

## Statement on Free Speech

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### Free Expression

Freedom of thought, association, and expression are fundamental principles of an open, fair, and inclusive campus, and are core to the discovery, critical assessment, and effective dissemination of knowledge. As history clearly demonstrates, these freedoms establish conditions necessary for critical thought, and for diverse voices to be heard without the fear of repression or reprisal. They are vital to the creation of knowledge, and to challenging the improper use of power.

NOSM University unequivocally embraces the principles of free expression required in an academic environment. The university supports the expression, testing, and challenging of a range of perspectives and ideas, including those that may be deemed difficult, controversial, or extreme. As an institution of higher learning, NOSM University strives to instill throughout its community the ability to think critically, express ideas clearly and persuasively, and articulate positions that are based on reason, evidence, and frameworks of knowledge. The university is distinct from a public square, or an online forum as an academic institution it is committed to advancing intellectual excellence rooted in diversity of thought in an inclusive learning environment.

### Inclusive Freedom

As an institution that is deeply committed to free expression, diversity, equity, and inclusion, the NOSM University community will sometimes be divided over ethical, social, and pedagogical obligations. These disagreements reflect the profound differences of opinion that exist regarding the tension between free expression and other fundamental values and principles. The university acknowledges that members of its community will sometimes struggle with these issues and will even voice dissent about the merit of particular speakers or subject matter in advancing intellectual inquiry or critical discourse and dialogue. Nonetheless, NOSM University challenges the idea that free expression and the goals of diversity, equity, and inclusion must be at odds with one another. Instead, the university embraces the concept of “inclusive freedom” which espouses a commitment to the robust protection of free expression, and the assurance that all members – including those who could be marginalized, silenced, or excluded from full participation – have an opportunity to meaningfully engage in free expression, inquiry, and learning.

NOSM University recognizes that at times free expression may harm and/or further marginalize community members from visible and invisible minority groups, including, but not limited to those from groups based on Indigeneity, class, race, ethnicity, place of origin, religious creed, spiritual belief, sexual orientation, gender identity and expression, age, and ability. In such cases, the university encourages its community members to respond with an educational and intellectual approach that increases awareness

and consideration of diverse positions. The university reaffirms its commitment to creating an inclusive environment for all NOSM University community members, and to providing access to services that support well-being and safety from physical harm.

Some challenging cases of free expression will have to be navigated, but it is not the role of the university to censor speech. Rather than restricting speech, NOSM University is committed to supporting an open and inclusive environment that also protects free expression. Community members are free to reject and vigorously contest ideas while still recognizing the right to express or hear those ideas. The university aspires for its community to engage in better speech whereby members strive for a high ethical and intellectual standard for open and constructive discourse.

### **Limits and Considerations**

Free expression is never without limits. Canada's legal frameworks restrict illegal forms of expression such as threats, defamation, discrimination, harassment, unjustified and substantial invasion of privacy and confidentiality, and hate speech. These limits apply to speech on campus in the same way as they apply elsewhere. The university reserves the right to reasonably manage the time, place, and manner of expression to ensure that it does not disrupt the ordinary activities of its community or impinge upon the physical safety of its members. However, this administrative discretion should not be exercised in a manner inconsistent with NOSM University's overarching commitment to free expression.

### **Campus Context**

Context is an important consideration in matters of free expression. Inside the classroom, the primary focus is teaching and learning, which must align with the fundamental principles of academic freedom as articulated in the Policy on Academic Freedom and Integrity of Research and the Academic Freedom Article (1.3) in the NOSM Academic and Professional Staff Collective Agreement (Unit 1, OPSEU NOSM University Local 677). The commitment to inclusive freedom extends into the classroom, where all students should feel engaged, included, and heard. In an environment that emphasizes intellectually challenging content, there may be times when instructional material or discussions challenge students' worldviews and identities. However, these moments can be mitigated by strong and balanced pedagogy where openness and respect for human dignity prevail. Students also have the right to expect classrooms that are free from personally directed attacks on their individual character, motives, or attributes.

In spaces outside of the classroom, NOSM University community members can actively participate in events, forums, and discussions at their own discretion. When confronted with ideas or viewpoints with which they disagree, community members may choose to dissent through, for example, participating in debate, hosting alternative events, inviting speakers to express opposing views, and/or engaging in non-violent protests. The development of such constructive strategies contributes to individual intellectual growth and serves as preparation for ongoing civic engagement. At the university, all forms of expression should be undertaken in a manner that also recognizes the free expression rights of others.

### **Our Collective Responsibility**

All members of the NOSM University community including administrators, faculty, staff, and students share a collective responsibility to build, maintain, and continuously protect an inclusive and respectful institutional culture that champions free expression in the pursuit of knowledge. By supporting free expression in this constructive and pedagogically sound way the university can fulfill its mission, preparing graduates to engage with difficult ideas and challenge the world in all its complexity. Complaints in

relation to NOSM University's execution of these policies can be brought forward to: Ray Hunt, Vice President, Administration and Chief Operating Officer at ray.hunt@nosm.ca or 705-662-7147.

This statement does not amend or negate duties and obligations to and of the University as stated in other University policies or in collective agreements between the University and employee groups, including those regarding the University's commitment to academic freedom.<sup>1</sup>

### **Supporting Documents**

The University has existing policies and procedures including but not limited to the Human Rights, Anti-Discrimination and Harassment Policy, the UME Code of Student Conduct and the Committee to Support Student Professionalism (CSSP) Procedures Document: Reporting, investigating, and adjudicating student professionalism, the University's Policy on the Responsible Conduct of Research the Policy on Academic Freedom and Integrity of Research and the Academic Freedom Article (1.3) in the NOSM Academic and Professional Staff Collective Agreement (Unit 1, OPSEU NOSM University Local 677).

Also in support of this statement is the Free Speech Documents/Policies – Framework.

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<sup>1</sup> NOSM University has been inspired by, and adapted, this statement from that of Wilfred Laurier University.