the freedom being used in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge. Academic freedom implies a respect for the rights of others, a tolerance of other points of view and a duty to use that freedom in a responsible manner.
- 7.03 The Parties agree to uphold and to protect the principles of academic freedom and not to infringe unlawfully or unreasonably upon nor to abridge the academic freedom of any Member. Academic freedom does not confer legal immunity, nor does it diminish in any way the obligation of Members to meet their responsibilities and to conduct themselves in a manner consistent with this Agreement as a whole. A Member who is found to be acting reasonably and lawfully and in accordance with this Article on academic freedom, shall not be subject to any disciplinary action as defined in Article 31 in response to that conduct.
- of the University.

*In the CAS agreement, Academic Freedom is covered under Article 5:*

- 5.1 The search for knowledge and its free exposition is a fundamental characteristic of the continuing self-examination necessary to maintain a dynamic, free and vital society. In this context Members shall be entitled to the exercise of academic freedom as it relates to their teaching responsibilities. Academic freedom ensures the freedom to learn without restriction and the freedom to teach subject only to the academic regulations of Senate and adherence to the course description in the University calendar. Members are entitled, regardless of prescribed doctrine to freedom to teach and discuss, freedom to criticize, and freedom from censorship by either Party.
- 5.2 Research is not a job requirement or duty of Members; however, should a Member choose to participate in a research project that is supported by the University and/or that has been subject to the academic regulations of Senate, the provisions of Clause 5.1 shall apply.
- 5.3 Service is not a job requirement or duty of Members; however, should a Member be asked to and/or volunteer to provide service (to the University, the Association and/or the community) then the provisions of Clause 5.1 shall apply.
- 5.4 Academic freedom does not require neutrality. Rather, academic freedom makes commitment possible and may result in strong statements of beliefs and positions. The

credibility and acceptability of the principle of academic freedom depends in part upon the freedom being used in a manner consistent with the scholarly obligation to base teaching on an honest search for knowledge. It implies a respect for the rights of others, a tolerance of other points of view and a duty to use academic freedom in a responsible manner. Academic freedom does not confer legal immunity, nor does it diminish in any way the obligation of members to meet their responsibilities and to conduct themselves in a manner consistent with this Agreement.

- 5.5 The Parties agree to uphold and to protect the principles of academic freedom and not to infringe upon or abridge the academic freedom of any Member.

*In the Collegiate agreement, Academic Freedom is covered under Article 4:*

- 4.01 The search for knowledge and its free exposition is a fundamental characteristic of continuing self-examination necessary to maintain a dynamic, free and vital society. To that end, Members are entitled to academic freedom in critical analysis, freedom to teach and discuss, and freedom from arbitrary censorship by either Party.
- 4.02 Academic freedom in the Collegiate implies a respect for the rights of others, tolerance of other points of view and a duty to use such academic freedom responsibly when expressing opinions and beliefs so as not to impose them on others. The Parties recognize the need to use academic freedom in such a manner that the objectives and purposes of the Collegiate as a pre-university level educational institution are maintained and enhanced.
- 4.03 The Collegiate Instructor's primary responsibility to the institution is to teach. To that end, Members shall not be hindered in the exercise of professional improvement including related research or in their teaching, except that their teaching shall be bounded by the curriculum requirements of the Manitoba Department of Education, the regulations of the Senate of The University of Winnipeg as they apply to the Collegiate, and the guidance of the Collegiate Faculty Council.



# York University Faculty Association

(1 May 2015 – 30 April 2018)

## Article 10: Academic Freedom

- 10.01 The parties agree to continue their practice of upholding, protecting, and promoting academic freedom as essential to the pursuit of truth and the fulfillment of the University's objectives. Academic freedom includes the freedom of an employee to examine, question, teach, and learn; to disseminate his/her opinion(s) on any questions related to his/her teaching, professional activities, and research both inside and outside the classroom; to pursue without interference or reprisal, and consistent with the time constraints imposed by his/her other University duties, his/her research, creative or professional activities, and to freely publish and make public the results thereof; to criticize the University or society at large; and to be free from institutional censorship. Academic freedom does not require neutrality on the part of the individual, nor does it preclude commitment on the part of the individual. Rather, academic freedom makes such commitment possible.
- 10.02 When exercising their rights of action and expression as citizens, employees shall endeavour to ensure that their private actions or expressions are not interpreted as representing positions of York University. Any published views of the Administration concerning YUFA shall be clearly identified as representing the views of the York University Administration.