

Free Speech Policy (Freedom of Expression)

Policy Type: Corporate

Policy Owner: Vice President, Human Resources, Student Services and International

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Corresponding Procedures:

[Procedures for Student Misconduct](#)

[Harassment and Discrimination Reporting Operating Procedure](#)

Purpose

Free speech or freedom of expression must be protected as it is essential to discovery, critical assessment, and the effective dissemination of knowledge and ideas.

This policy affirms Cambrian College's commitment to the fundamental right of free expression and aims to create an environment where diverse perspectives can be shared openly and respectfully, fostering a culture of dialogue and understanding. By upholding the principles of freedom of expression in alignment with the Ontario Human Rights Code, Cambrian College ("the College") strives to protect the rights of all individuals to express their thoughts, opinions, and beliefs without fear of censorship or reprisal, while also ensuring that this freedom is exercised responsibly and does not infringe upon the rights of others.

Scope

This policy applies to members of Cambrian College, including students, employees, and visitors, including guest speakers.

Definitions

The following are technical and legal terms that are defined for the purpose and context of the policy and by applicable law.

Anti-Black racism: refers to prejudice, attitudes, beliefs, stereotyping, and discrimination that is directed at people of African descent and is rooted in their unique history and experience of enslavement and its legacy. It is deeply entrenched in Canadian institutions, policies, and practices, to the extent that anti-Black racism is either functionally normalized or rendered invisible to the larger White society. Anti-Black racism is manifest in the current social, economic, and political marginalization of African Canadians, which includes unequal opportunities, lower socio-economic status, higher unemployment, significant poverty rates, and overrepresentation in the criminal justice system.

Anti-Indigenous racism: the race-based discrimination, negative stereotyping, and injustice experienced by Indigenous Peoples within Canada. It includes ideas and practices that establish, maintain, and perpetuate power imbalances, systemic barriers, and inequitable outcomes that stem from the legacy of colonial policies and practices in Canada. Systemic anti-Indigenous racism is evident in discriminatory federal policies such as the Indian Act and the residential school system. It is also manifest in the overrepresentation of Indigenous peoples in provincial criminal justice and child welfare systems, as well as inequitable outcomes in education, well-being, and health. Individual lived-experiences of anti-Indigenous racism can be seen in the rise in acts of hostility and violence directed at Indigenous people.

Antisemitism: is latent or overt hostility, or hatred directed towards, or discrimination against, individual Jewish people or the Jewish people for reasons connected to their religion, ethnicity, and their cultural, historical, intellectual, and religious heritage.

Complaint: means an oral or written statement of dissatisfaction with a college service, employee or student's teaching and learning experience in provision of services of the College.

Harassment: means a course of comments or actions that are known, or ought reasonably to be known, to be unwelcome. It can involve words or actions that are known or should be known to be offensive, embarrassing, humiliating, demeaning or unwelcome, based on a ground of discrimination identified by this policy. Harassment can occur based on any of the grounds of discrimination.

Islamophobia: refers to racism, stereotypes, prejudice, fear, or acts of hostility directed towards individual Muslims or followers of Islam in general. In addition to individual acts of

intolerance and racial profiling, Islamophobia can lead to viewing and treating Muslims as a greater security threat on an institutional, systemic, and societal level.

Racism: includes ideas or practices that establish, maintain or perpetuate the racial superiority or dominance of one group over another.

Reprisal: any adverse action against anyone for acting in compliance with the Code, for seeking the application of the Code or for participating in a process arising from the Code.

Policy Statements

1. 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. The College is committed to creating an environment that allows for open discussion and free inquiry where diverse voices can be heard and ideas and viewpoints can be expressed, explored, 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.
3. The College values civility and all members share a responsibility for maintaining a climate of mutual respect; it is not the role of the College 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 the College to make such judgements for themselves and to debate and challenge ideas that they find unacceptable.
4. Members of the College 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 also be respected.
5. Members have a right to organize and take part in orderly and peaceful assemblies, demonstrations, or protests, if such assemblies do not interfere with the safety of others or with the regular activities of the College, and subject to the competing rights of other members of the College community and of the public at large.
6. Cambrian 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.

7. Speech that violates the law, including the Ontario Human Rights Code, is not allowed and will not be tolerated.
8. Speech that constitutes harassment, racism, and hate, including but not limited to, anti-Indigenous racism, anti-black racism, antisemitism, and Islamophobia, is not allowed.
9. This policy statement is aligned with other Cambrian College policies, all of which shall be read in harmony. Nothing in this policy is meant to prevent individuals from respectfully expressing their own views while adhering to the law and related college policies. Context specific boundaries to freedom of expression may also apply such as those arising out of the terms of employment and collective agreements. In exercising those freedoms, all its members are required to respect the rights and freedoms of others.
10. Existing Cambrian 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](#), where applicable. Existing disciplinary measures will apply to those whose actions are contrary to the policy.
11. All reported incidents and complaints will be investigated and responded to in a manner that ensures due process and expediency. It is this policy's intention that members of the College feel comfortable about filing a complaint in good faith and receive support.
12. Cambrian College will consider official student groups' 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.
13. The College will reference the [Ontario Human Rights Commission's \(OHRC\) Policy on Competing Rights](#) as a guiding document when reviewing incidents where individuals' rights appear to be in conflict, ensuring all decisions reflect recognized principles and best practices.

Responsibilities and Accountabilities

Vice President, Human Resources, Student Services and International is responsible for:

- Ensuring the implementation and compliance of this policy.
- Ensuring the development, review, and availability of this policy.

- Ensuring college mechanisms are in place for complaints related to free speech.
- Preparing an annual report on this policy and making it available on the College's website.

College Members are responsible for:

- Being familiar with and abiding by this policy.
- Reporting incidents in violation of this policy.

Procedures/Forms

- [File a Complaint or Report an Incident Form](#)
- [Procedures for Student Misconduct](#)
- [Harassment and Discrimination Reporting Operating Procedure](#)

Related Policies

- [Code of Conduct Policy](#)
- [Harassment and Discrimination Policy](#)
- [Institutional Neutrality Policy](#)
- [Sexual Assault and Sexual Violence Policy](#)
- [Student Complaints Policy](#)
- [Student Rights and Responsibilities Policy](#)
- [Workplace Violence Prevention Policy](#)

References

- [Annual Free Speech Reports](#)
- [Upholding Free Speech on Ontario's Universities and College Campuses](#)
- Supplier Code of Conduct