

## **ARTICLE 37. ACADEMIC FREEDOM**

- 37.1 The essential functions of a university are the pursuit, creation, and dissemination of knowledge through research and other scholarly and creative activities, and by teaching. Academic Freedom is essential to these functions and ensures the right of Members to teach, investigate, and speculate, and/or to create or perform works of art, without deference to prescribed doctrine. Furthermore, universities are communities in which the right to criticize all aspects of society is valued and respected. These rights are to be understood as central to the protection of the public interest and the pursuit of truth.
- 37.2 Academic Freedom specifically entails, but is not necessarily limited to, the right to:
- 37.2.1 conduct research and to publish, subject to approval by ethics Review Boards where necessary, and to the provisions of any contract with a third party that imposes a delay on the publication of the Member's research provided that the contract complies with Article 14;
- 37.2.2 teach and discuss;
- 37.2.3 select, acquire, disseminate, or critique documents or other materials in the exercise of the Member's Academic Rights and Responsibilities;
- 37.2.4 exercise professional judgment in the acquisition and selections of library materials, and in ensuring that these materials are freely accessible;
- 37.2.5 criticize the University, the Association or any corporate, political, public or private institution; and
- 37.2.6 create, exhibit, perform or adjudicate works of art; all without deference to prescribed doctrine.
- 37.3 The University and the Association agree to uphold and protect the principles of Academic Freedom as specified herein and not to infringe upon or abridge them.
- 37.4 The exercise of Academic Freedom, as described in this Article, shall not cause the imposition of any penalty or reprisal on a Member by the University or the Association. Neither shall the University or the Association countenance the restraint of Academic Freedom or the imposition, arising from its exercise, of any penalties or reprisals upon Members by any person, institution, agency or corporate donor to the University or the Association, or from any source within the University.
- 37.5 The credibility of the principles of Academic Freedom depends upon a collective commitment to exercise these principles in a manner consistent with the scholarly obligation to base research and teaching on an honest and ethical search for knowledge.
- 37.6 Academic Freedom does not require neutrality on the part of a Member nor does it preclude commitment on the part of a Member. Rather, Academic Freedom

makes such commitment possible. Academic Freedom also carries the responsibility to respect the rights and freedoms of others. In particular, Members are expected to recognize the right of other members of the academic community faculty, staff, and students to express their opinions. Academic Freedom does not confer legal immunity or guarantee legal defence by the University in respect of positions taken which do not flow from the Members' responsibilities to the University nor does it diminish the obligation of Members to meet their responsibilities to the University.

- 37.7 Members shall not purport to speak on behalf of the University or the Association unless specifically authorized to do so. A statement of affiliation with, or position in the University, or of qualifications relevant thereto, shall not be construed as an attempt to speak on behalf of the University. A statement of Membership or position in the Association shall not be construed as an attempt to speak on behalf of the Association.
- 37.8 This Article applies to Members in their capacity as academic staff members with faculty/academic librarian rank. It does not apply to Heads of Departments, or their associates or assistants in their administrative capacities, though it does apply to the appointments of these persons as faculty members, academic librarians and instructors.