

TYPE:	Administrative
TITLE:	Upholding Free Speech
NO.:	EMPL-322
RESPONSIBILITY:	Chief Administrative Officer and Associate Vice-President, Human Resources
APPROVED BY:	Durham College Leadership Team
EFFECTIVE DATE:	December 2020
REVISED DATE(S):	
REVIEW DATE:	December 2024

1. Introduction

- 1.1. Durham College offers a comprehensive program of career-oriented, post-secondary education and training to assist individuals in finding and keeping employment, to meet the needs of employers and the changing work environment and to support the economic and social development of local and diverse communities.
- 1.2. Freedom of expression, which means the right to speak, write, listen, challenge and learn, must be protected as it is essential to discovery, critical assessment and the effective dissemination of knowledge and ideas and leads to social and economic advancement.

2. Purpose

This policy and procedure is designed to provide clarity on expectations of freedom of speech and freedom of expression on Durham College property. The policy and procedure applies to all College employees, students, guests and others who are present at the College.

3. Definitions

Refer to [Durham College's Standard Definitions](#).

4. Policy statements

- 4.1. Durham College must be a place that allows for open discussion and free inquiry where diverse voices can be heard and ideas and viewpoints can be explored and discussed freely and debated openly without fear of reprisal, even if these are considered to be controversial or conflict with the views of some members of the College community.
- 4.2. Speech that violates the law, including the Ontario Human Rights Code, is not allowed.
- 4.3. Speech that constitutes harassment, a threat or hate speech is not allowed.

- 4.4. Other context specific boundaries to freedom of expression may also apply such as those arising out of the terms of employment and collective agreements.
- 4.5. This policy and procedure is aligned with other College policies, all of which shall be read in harmony.

5. Procedure

- 5.1. Durham College will consider official student organizations' compliance with the policy as a condition for ongoing financial support or recognition, and encourage student groups to adopt policies that align with this policy.
- 5.2. Durham College may reasonably regulate the time, place and manner of freedom of expression to ensure that it does not disrupt normal College operations and ordinary College activities or endanger the safety of others.
- 5.3. Existing College mechanisms and processes will be used to handle complaints and ensure compliance with the policy. Complaints that remain unresolved may be referred to the Ontario Ombudsman.

6. Roles and responsibilities

- 6.1. 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. The rights of others to express or hear ideas must be respected.
- 6.2. It is not the role of Colleges to shield members of the College community from ideas and opinions that they may find disagreeable or offensive. It is up to individuals and not Colleges to make such judgements for themselves and to debate and challenge ideas that they find unacceptable.

7. Accessibility for Ontarians with Disabilities Act considerations

Accessibility for Ontarians with Disabilities Act (AODA) standards have been considered in the development of this policy and procedure and it adheres to the principles outlined in the College's commitment to accessibility as demonstrated by the Accessibility Plan (ADMIN-203).

8. Non-compliance implications

- 8.1. An employee who demonstrates behaviour that does not comply or is inconsistent with the standards contained in this document may be subject to disciplinary action.
- 8.2. Failure to comply with this policy could result in reputational damage, legal action and/or financial loss.

9. Communications plan

- A message will be posted on ICE alerting employees when new or revised policies and procedures are added to ICE.
- A message will be posted on MyCampus alerting students when new or revised policies and procedures are added.

10. Related forms, legislation or external resources

- Ontario Colleges of Applied Arts and Technology Act, 2002