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## Carleton University Freedom of Speech Policy Draft

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October 16, 2018

Pursuant to the *Carleton University Act*, the essential purpose of the University is to engage in the pursuit of the advancement of learning, the dissemination of knowledge, and the intellectual development and betterment of its community. To achieve this purpose, members of the University have freedom of speech which is defined as the right to examine, question, investigate, speculate, comment and criticize subject to limits prescribed by law. The purpose of the University also depends upon an environment of respect and tolerance. Every member needs to be able to learn, teach, live and work free from harassment and discrimination.

Therefore, subject to the limits set by law, the University is committed to the following principles:

- That the University is a place that is committed to open discussion and free inquiry;
- That the University introduces students to a wide range of ideas and does not attempt to shield students from debates or opinions that they may disagree with or find offensive;
- That while faculty, students and staff are free to criticize and contest the views expressed on campus, they may not obstruct or interfere with the freedom of others to express their views;
- Freedom of speech includes accompanying responsibilities such as civility, respect and tolerance;
- Speech that violates the law will not be permitted including but not limited to hate speech, threatening violence, harassment, discrimination, unjustified invasion of privacy or confidentiality interests, defamation or that is otherwise directly incompatible with the functioning of the University.

Disagreements and dissenting views make for a vibrant academic culture, and the University strives to find a balance between allowing for critical views to be expressed civilly on campus and not obstructing the freedom of others to communicate their views.

Canadian law recognizes that freedom of speech is not absolute and can be limited in situations where there is a need to balance competing interests like respect for differences and equality. Speech that violates the law will not be tolerated. The University may intervene, for example, when speech violates the law, interferes with the conduct of University operations, is used to demean others on prohibited grounds of discrimination, is harassment, defamatory or in breach of legal obligations. In order to achieve its essential purpose, the University must also be able to operate free from unreasonable interference. The University reserves the right to regulate the time, place and manner of speech, and the reasonable use of facilities to ensure that it does not disrupt the operations of the University, its learning, living and work environment, the safety of its members and to comply with the University's legal obligations including but not limited to under the *Occupational Health and Safety Act*, the *Freedom of Information and Protection of Privacy Act* and the *Ontario Human Rights Code*.

Organizers of events on campus or using University facilities are responsible for ensuring that their invited speakers and participants are aware of and are in compliance with the University's expectations, policies and the law. The University will consider a student organization's compliance with this policy as condition for ongoing financial support or recognition pursuant to the *Accreditation of Student Organizations Policy*. The University encourages student organizations to consider adopting policies that respect freedom of speech.

This policy does not exhaust all of the University's policies with respect to freedom of speech and is not intended to amend or qualify University policies on academic freedom, including as expressed, for example, in Article 4 of the Collective Agreement with Carleton University Academic Staff Association or the University's commitment to equity and human rights as set out in the Human Rights Policies and Procedure.

**Scope:**

This policy applies to all members of the University community, including but not limited to, faculty, students, staff, contractors as well as visitors and guests.

**Complaints:**

Students whose actions are contrary to this policy are subject to complaint and disciplinary action pursuant to the Students Rights and Responsibilities Policy including but not limited to engaging in disruptive protesting that significantly interferes with the ability of an event to proceed or the ability of others to express themselves. Similarly, faculty and staff whose actions are contrary to this policy are subject to complaint and disciplinary action pursuant to the Workplace Harassment Prevention Policy, the Human Rights Policies and Procedure and any collective agreement as applicable in the specific circumstances. Disciplinary action involving unionized staff and faculty will be subject to the applicable collective agreement.

**Contacts:**

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