



Mandate

The Vice-President & Provost and Vice-President, People Strategy, Equity, and Culture struck an Advisory Group to examine potential protections for professional staff leading professional experiential clinics, whose positions may require them to work on contentious issues that arouse controversy, and to examine whether additional supports or protections may be needed.

The Advisory Group was specifically tasked to:

- Consult with members of the University community regarding professional experiential instruction and supervision of students, and situations where potential additional protections may be required.
- Identify PM positions at the University that require professional designations and that lead professional experiential activities for students, where such roles might require additional job protections.
- Identify programs in which these roles are situated both within the University and in other research-intensive universities, and assess the models used to supervise such programs including structure, advisory committees, direction, mandate and academic rationales, and protections for professional staff.
- Assess the job descriptions for these roles to better articulate criteria for oversight, and review appropriateness of current job structures.
- Consider how the PM staff members' standards of professional practice can best be upheld within the structures of these programs.
- Review the University's existing practices, processes, and policies to determine whether the existing policy framework is appropriate with regard to job protections for these roles, and whether changes or additional policies and processes may be required to support those whose positions require them to take on controversial and unpopular topics.

For an outline of the issue and the University commitment to this review, see Appendix A.

Overview of Advisory Committee Activities

The Advisory Committee began its work by conducting a comprehensive internal and external scan. Internally, all existing Professional/Managerial positions were reviewed to identify those leading clinical or experiential learning opportunities. These position descriptions were then carefully reviewed to identify the subset where a professional credential was a requirement of the position.

Externally, the Advisory Committee looked at the various forms of protection provided to administrative staff in comparable Canadian and American post-secondary institutions, as well as information regarding Program Directors in experiential learning in Ontario-based Law Schools. The findings of the position assessment and environmental scans are attached as Appendix D. On the basis of this scan, the Advisory Committee concluded that existing practice is highly uneven. In some cases, academic freedom is extended explicitly to staff – sometimes with additional qualification articulated – while in others, staff are excluded from such protections.

The Advisory Committee discussed the applicability of various models of academic freedom to professional staff at other institutions and assessed these models against the environmental scans to determine whether the existing policy framework at the University of Toronto provided sufficient protections for the positions under review.

Concurrent with this assessment, the Acting Vice-President and Provost and the Vice-President, People Strategy, Equity, and Culture sought input from the University community through a Call for Submissions, as well as direct consultation with Faculties to which the identified positions belonged (i.e., the Faculty of Law and the Factor-Inwentash Faculty of Social Work).

The information provided in the submissions, as well as that obtained in the direct consultations, helped to inform the recommendations made by the Advisory Committee.

Recommendations

Advisory Group on Professional/Managerial (PM) Staff Roles Administering Professional Experiential Education Programs recommends that the University:

1. **Reaffirm that all members of the University of Toronto enjoy freedom of speech as outlined in the *Statement on Freedom of Speech*, which states:**

”... all members of the University must have as a prerequisite freedom of speech and expression, which means the right to examine, question, investigate, speculate, and comment on any issue without reference to prescribed doctrine, as well as the right to criticize the University and society at large. [...] The existence of an institution where unorthodox ideas, alternative modes of thinking and living, and radical prescriptions for social ills can be debated contributes immensely to social and political change and the advancement of human rights both inside and outside the University. Often this debate may generate controversy and disputes among members of the University and of the wider community. In such cases, the

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University's primary obligation is to protect the free speech of all involved. The University must allow the fullest range of debate. It should not limit that debate by preordaining conclusions, or punishing or inhibiting the reasonable exercise of free speech..."

2. **Clarify the general distinction between academic administrators (i.e., faculty members serving in administrative roles) and administrators (Professional/Managerial staff), a small number of whom directly support academic functions.**

The Advisory Committee noted that the term "administrator" was applied to individuals in different roles and in different employment categories and did at times cause confusion in terms of their fundamental relationships with the institution. Where a faculty member also holds an administrative appointment, the faculty member continues to be bound by the Memorandum of Agreement (MOA) between the University and the University of Toronto Faculty Association (UTFA).

Article 5, Academic Freedom and Responsibilities, of the UTFA MOA sets out the academic freedoms extended to faculty members:

"...The parties to this Agreement acknowledge that the University of Toronto is committed to the pursuit of truth, the advancement of learning, and the dissemination of knowledge. To this end, they agree to abide by the principles of academic freedom as expressed in the following statement: academic freedom is the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University of Toronto and society at large. Specifically, and without limiting the above, academic freedom entitles faculty and librarians to:

- a) freedom in carrying out their activities;
- b) freedom in pursuing research and scholarship and in publishing or making public the results thereof; and
- c) freedom from institutional censorship. Academic freedom does not require neutrality on the part of the individual nor does it preclude commitment on the part of the individual. Rather academic freedom makes such commitment possible"

All academic programs at the University are overseen by an individual faculty member or academic advisory committee, including development of the pedagogical framework and strategies.

Professional/Managerial staff that lead clinical or experiential learning opportunities do so within the framework and strategy set out by the faculty member or academic advisory committee. Professional/Managerial staff are also referenced as "administrators" but do not independently inform or develop the pedagogical framework of an academic program.

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3. Extend Academic Freedom to Professional/Managerial staff in roles requiring professional credentials and who lead clinical or experiential learning opportunities.

The Advisory Committee recommends that the University extends additional freedoms to a distinct subset of Professional/Managerial positions. While the institutional statement on Freedom of Speech provides protections to the University community at large, there was a recognition that some positions, by virtue of the academic program(s) they support, engage in contentious issues that may arouse controversy and may be required to advocate on behalf of these issues through the course of performing their duties in a way that most other administrative staff positions do not.

It was also recognized that, for such positions, additional protections should be extended. In this context, academic freedom would entail: the freedom to examine, question, teach, and learn, and it involves the right to investigate, speculate, and comment without reference to prescribed doctrine, as well as the right to criticize the University of Toronto and society at large. Specifically, and without limiting the above, academic freedom entitles those holding such positions to:

- (a) Freedom in carrying out pedagogical activities required of the position which may include research, writing, publishing, advising, presenting, and speaking out on issues related to their pedagogical functions and responsibilities; and
- (b) Freedom from institutional censorship.

4. Expand eligibility to use the existing Problem Resolution mechanisms for applicable staff groups to probationary employees, where the dispute is related to Academic Freedom.

In the event of a dispute related to Academic Freedom, it is recommended that relevant Professional/Managerial staff afforded such protections be entitled to use the process set out in Policy 3.01.08 (Problem Resolution).

Disputes relating to application of, or entitlement to, Academic Freedom, may arise during the probationary period, and the existing language precludes probationary employees from submitting an issue for dispute resolution:

ELIGIBILITY

All non-probationary P/M staff members who hold full or part-time staff appointments with the University including P/M staff members whose complaint pertains to the termination of their employment with the University.

The Advisory Committee recommends that eligibility be expanded to include probationary employees, where the dispute is related to Academic Freedom.

The pre-existing dispute resolution mechanism outlined in the Policy can be applied to resolve issues related to Academic Freedom:

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PROCESS

Professionals/Managers are encouraged to resolve problems through full and open discussion of the problem with their immediate supervisor.

Where discussion with his/her immediate supervisor is not appropriate or fails to resolve the problem, the staff member may discuss the matter with, and if he/she wishes, present a written complaint to:

1. the person to whom the P/M's immediate supervisor reports, and from there may proceed to raise the concern through successively higher levels of management to the division head until resolution is reached; or
2. the Vice-President, Human Resources & Equity¹, or designate if step 1 is not appropriate, for example in the case of employees who report directly to a division head.

If the P/M staff member follows step 1 and is not satisfied with the Division's response, he/she may discuss it directly with the Vice-President, Human Resources & Equity, or designate.

Depending upon the type of issue raised, the University may, in its discretion, investigate further and/or upon the consent of the parties engage in facilitation or mediation.

Further, the Advisory Committee recommends that, where a dispute is related to Academic Freedom, the Vice-President and Provost be eligible to be presented the complaint instead of, or in addition to, the Vice-President, People Strategy, Equity, and Culture.

Appendices

- A. Background
- B. Terms of Reference for the PM Protections Working Group
- C. Working Group Membership and Meeting Schedule
- D. Background Information Prepared by PSEC for the Working Group
 - a. [Policies for Professional/Managerial Staff](#)
 - b. [Memorandum of Agreement between The Governing Council of the University of Toronto and The University of Toronto Faculty Association](#)
 - c. [University of Toronto's Statement on Freedom of Speech](#)
 - d. Environmental scan of external organizations (information note)

¹ Note that effective July 1, 2020, the title of this position is Vice-President, People Strategy, Equity, and Culture. References within existing Policies developed prior to this date will be updated in future.

Appendix A: Background

The [Independent Review of the Search Process for the Directorship of the International Human Rights Program](#) at the University of Toronto, Faculty of Law conducted by the Honourable Thomas A. Cromwell (page 74), and the [President's Response](#) (page 6) outlines the issue and the institutional commitment:

E. PROTECTIONS FOR CLINICAL INSTRUCTORS

I will not engage with the debate about how the principle of academic freedom relates to the employment of professional/managerial staff at the University. I do wish to comment, however, on what to me is a broader, valid point raised by many who were in touch with me. Clinical instructors, especially in human rights and public interest law clinics are literally “in the business” of taking on controversial and unpopular causes. One can think of issues about allegations of human rights abuses or environmental damage committed by Canadian companies abroad, the plight of asylum seekers, or the alleged mistreatment of minority groups by foreign powers. All of these, and many other issues, are likely to be controversial and cause discomfort to some powerful people, groups and institutions. These clinical instructors need courage to fearlessly advance unpopular positions and to advocate on behalf of the powerless. But they deserve to know that the University “has their back” as they do so. I suggest that the University examine the protections for clinical instructors and similar positions whose duties require them to tackle topics likely to arouse controversy and to take steps to ensure that their efforts will be supported so long as they meet the highest professional standards.

On page 6 of his response, President Gertler states:

[I]t would be helpful for the University to examine appropriate forms of protection for professional staff in such positions – whether in the Faculty of Law or elsewhere across the University where similar conditions for professional staff exist. We commit to addressing this issue, recognizing the unique circumstances, including standards of professional practice, that warrant further careful consideration.

Appendix B: Terms of Reference

Terms of Reference

The Vice-President & Provost and Vice-President, People Strategy, Equity, and Culture are composing an advisory group to examine protections for Professional/Managerial staff with professional credentials who lead clinical or experiential learning opportunities and whose duties require them to tackle topics likely to arouse controversy. The creation of this advisory group is further to recommendations of the [Cromwell Report](#) and the [Presidential response](#), both of which were released at the end of March 2021.

The Advisory Group on Professional/Managerial (PM) Staff Roles Administering Professional Experiential Education Programs will:

- Consult with members of the University community regarding professional experiential instruction and supervision of students, and situations where potential additional protections may be required.
- Identify PM positions at the University that require professional designations and that lead professional experiential activities for students, where such roles might require additional job protections.
- Identify programs in which these roles are situated both within the University and in other research-intensive universities and assess the models used to supervise such programs including structure, advisory committees, direction, mandate and academic rationales, and protections for professional staff.
- Assess the job descriptions for these roles to better articulate criteria for oversight, and review appropriateness of current job structures.
- Consider how the PM staff members' standards of professional practice can best be upheld within the structures of these programs.
- Review the University's existing practices, processes, and policies to determine whether the existing policy framework is appropriate with regards to job protections for these roles, and whether changes or additional policies and processes may be required to support those whose positions require them to take on controversial and unpopular topics.

The Advisory Group will be co-chaired by Vice-President Kelly Hannah-Moffat and Acting Provost Trevor Young, and will include faculty and staff representatives from academic and shared service units. The Advisory Group will present recommendations by October 31, 2021.

Appendix C: Working Group Membership and Meeting Schedule

Membership:

- **Trevor Young**, co-chair, Acting Vice-President & Provost
- **Kelly Hannah-Moffat**, co-chair, Vice-President, People Strategy, Equity & Culture
- **Heather Boon**, Vice-Provost, Faculty & Academic Life
- **Susan McCahan**, Vice-Provost, Academic Programs and Vice-Provost, Innovations in Undergraduate Education
- **Mayo Moran**, Professor of Law, University of Toronto and Provost and Vice-Chancellor of Trinity College, University of Toronto
- **Lisa Dolovich**, Professor of Pharmacy and Dean, Leslie Dan Faculty of Pharmacy
- **Lin Fang**, Associate Professor & PhD Program Director Factor-Inwentash Chair in Children's Mental Health
- **Ariana Bradford**, Executive Director, Munk School of Global Affairs and Public Policy
- **Erin Jackson**, Chief Human Resources Office, Division of People Strategy, Equity & Culture
- **Heather Kelly**, Executive Director, Student Life Programs & Services

Assessors and Committee Support:

- **Cherilyn Nobleza**, Executive Director, HR Transformation & Analytics
- **Andrea Russell**, Director, Academic Affairs

Meeting Schedule:

- July 20, 2021
- September 10, 2021
- September 20, 2021

Appendix D: Background Information Prepared by PSEC for the Working Group

Policy Framework

- a. [Policies for Professional/Managerial Staff](#)
- b. [Memorandum of Agreement between The Governing Council of the University of Toronto and The University of Toronto Faculty Association](#)
- c. [University of Toronto's Statement on Freedom of Speech](#)
- d. Environmental scan of external organizations (information note)

Information Note

Subject: Academic Protections for PM Staff Background Information

For: Working Group on PM Protections at the University of Toronto

Date: July 30, 2021

Purpose

To provide the Academic Protections for PM Staff Working Group with the following information:

1. Environmental scan of Academic Freedom policies and practices at other Canadian Universities;
2. Environmental scan of Academic Freedom policies and practices at some American Universities;
3. Environmental scan of Program Directors in Experiential Learning in Ontario-based Law Schools; and,
4. Scan of Professional Managerial job descriptions that have clinical, or experiential learning duties, as well as require a professional designation.

1. Environmental Scan of Academic Freedom Policies and Practices at other Canadian Universities

- The University of Toronto does not extend Academic Freedom beyond Faculty, and it does not have a Policy on Academic Freedom.
 - Academic Freedom is established within the University of Toronto Faculty Association Memorandum of Understanding.
- An environmental scan of twelve Canadian Universities found the following four to extend Academic Freedoms, with some qualification in certain instances:
 - University of British Columbia – extends Academic Freedoms to regular members, as well as “to all who are invited to participate in its forum.”
 - McMaster University – extends to “those who are invited by Faculty to participate in its academic fora.”
 - University of Waterloo – extends to the entire University community, but not as robustly as for Faculty.
 - University of Ottawa – extends to employees “as long as said behaviours have academic substance”.

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- Additionally, a scan of eleven University Law, Business, and Public Policy Programs showed no additional professional or academic freedoms extended within these schools outside of what the University as a whole extends (Bora Laskin Faculty of Law, Osgood Hall Law School, Queen’s Faculty of Law, Sauder School of Business, Smith School of Business, Desautels Faculty of Management, Alberta School of Business, Schulich School of Business, Max Bell School of Public Policy, UBC School of Public Policy, and the Simon Fraser School of Public Policy).
- Additional details, as well as links to the University policies listed above can be found in Appendix A.

2. Environmental scan of Academic Freedom policies and practices at some American Universities

- An environmental scan of American Universities found the following to extend Academic Freedoms:
 - Harvard, Yale, Princeton – extend Academic Freedoms through their policies on Freedom of Expression. Their definition of Academic Freedoms rest on their broader University wide policies on Freedom of Expression.
 - Arizona State, University of Wisconsin - extend Academic Freedoms directly.
- Additional details, as well as links to the American University policies listed above can be found in Appendix B.

3. Environmental Scan of Credentials of Program Directors in Experiential Learning in Ontario-based Law Schools (i.e. structural scan)

- An environmental scan of Experiential Learning in Ontario-based Law schools was conducted and information pertaining to the following schools has been collected:
 - Bora Laskin Law – Lakehead University
 - Queen’s University Faculty of Law
 - Osgoode Hall Law School
- Lakehead University’s Student Legal Clinic provides students with an opportunity to work with experience legal staff, these staff do not appear to be Faculty. The program notes, “Second and third year Law Students have the opportunity work in the clinic, under the direct supervision of our experienced staff lawyers (Review Counsel), for academic credit”.
- Osgoode Hall Law School has numerous programs that are clinical in nature, of the Program Directors, some Directors are listed as Adjunct Professors; these individuals seem to be working professionals that have been given Adjunct status.
 - All other Program Directors are York University Faculty members.
- Queen’s University’s Faculty of Law includes experiential learning in five pro-bono clinics.
 - Within these clinics three of the five directors are staff, and two of the Directors are staff as well as sessional instructors.

4. Scan of Professional Managerial Job Descriptions

- HR & Equity has conducted a review of internal, Professional Managerial Job Descriptions to determine what roles:
 - Require a professional designation; and,
 - Are involved in clinical, or experiential education.

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Appendices

- Appendix A – Table of Academic Freedoms Scan for Canadian Universities
- Appendix B – Table of Academic Freedoms Scan for American Universities
- Appendix C – Scan of Experiential Learning in Canadian Law Schools

Appendix A – Environmental Scan of Canadian Universities

[The Academic Freedom Language of CAUT Member Associations](#) (2017 booklet) specifies the Academic Freedom language that is published in CAUT members’ Policies, Collective Agreements and other documents.

University	Academic Freedoms are Extended Beyond Faculty to Include Staff?	Applicable Language
University of British Columbia	Yes - all	Academic freedom applies to “ <i>the regular members of the University</i> ” as well as “ <i>to all who are invited to participate in its forum.</i> ” This includes the members of the Board of Governors, alumni, adjuncts, those granted honorary degrees, as well as students, faculty and staff—full-time or part-time.
McMaster University	Yes – “all who are invited by faculty to participate in its academic fora”	The University’s faculty members ¹ enjoy certain rights and privileges. This freedom extends not only to members of the University faculty, but to all who are invited by faculty to participate in its academic fora. ¹ University faculty members are defined as those current or retired academic staff who are/were covered by the terms and conditions of the McMaster University Revised Policy And Regulations With Respect To Academic Appointment, Tenure And Promotion.
University of Waterloo	Yes – all but not with the same robust protections as Faculty	Waterloo extends academic freedom to the whole university community , recognizing that not only faculty perform the scholarly work of the institution. That said, the policy that covers this doesn't afford everyone the same robust individual protections as FAUW’s Memorandum of Agreement with UW does for faculty.
McGill University	No – “scholarly members”	The scholarly members of the university have the freedom to conduct research and disseminate its results, through teaching, publication, exhibition and performance, without being constrained by political or disciplinary orthodoxies, monetary incentives or

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University	Academic Freedoms are Extended Beyond Faculty to Include Staff?	Applicable Language
		punitive measures as a result of their academic pursuits.
Queen's University	No	Freedom of faculty members to study, to teach and to record knowledge according to their best judgement is necessary if a university is to fulfil its role in society. Accordingly, academic freedom is the right of every faculty member from the time each is first appointed.
Western University	No	Academic freedom provides a university community with the protection that must accompany independent research and the publication of its results. Academics frequently express ideas that are at odds with other views within the university [...] [...] Faculty members have the responsibility to make a balanced presentation of controversial issues.
York University	No – references employee but the language is within the Faculty Collective Agreement	Academic freedom includes the freedom of an employee to examine, question, teach, and learn; to disseminate his/her opinion(s) on any questions related to his/her teaching, professional activities, and research both inside and outside the classroom (Article 10: Academic Freedom, York University Faculty Association Collective Agreement)
University of Ottawa	Yes – under certain circumstances	The Employer accepts its responsibilities to Employees in upholding their rights to academic freedom in performance of their duties as long as said behaviours have academic substance, are pertinent to each work assignment and are subject to the reasonable direction of and agreement with the Supervisor. In the exercise of academic freedom, Employees shall discharge their responsibilities in accordance with the rightful expectations of the Employer and, in teaching functions, with the needs of the students. The claim of academic freedom shall not excuse Employees from meeting their duties and responsibilities as set out in the Collective Agreement, their individual contracts, and the instructions of their Supervisor. (Article 21: Academic Freedom, CUPE, Local 2626 Collective Agreement)

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University	Academic Freedoms are Extended Beyond Faculty to Include Staff?	Applicable Language
Dalhousie University	No – specific to Faculty	<p>Academic freedom, as appropriate to the Member’s university appointment, implies protection of Members by the Board and the Association from pressure intended to hinder or prevent them pursuing their scholarly and research interests and communicating the results thereof to students, colleagues, and the community at large.</p> <p>(Article 3: Academic Freedom, Dalhousie Faculty Association Collective Agreement)</p>
University of Alberta	No – specific to academic staff	<p>Academic freedom is a professional term applicable to scholars. At the University of Alberta, academic freedom is part of the collective academic agreement.</p> <p>(Freedom of Expression FAQs - What is the relationship between free expression and academic freedom?)</p> <p>Academic Freedom is essential to the University of Alberta’s commitment to the pursuit of truth, the advancement of learning, and the dissemination of knowledge through teaching, research and other scholarly and creative activities and service. Each Staff Member is expected to engage in these endeavours, or to support the engagement of these endeavours. The parties to the Agreement agree to uphold and protect the principles and practices of Academic Freedom.</p> <p>(Article 3: Academic Freedom, Collective Agreement between the Governors of the University of Alberta and The Association of the Academic Staff of the University of Alberta)</p>
Athabasca University	*Professional Freedoms*	<p>Each Professional Staff Member must be free to pursue excellence in the professional’s field of competence, must be encouraged to contribute to the intellectual life of the University community, and must be encouraged to contribute to the intellectual life of the professional groups to which the Professional Staff Member belongs.</p>

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University	Academic Freedoms are Extended Beyond Faculty to Include Staff?	Applicable Language
		(Article 11: Academic and Professional Freedom, AUFA Collective Agreement)
Northern Ontario School of Medicine (NOSM)	*Professional Freedoms*	<p>ARTICLE 1.21 - Professional Freedom</p> <p>Each Professional Staff Member (Learner Affairs Officers, Instructional Designers and Database Administrators) must be free to pursue excellence in the professional's field of competence, must be encouraged to contribute to the intellectual life of the School and University communities, and must be encouraged to contribute to the intellectual life of the professional groups to which the Professional Staff Member belongs.</p> <p>ARTICLE 1.3 - Academic Freedom</p> <p>[...] This freedom extends to Members and to all who are invited to participate in its activities.</p> <p>(OPSEU NOSM Local 677, Unit 1, Academic & Professional Staff Unit, Collective Agreement)</p>

Appendix B - Environmental Scan of Academic Freedoms in American Universities

University	Academic Freedoms are Extended Beyond Faculty to include Staff?	Applicable Language
Harvard	Yes - "University Community"	<p>The central functions of an academic community are learning, teaching, research and scholarship. By accepting membership in the University, an individual joins a community ideally characterized by free expression, free inquiry, intellectual honesty, respect for the dignity of others, and openness to constructive change.</p> <p>All members of the University have the right to press for action on matters of concern by any appropriate means. The University must affirm, assure and protect the rights of its members to</p>

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University	Academic Freedoms are Extended Beyond Faculty to include Staff?	Applicable Language
		organize and join political associations, convene and conduct public meetings, publicly demonstrate and picket in orderly fashion, advocate and publicize opinion by print, sign, and voice.
Yale	Yes - “members Of University	<p>The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that a university must do everything possible to ensure within it the fullest degree of intellectual freedom.</p> <p>Members of this University have freely associated themselves with Yale and in doing so have affirmed their commitment to a philosophy of mutual tolerance and respect</p> <p>It is also a violation of these principles and of the University’s rules of conduct for any member of the faculty, staff, or student body to prevent the orderly conduct of a University function or activity, such as a lecture, meeting, interview, ceremony, or other public event.</p> <p>It is similarly a violation of these principles to block the legitimate activity of any person on the Yale campus or in any Yale building or facility</p>
Princeton	Yes - “All members of university community.”	Because the University is committed to free and open inquiry in all matters, it guarantees all members of the University community the broadest possible latitude to speak, write, listen, challenge, and learn. Except insofar as limitations on that freedom are necessary to the functioning of the University, Princeton University fully respects and supports the freedom of all members of the University community “to discuss any problem that presents itself.”
Arizona State University	Yes - “ every faculty member, academic professional, and other employees and students”	<p>Academic freedom is the right of every faculty member, academic professional, and other employees and students while engaged in teaching and/or research.</p> <ol style="list-style-type: none"> 1. Freedom in research and in the publication of results.

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University	Academic Freedoms are Extended Beyond Faculty to include Staff?	Applicable Language
		<ol style="list-style-type: none"> 2. Freedom in teaching to discuss a field of competence without restrictions on content or method. 3. Freedom as a private citizen to speak out on public issues. 4. Freedom to be judged by one’s colleagues, in accordance with fair procedures, in matters of promotion, tenure/continuing appointment, and discipline, on the basis of the faculty member’s or academic professional’s professional qualifications and professional conduct.
The University of Wisconsin	Yes - “this policy applies to all UW system students, employees, and visitors”	<p>This policy applies to all UW System students, employees, and visitors</p> <p>Academic freedom includes the freedom to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one’s own scholarly discernment. Freedom of expression includes the right to discuss and present scholarly opinions and conclusions on all matters both in and outside the classroom. (Wisconsin highlights a distinction between Academic Freedom and Freedom of Expression)</p>
University of Washington (Seattle)	No - “Faculty members”	<p>Faculty members have the right to academic freedom and the right to examine and communicate ideas by any lawful means even should such activities generate hostility or pressure against the faculty member or the University. Their exercise of constitutionally protected freedom of association, assembly, and expression, including participation in political activities, does not constitute a violation of duties to the University, to their profession, or to students and may not result in disciplinary action or adverse merit evaluation.</p>
University of Michigan	No - “Faculty members”	<p>Academic freedom is the liberty that faculty members must have if they are to practice their scholarly profession in accordance with the norms of that profession. Academic freedom is most commonly vindicated by individual faculty members but remains first and foremost a professional prerequisite of faculty members as a group.</p>

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University	Academic Freedoms are Extended Beyond Faculty to include Staff?	Applicable Language
Ohio State University	No – “Faculty members”	The Ohio State University endorses full academic freedom as essential to attain the goal of the free search for truth and its free exposition. The principal elements of academic freedom also include responsibilities for faculty to endorse full academic freedom.
University of Florida	No – “Faculty and student body”	The University believes that academic freedom and responsibility are essential to the full development of a true university and apply to teaching, research, and creativity . In the development of knowledge, research endeavors, and creative activities, the faculty and student body must be free to cultivate a spirit of inquiry and scholarly criticism and to examine ideas in an atmosphere of freedom and confidence. [...] (2) Academic freedom is accompanied by the corresponding responsibility to: a. Be forthright and honest in the pursuit and communication of scientific and scholarly knowledge;
University of North Carolina	No - “Faculty members and students”	The University of North Carolina is dedicated to the transmission and advancement of knowledge and understanding. Academic freedom is essential to the achievement of these purposes. The University therefore supports and encourages freedom of inquiry for faculty members and students , to the end that they may responsibly pursue these goals through teaching, learning, research, discussion, and publication, free from internal or external restraints that would unreasonably restrict their academic endeavors.
University of California	No - “Faculty and students”	The University also seeks to foster in its students a mature independence of mind, and this purpose cannot be achieved unless students and faculty are free within the classroom to express the widest range of viewpoints in accord with the standards of scholarly inquiry and professional ethics . The principles of academic freedom protect freedom of inquiry and research, freedom of

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University	Academic Freedoms are Extended Beyond Faculty to include Staff?	Applicable Language
		<p>teaching, and freedom of expression and publication. Members of the faculty are entitled as University employees to the full protections of the Constitution of the United States and of the Constitution of the State of California.</p>
<p>New York University</p>	<p>No - "Teachers"</p>	<p>Teachers are entitled to full freedom in research and in the publication of the results, subject to the adequate performance of their other academic duties, but outside occupations and research for pecuniary gain, except in the case of sporadic and wholly unrelated engagements, should be based upon an understanding with the administration of the University.</p>

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Appendix C – Environmental Scan of Program Directors in Experiential Learning Programs in Law Schools in Canada

Law Schools - Experiential Learning

1. [Lakehead University - Bora Laskin Faculty of Law](#)

Lakehead University Community Legal Services is a **student legal clinic**. The **program is supervised by experienced lawyers** who teach students the day-to-day skills necessary to practice law in small towns and in small firm settings.

“Our **legal clinic** responds to the legal needs of clients across the region and **provides important experiential learning opportunities** for our students, including the chance to work with Indigenous clients and develop cultural competence skills.”

“One of our main goals at Community Legal Services is to provide a practical clinical education program for our Law Students. Second and third year Law Students have the opportunity work in the clinic, under the **direct supervision of our experienced staff lawyers (Review Counsel)**, for academic credit. Students have full carriage of files. Their work in the clinic allows them to gain valuable experience interviewing clients, drafting legal documents, negotiating with opposing parties, and conducting motions, hearings and trials.”

Legal Clinic Personnel:

- Director, Community Legal Services: [Rodi-Lynn Rusnick-Kinisky](#)
- Review Counsel, Community Legal Services: [Joanna Goldenberg](#)
- Review Counsel, Community Legal Services: [Amy Parker](#)

2. [York University - Osgoode Hall Law School](#)

“Experiential learning is embedded in our curriculum and our overall approach to preparing you for a future career. You can choose from a wide range of opportunities, including in-depth clinical programs, skills-based praxicum courses, and internships in Canada and abroad. All deepen your practical knowledge as you tackle issues in the public, private and non-profit sectors.”

Osgoode offers a variety of [clinical and intensive](#) programs. Below are some of the programs:

(a) [Feminist Advocacy: Ending Violence Against Women Clinical Program](#)

Program Directors:

- [Professor Janet Mosher](#)
- [Adjunct Professor Deepa Mattoo](#)

(b) [Intensive Program in Criminal Law](#)

Program Directors:

- [Adjunct Professor Jonathan Rosenthal](#)
- [Justice Enzo Rondinelli](#)

(c) [Osgoode Business Clinic](#)

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Program Director:

- [Professor Stephanie Ben-Ishai](#)

3. [Queen's University - Law Clinics](#)

“Queen’s **Law Clinics** contains [five individual pro bono clinics](#). Each of these clinics provide students with **experiential learning** opportunities while instilling them with the values of community service and the pro bono tradition. Students work in the clinics for course credit, as paid summer workers, and as volunteers.”

(a) [Family Law Clinic](#)

Personnel:

- Executive Director, Queen's Law Clinics and Director, Family Law Clinic: [Karla McGrath](#) (sessional instructor, staff)

(b) [Legal Aid Clinic](#)

Personnel:

- Director: Blair Crew (staff)
- Review Counsel, Queen's Legal Aid and Queen's Family Law Clinic: Jane Mundy (staff)

(c) [Prison Law Clinic](#)

Personnel:

- Director, Queen's Prison Law Clinic: [Kathy Ferreira](#) (staff)

(d) [Elder Law Clinic](#)

Personnel:

- Director, Blair Hicks (staff)

(e) [Business Clinic](#)

Personnel:

- Director, Tomilola Adebisi (sessional instructor/staff)