

PROCEDURES REGARDING THE ACADEMIC FREEDOM COMMITTEE

PURPOSE

These Procedures outline the process to follow for any Academic Freedom complaint as set out in the [Policy on Academic Freedom](#) (PRVPA-5) (the “Policy”).

DEFINITIONS

For the purposes of these Procedures, all terms that are capitalized shall have the same meaning as those terms defined in the [Policy](#). Additional terms specific to these Procedures are defined below:

“Complainant” means an Academic Member who files a complaint that their Academic Freedom has been violated in accordance with the [Policy](#).

“Respondent” means any member of the University community against whom a complaint under the [Policy](#) is made.

PROCEDURES

Meetings of the Academic Freedom Committee

1. Quorum is defined as a majority of the members, including the Chair.
2. The Academic Freedom Committee will make recommendations by consensus whenever possible. If it is impossible to reach a consensus, the committee votes, and a majority of the members present prevails.
3. The Chair shall only vote when the outcome of a vote results in a tie. This in no way limits the Chair’s right of expression during any or all proceedings.
4. The Academic Freedom Committee shall meet in camera and all of its deliberations are strictly confidential, and its recommendations as well as any information or documentation pertaining to any complaint are to be treated confidentially.

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Complaints

5. An Academic Member who wishes to file a complaint under the [Policy](#) against a member of the University community shall file a written complaint with the Provost and Vice-President, Academic. A Complainant may be assisted in the filing of a complaint.
6. A complaint should be accompanied by the relevant documentation and include a detailed description of the alleged violation of the Academic Member's Academic Freedom.
7. Upon receipt and review of a complaint, the Academic Freedom Committee shall determine the admissibility of the complaint and may put an end to the examination of the complaint if:
 - a. the subject-matter of the complaint does not pertain to Academic Freedom;
 - b. the complaint does not fall within the Academic Freedom Committee's mandate;
 - c. the complaint is frivolous or spurious;
 - d. the complaint concerns a hypothetical situation;
 - e. the Complainant is not an Academic Member or if the Complainant is filing the complaint on behalf of someone else;
 - f. the Respondent is not a member of the University community; or
 - g. the complaint can be or has been received and treated in accordance with another University policy, procedure, guideline or in accordance with the relevant collective or employee agreement.
8. If required to determine the admissibility of the complaint, the Chair may request additional documentation or information regarding the alleged violation of Academic Freedom.
9. When putting an end to the complaint at this stage, the Chair shall inform the Complainant and include the reason(s) and, if applicable, the other option(s) available to the Academic Member.
10. Once the complaint has been deemed admissible, the Chair, in consultation with the Academic Freedom Committee, shall normally strike a sub-committee. The composition of the sub-committee shall be chosen from the members of the Academic Freedom

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Committee with consideration given to the nature of the complaint and to the appropriate representation of the Academic Freedom Committee membership.

11. The sub-committee shall be convened in order to review the matter, and [sections 1 to 4](#) of these Procedures shall apply.
12. Following an initial review, if the sub-committee considers the complaint inadmissible for the reasons described in [section 7](#) or otherwise, it may recommend to the Academic Freedom Committee to discontinue any further analysis of the complaint. Upon the recommendation of the sub-committee, the Academic Freedom Committee may elect to discontinue the examination of the complaint.
13. When putting an end to the complaint at this stage, the Chair shall inform the Complainant and Respondent and the Respondent's employee Union or Association, if applicable. When applicable, the reason(s) as well as the other option(s) available shall be presented to the Academic Member.
14. The Academic Freedom Committee and its sub-committee do not constitute a tribunal and do not hold hearings in order to assess the merits of a complaint. The examination of a complaint by the Academic Freedom Committee or its sub-committee shall not involve a re-investigation of a matter that has been investigated by the University or on behalf of the University, whether pursuant to another University policy or process, or otherwise.
15. The sub-committee may base its conclusions and appropriate recommendations, if any, upon the complaint, the Respondent's written observations and may consult any other relevant source, information or documentation.
16. If the sub-committee considers that a further inquiry is required, it submits its recommendation to the Academic Freedom Committee. Upon consultation with the Academic Freedom Committee, the Chair may request additional information from relevant parties, individuals or units.
17. In the event the sub-committee concludes that the complaint constitutes a violation of Academic Freedom, it informs the Academic Freedom Committee of its conclusion in a reasoned report. The Chair, in consultation with the Academic Freedom Committee, shall

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decide on the appropriate measures to remedy the violation based upon the conclusions and recommendations of the sub-committee.

18. The Chair, in consultation with the Academic Freedom Committee, may recommend appropriate measures to remedy the violation of Academic Freedom, the whole subject to relevant collective or employee agreements or University policies.
19. The Chair shall notify the Complainant and the Respondent, and the Respondent's employee Union or Association, if applicable, of the outcome of the decision and any action that may be taken as a result of the complaint.

Approved by Senate on May 19, 2023.