

## **King's University College Freedom of Expression Policy**

Freedom of expression is essential to the pursuit of truth, the advancement of learning and the dissemination of knowledge. All members of the University community, including guests and visitors, have the right to freedom of expression, which includes the right to examine, represent, question, advocate for and comment on any issue without reference to prescribed doctrine. It also includes the right to criticize the University and society at large.

The exercise of free expression may generate controversy and disputes. The role of the University is to provide an open and inclusive environment in which debate, challenge and disagreement should be expected, and controversial and offensive ideas may be advanced. Although members of the University community are free to contest, criticize or even condemn the views expressed by others, they cannot prevent the freedom of others to express their views.

Of necessity, there are limits to freedom of expression as established by law and in recognition of the rights of others. This freedom does not extend to expression that is, for example, prohibited by Canada's criminal law, such as hate speech or incitement to violence; or which constitutes harassment or discrimination; or violates protected confidentiality interests. The University may be required to intervene when the exercise of freedom of expression exceeds these limits, threatens the physical safety of members of the University community or prevents the exercise of freedom of expression by others. Any such intervention must be interpreted and applied narrowly, and must be sensitive to the particular setting such as a classroom, residence or open space.

In the exercise of free expression, members of the University community are encouraged to consider the value of mutual respect and the possible impact of that expression on others. Informed, thoughtful, and respectful arguments and exchanges benefit the University community, even and particularly when the disagreement is profound.

The University recognizes that the legitimate exercise of free expression has the potential to shock, anger, intimidate, exclude and contribute to the marginalization of University community members. It can also make it difficult for some people or groups to exercise their own freedom of expression. The University strongly affirms its commitment to diversity, equity and inclusion. Accordingly, it is committed to providing a supportive environment, including counselling and health services, for those who are negatively affected by the exercise of free expression.

The right to free expression is complemented by the rights of freedom of association and assembly. The right to free expression extends to individuals cooperating in groups. University community members have the right to organize groups for any lawful activities and to hold and advertise meetings. They also have the right to engage in peaceful assemblies and demonstrations and to make reasonable use of University facilities in accordance with its policies.

This policy informs the specific details of several other King's University College policies and is reflected in arrangements such as the Code of Student Conduct and the collective agreements between King's University College and various employee groups. This policy does not modify the University College's commitment to academic freedom, for example, as set out in the collective agreement between it and the King's University College Faculty Association.

**Approved by:** King's University College Board of Directors, November 28, 2018

**Reviewed by:** King's College Council, November 21, 2018

The Ministry of Training, Colleges and Universities requires that a Policy on Freedom of Expression at a University or College must meet a minimum standard that includes the following:

- A definition of freedom of speech
- Principles based on the University of Chicago Statement on Principles of Free Expression:
  - Universities and colleges should be places for open discussion and free inquiry.
  - The university/college should not attempt to shield students from ideas or opinions that they disagree with or find offensive.
  - While members of the university/college are free to criticize and contest views expressed on campus, they may not obstruct or interfere with the freedom of others to express their views.
  - Speech that violates the law is not allowed.
- That existing student discipline measures apply to students whose actions are contrary to the policy (e.g., ongoing disruptive protesting that significantly interferes with the ability of an event to proceed).
- That institutions consider official student groups' compliance with the policy as condition for ongoing financial support or recognition, and encourage student unions to adopt policies that align with the free speech policy.
- That the college/university uses existing mechanisms to handle complaints and ensure compliance. Complaints against an institution that remain unresolved may be referred to the Ontario Ombudsman.