Policy Title

Academic Freedom Policy

Preamble

This policy publicly affirms Deakin College's commitment to academic freedom.

Purpose

The purpose of this Academic Freedom Policy ("**Policy**") is to ensure the protection of academic freedom within lawful parameters.

Scope

This Policy has been prepared in accordance with the *Higher Education Standards Framework (Threshold Standards) 2021,* the *Higher Education Support Act 2003,* and aims to address the concepts outlined in the *Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers*. It therefore sets out how the College complies with relevant standards and regulations regarding academic freedom.

The Policy applies to all Academic Staff (regardless of their employment status – ongoing, casual, honorary, visiting/guest), and students at the College. It further intends to capture those individuals who contribute to the academic environment of the College, such as contractors, volunteers and members of governing committees.

The Policy applies to all Deakin College campuses, including physical locations and online or digital learning environments.

Policy

1. Endorsement of Academic Freedom

Deakin College endorses the concepts of Academic Freedom and supports Academic Staff and students in their right to engage in critical enquiry, scholarly endeavour and robust public debate. Academic Staff and students who exercise their Academic Freedoms will not attract any penalty, nor will it constitute misconduct. All complaints will be considered and dealt with according to the principles of natural justice and procedural fairness;

Academic Freedom means the following:

a. the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research;

b. the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research;

c. the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled;

d. the freedom of academic staff to participate in professional or representative academic bodies;

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e. the freedom of students to participate in student societies and associations;

f. the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.

2. Reasonable restrictions

Deakin College may impose reasonable and proportionate restrictions on Academic Freedom, where it is necessary to:

- comply with law,
- prevent harassment, vilification, intimidation or violence,
- prevent conflicts between the expression of Academic Staff, and their ability to carry out their role effectively,
- comply with legal obligations (including but not limited to contractual obligations with third parties pertaining to such matters as confidentiality and protection of intellectual property),
- protect Deakin College against intentionally untrue or defamatory commentary which causes serious reputational damage.

2.1. Reasonable restrictions on use of land and facilities

- Engagement in academic freedom may be restricted in certain locations. Deakin College is located on the grounds of Deakin University. The College will be obliged to comply with a decision of the University in relation to the use of its land and facilities, where the University assesses it necessary or desirable to comply with legal obligations, discharge its duty to foster the wellbeing of its own staff and students, maintain the University's scholarly standards, or avoid the University being brought into disrepute.

2.2. Reasonable restrictions on personal freedom of speech

- Academic Staff who make lawful public comment in their personal capacity, will not be constrained by their employment with the College. However, the College may prevent them from identifying themselves as associated with the College (or the partner university, or Navitas), when speaking on matters outside their academic expertise (i.e. covered by Academic Freedoms).

2.3. Reasonable restrictions on confronting materials

- Academic Staff will not be prevented from including academic content, solely on the grounds that it may trigger, offend or shock any student. However, in the interests of fostering the College's duty of care to students, it is requested that Academic Staff offer a warning that upcoming material may be confronting, enabling students to make individual decisions about their own exposure

3. Compliance

3.1. General

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- The College Director & Principal will ensure that staff are informed about this Policy through staff meetings and other internal communications.
- Students will be made aware of this Policy through the College website and through the educational experiences with their Academic Staff.

3.2. Breaches

- Academic Staff who breach this Policy will be dealt with in accordance with the Staff Code of Conduct.
- Students who breach this Policy will be dealt with in accordance with the Student Code of Conduct.

4. Relevant Legislation & Reference Material

- Deakin College maintains compliance with the legislation relating to academic freedom:

Legislation/ Reference Material	**Reference**
Higher Education Standards Framework (Threshold Standards) 2021	6.1.4 Corporate Governance *"The governing body takes steps to develop and maintain an institutional environment in which freedom of speech and academic freedom are upheld and protected…"*
Higher Education Support Act 2003	Schedule 1 – Dictionary ***academic freedom*** means the following: (a) the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research; (b) the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to public debate, in relation to their subjects of study and research; (c) the freedom of academic staff and students to express their opinions in relation to the higher education provider in which they work or are enrolled; (d) the freedom of academic staff to participate in professional or representative academic bodies; (e) the freedom of students to participate in student societies and associations; (f) the autonomy of the higher education provider in relation to the choice of academic courses and offerings, the ways in which they are taught and the choices of research activities and the ways in which they are conducted.
Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers March 2019	Commissioned by the Minister for Education, Hon Dan Tehan Authored by Hon Mr Robert French AC, former Chief Justice of the High Court of Australia and Chancellor of the University of Western Australia Also referred to as the "French Review" or the "French Model Code".
Report of the Review of the Adoption of the Model Code on Freedom of Speech and Academic Freedom – December 2020	Authored by Professor (Emeritus) Sally Walker AM, former Vice Chancellor and President of Deakin University. • Identified exemplars for policy development: La Trobe University, University of Sydney, RMIT University • Identified 'central concepts', as a framework for validating universities' policy alignment with the French Model Code.

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Related Policies

Academic Integrity Policy
Appeals Policy
Student Code of Conduct
Navitas Staff Code of Conduct
Complaints Policy

Procedure

Complaints Procedure
Appeals Procedure

Definitions

Key Term or Acronym	Definition
Academic freedom	Has the same meaning as the Higher Education Support Act 2003, refer to Schedule 1 – Definitions).
Academic staff	Means all those who are employed or engaged by the College to carry out academic duties.

Status and Details

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Implementation Officer	College Director and Principal
Enquiries Contact	Jonathon Pura

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