

## **FREEDOM OF EXPRESSION POLICY**

### **PURPOSE**

Freedom of thought, expression, and association are implicit in Brock University's core mission to promote and disseminate knowledge through teaching and research. The University's values of scholarship, creativity, and inquiry require open and inclusive discourse.

The University has a longstanding commitment to freedom of expression, which was articulated in the Senate Statement on Respectful Dialogue and Freedom of Expression. An academic environment open to many voices contributes to the discovery, creation, and sharing of knowledge.

This Policy formalizes and reaffirms the University's commitment to the free and open exchange of ideas, civil debate, and diverse points of view on its campus, in the service of its core objects, as set out in the Brock University Act, to advance learning, disseminate knowledge, and contribute to the development of its members and the betterment of society.

### **SCOPE**

This Policy applies to the exercise of freedom of expression which is the fundamental freedom to express thoughts, ideas, opinions, or beliefs, subject to reasonable limits within the law and as necessary for the proper operation of the University. A full definition of freedom of expression is included in the Definitions section below.

This Policy applies to all staff, faculty members, volunteers, and students at Brock University, as well as to members of the general public.

This Policy applies to any activities:

1. on University-owned or leased premises;
2. on University-sanctioned online websites and social media; or
3. at University-sanctioned event

Nothing in this Policy limits the rights and responsibilities of any person under Brock University's other policies or collective agreements.

Freedom of expression as described in this Policy is distinct from the principle of academic freedom, and nothing in this Policy limits, modifies, or expands the right to academic freedom.

### **POLICY STATEMENT**

**Commitment to freedom of expression**

Brock University is committed to upholding the principle of freedom of expression at the University.

No activity or event shall be disallowed by the University solely on the basis that it expresses an objectionable or offensive thought, idea, opinion, or belief.

### **Prohibition against interference with freedom of expression**

Freedom of expression includes the right to contest or criticize the views of others. However, no person or group may unduly and significantly interfere with the freedom of expression of another person where such expression is permitted by this Policy.

### **Limits to freedom of expression**

Freedom of expression does not include any illegal or unlawful speech (such as criminal hate speech, threats or harassment, defamation, etc.), or any illegal or unlawful acts or the threats of these acts, and shall further not include any acts that unreasonably or unduly interfere in the proper operations of the University. Such acts are prohibited.

The University may reasonably restrict the time, place, and manner of an activity or event in order to ensure the safety of the community and/or the proper operations of the University.

### **Supporting free expression for the entire Brock community**

The University respects the tremendous power that expression can have, and acknowledges the way in which some expression may disproportionately impact and tend to exclude the participation of marginalized individuals and groups. While freedom of expression includes the right to express views with which others strongly disagree, actions or expression that silences or excludes perspectives may diminish the freedom of others in the discovery, creation, and sharing of knowledge. The University expects those engaged in expression to abide by all applicable University policies, including the Respectful Work and Learning Environment Policy and the Student Code of Conduct.

The University is committed to nurturing a supportive and inclusive environment as a necessary means of ensuring that all members of the Brock community can meaningfully participate in free expression.

### **Application to student groups**

The University shall require all student governments, groups, clubs, and organizations (“Student Organizations”) to comply with this Policy and shall encourage them to adopt policies consistent with this Policy.

The University shall consider compliance with this Policy as a condition for financial support or recognition of Student Organizations, subject to any contractual, regulatory or other legal obligations to such organizations.

### **Related procedures**

This Policy authorizes the President and Vice-Chancellor to establish procedures, or determine existing procedures, and designate responsible individuals or groups as may be necessary for the proper implementation of this Policy.

### **DEFINITIONS**

“Freedom of expression” means the fundamental freedom to express thoughts, ideas, opinions, or beliefs. Expression can take many forms and may happen in any medium. This freedom is subject to reasonable limits within the law and as necessary for the proper operation of the University, and does not include illegal or unlawful expression (e.g. criminal hate speech, threats or harassment, defamation, etc.).

### **COMPLIANCE AND REPORTING**

Non-compliance with this Policy shall be managed in accordance with existing processes, policies, and collective agreements. Complaints regarding non-compliance with this Policy may be directed as set out in the procedures to this Policy.

Nothing in this Policy prevents concurrent complaints under other University policies. Notably: complaints with respect to harassment or discrimination may be directed to Human Rights and Equity under the Respectful Work and Learning Environment Policy. Complaints with respect to a breach of privacy may be directed to the Freedom of Information and Protection of Privacy Coordinator under the Access to Information and Protection of Privacy Policy.

The President and Vice-Chancellor or President’s designate(s) shall be responsible for interpreting this Policy.

### **POLICY DETAILS**

#### **Policy Owner**

President and Vice-Chancellor

#### **Administrative Responsibility**

General Legal Counsel and Associate Vice-President, Legal, Compliance, & Privacy

#### **Policy Classification**

Operational

**Approval**

Approved by the Executive Team.

**Effective Date**

January 2019

**Next Review**

August 2027

**Revision History**

Adopted January 2019

Renewed June 2021

Renewed August 2024

**Related Documents**

- Senate Statement on Respectful Dialogue and Freedom of Expression
- Respectful Work and Learning Environment Policy Student Code of Conduct
- Access to Information and Protection of Privacy Policy
- Freedom of Expression Compliant Procedures