

Freedom of Expression

POLICY

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Type:	☐ Academic	☐ Administrative	☐ Board
Effective date:	October 1, 2024		
Approved by:	VP People & Culture	Office of the President	
Last revision:	12/12/2018		
Next scheduled review:	30/01/2025		

1. Purpose/Rationale

This policy protects freedom of expression at Georgian College, within the parameters described herein.

This policy responds to the provincial requirement for all publicly assisted postsecondary institutions to have a standalone free speech policy. Georgian College's policy extends beyond free speech to include freedom of expression in all its forms.

2. Scope

This policy applies to all Georgian faculty, students, staff, management, guests and others who are present at the college. For the purposes of specificity, this policy applies to all employees who enter a working or service relationship with the college. This policy also applies to the conduct of all full-time and part-time students, which occurs on properties owned or leased by Georgian College, or which is related to college activities or processes, as well as to any location where a student and/or employee is attending or participating in any college-related activity.

Examples of such college related activities include but are not limited to: field placements, co-operative education work terms, clinical and field placements, off-campus internships, conferences, professional development sessions, community service, college teams travelling to events off-campus and Students' Association activity off campus or engaged in a club event.

Through this policy, the College strives to ensure all members of the Georgian community, including visitors, feel welcome to think and express themselves freely and in a manner that upholds their and others' human rights and mutual respect.

Those under this policy are to follow the guiding principles and accountabilities outlined in this document.

3. Definitions

Word/Term	Definition
Freedom of expression	The right to speak, write, listen, challenge and learn is considered essential to discovery, critical assessment and the effective dissemination of knowledge and ideas to social and economic advancement.
Harassment	The <i>Ontario Human Rights Code</i> defines harassment as “engaging in a course of vexation comment or conduct that is known or ought reasonably to be known to be unwelcome”. Any person can harass any other person and can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on any of the protected grounds contained within the <i>Code</i> .
Hate Speech	Hate speech in Canada is governed by Section 319 of the Criminal Code, which prohibits the willful promotion of hatred against any identifiable group through communication. The identifiable group can be defined by factors such as race, ethnicity, religion, sex, sexual orientation, and gender identity.
Threat to Safety	A threat to safety is defined as a situation which may include (but is not limited to) assault causing bodily harm, including thrown objects, sexual assault, or uttering threats of death or physical violence.

4. Policy Statement

Freedom of expression, which means the right to speak, write, listen, challenge and learn, is essential to discovery, critical assessment and the effective dissemination of knowledge and ideas and leads to social and economic advancement—a key role of colleges as described in the *Ontario Colleges of Applied Arts and Technology Act, 2002*.

As such, Georgian College is committed to open discussion and free inquiry, where diverse voices can be heard, and ideas and viewpoints can be explored and discussed freely and debated. This commitment includes allowing for the expression of controversial opinions or those that may diverge or conflict with the views of some members of the college community, openly without fear of reprisal.

Members of the college community are free to criticize and contest the views of others; however, they may not obstruct or interfere with the freedom of others to express their views. In the exercise of free expression, members of the college 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 Georgian College community, even and particularly when the disagreement is profound.

Speech, a form of freedom of expression, that violates the law, including the *Ontario Human Rights Code*, is not permitted. Speech that constitutes harassment, a threat to safety or hate speech is not permitted. Other context-specific boundaries to freedom of expression may also apply.

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. Georgian College 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 college facilities in accordance with its policies.

Georgian College will protect freedom of expression among all members of the college community, as per the Policy Statement on Upholding Free Speech developed by Colleges Ontario and approved by all Ontario college presidents, effective Jan. 1, 2019.

4.1 Guiding Principles

- 4.1.1 The College supports individual rights and freedoms, including the freedom of expression, that are free from hate, harassment, threat to safety and/or other infringements on the human rights and freedoms of others.
- 4.1.2 The College may guide the time, place and manner of freedom of expression to ensure it aligns with normal college operations, supports ordinary activities, and safeguards the well-being of everyone involved.
- 4.1.3 The College will not tolerate any form of freedom of expression that violates the law, including the *Ontario Human Rights Code* and/or the *Criminal Code of Canada*. Expression that constitutes harassment, a threat to safety or hate speech is strictly prohibited.
- 4.1.4 The College will not shield members of its community from ideas and opinions that members may find disagreeable or offensive. Members, not the College, will make judgments for themselves and choose for themselves to debate and/or challenge ideas they find unacceptable.
- 4.1.5 The College greatly values civility and expects all members of college community share in the responsibility of maintaining a climate of mutual respect.
- 4.1.6 The College permits an environment where its members are free to criticize and contest the views of others; however, they may not obstruct or interfere with the freedom of others to express their views. The rights of others to express or hear ideas must also be respected.
- 4.1.7 The College acknowledges that other context-specific boundaries to freedom of expression may also apply, such as those arising out of the terms of employment and collective agreements.
- 4.1.8 This policy statement is aligned with other college policies, all of which shall be read in harmony.

4.2 Complaints

- 4.2.1 Existing college mechanisms and processes will be used to address complaints and ensure compliance with the policy. These mechanisms can be found in the *Student Code of Conduct*, the *Employee Code of Conduct* or the *College's Human Rights and Anti-Discrimination Policy*.
- 4.2.2 Complaints that remain unresolved may be referred to the Ontario Ombudsman.

- 4.2.3 Existing disciplinary measures will apply to those whose actions are contrary to this policy, as outlined in the *Student Code of Conduct*, the *Employee Code of Conduct* or the *College's Human Rights and Anti-Discrimination Policy*

4.3 Compliance by student groups

- 4.3.1 Georgian College will consider official student groups' compliance with the policy as a condition for ongoing financial support or recognition.
- 4.3.2 Georgian College will encourage student groups to adopt policies that align with this policy.

5. References

- *Policy Statement on Upholding Free Speech: Colleges Ontario, 2018*
- *Ontario Colleges of Applied Arts and Technology Act, 2002*
- *Ontario Human Rights Code*
- *Georgian College Anti-Violence Policy*
- *Georgian College Human Rights and Anti-Discrimination Policy*
- *Georgian College Employee Code of Conduct*
- *Georgian College Student Code of Conduct*
- *CAAT academic and support staff agreements*

6. Appendices

Not applicable

7. Related Procedure(s)

- *Georgian College Protest, Demonstration and Civil Disobedience Procedure*
- *Georgian College Human Rights and Anti-Discrimination Policy*
- *Georgian College Employee Code of Conduct*
- *Georgian College Student Code of Conduct*

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