



Freedom of Speech Policy

Institutional Manual

Established: April 14, 2020

Date of Last Review/Revision: April 14, 2020

Office of Accountability: President and Vice Chancellor

Administrative Responsibility: President and Vice Chancellor

1. Introduction

1.1 The Objects of St. Jerome's University (the "University") are as follows:

- (a) to advance learning and disseminate knowledge in a manner consistent with Roman Catholic tradition and the honest pursuit of wisdom and understanding; and
- (b) to encourage the intellectual, spiritual, social, moral and personal development of the members of the University community and the betterment of society consistent with the ideals of the contemporary Roman Catholic Church. (*St. Jerome's University Act, 2000, S. O, 2000, c Pr34, Article 3*)

1.2 The Mission of the University is as follows:

St. Jerome's University is a public Roman Catholic university federated with the University of Waterloo and historically associated with the educational vision of the Congregation of the Resurrection.

We are committed to learning and academic excellence; the gospel values of love, truth, and justice; and the formation of leaders for the service of the community and the Church. In all of our activities and practices, St. Jerome's University functions within the context of the Roman Catholic tradition and the principles of academic freedom.

1.3 As a university federated with the University of Waterloo, St. Jerome's University affirms and adopts the following from the University of Waterloo's Freedom of Speech Policy: "Consistent with its Objects and Mission, the University has always been and will continue to be fully committed to providing an environment within which Members of the University and Visitors are able to engage in Free Speech on University Property and at University Events without Undue Interference" ([Policy 8 – Freedom of Speech](#)).

2. Policy Statement

The University expects that all Members of the University and Visitors will respect the rights of others to engage in Free Speech on University Property and at University Events without Undue Interference.

Alleged breaches of this Policy by Members of the University will be managed in accordance with University policies and governing documents applicable to the conduct of Members of the University, including but not limited to the University's Student Discipline Policy, the collective agreements (Full-Time; Contract Academic Staff) between the University and the St. Jerome's University Academic Staff Association, and the University policy entitled Preventing and Responding to Workplace Violence and Harassment.

Alleged breaches of this Freedom of Speech Policy by Visitors will be managed in accordance with University Governing Documents applicable to the conduct of Visitors. Further, as appropriate, alleged breaches of this policy by Visitors will be referred to the University of Waterloo Police Services. Visitors found in breach of this Policy may be banned from or have conditions on their access to University Property and/or University Events.

3. Definitions

For the purposes of this policy, the following terms have the following meanings:

- a. "Canadian Law" means: legislation, regulations, by-laws, ordinances, and orders or decisions of tribunals or courts of competent jurisdiction, which govern Speech, including threats, violence, hate speech, defamation, libel, discrimination and harassment.
- b. "Exclusions" means:
 - i. Speech that is in breach of Canadian Law (as defined above);
 - ii. Speech that is in breach of University Governing Documents; or
 - iii. Speech that constitutes Undue Interference.
- c. "Free Speech" means Speech, subject to the Exclusions. Free Speech includes Speech that may be considered offensive or disagreeable by some individuals or groups, as well as Speech that analyzes, critiques, debates, questions, challenges, criticizes, protests or otherwise disagrees with the Speech of others, provided the foregoing does not fall into an Exclusion.
- d. "Member of the University" means an individual employed by the University, co-registered as a student by the University, or a student living in University residence.
- e. "Speech" means communication of any idea, opinion, concept, data, or other view.
- f. "Undue Interference" means Speech or actions or threat thereof which are intended to prevent or substantially impair an individual's or group's ability to engage in Free Speech on University Property or at a University Event. Undue

Interference includes Speech or actions that prevent a speaker from being heard or cause the University to cancel an event, because there is a credible threat to the safety or security of persons or property, in the opinion of University personnel or advisors, acting reasonably. Undue Interference does not include non-violent protests, provided such protests do not otherwise meet the criteria for Undue Interference as defined herein and do not otherwise breach University Governing Documents or Canadian Law.

- g. "University Events" means events on or off University Property, which are organized by the University and under the control of University employees.
- h. "University Governing Documents" means the St. Jerome's University Act 2000, bylaws of the governing bodies of the University, written agreements with the affiliated and federated institutions of Waterloo (AFIW), written agreements with the recognized representatives of the employee groups (e.g., collective agreements), and agreements with students groups, as well as policies, procedures, and guidelines.
- i. "University Property" means all real property owned and under the operational control of the University.
- j. "Visitors" means individuals on University Property or at University Events who are not University employees or students.