

# Academic Inquiry and Academic Freedom of Speech Policy

## 1. Purpose and Scope

- 1.1 The Academic Inquiry and Academic Freedom of Speech Policy specifies the principles guiding the protection and promotion of academic inquiry and academic freedom of speech, which includes the rights of students and academic staff to critical inquiry, scholarly engagement, publication, and public discourse.
- 1.2 This policy provides a framework for students and academic and non-academic staff to engage in independent thought, free expression of opinions, and open and rigorous intellectual debate within and outside AIAT without fear of discrimination, victimisation, penalty or censorship.
- 1.3 This policy should be read in conjunction with the Student Code of Conduct and Staff Code of Conduct.
  - 1.3.1 Students must agree to abide by all the Student Code of Conduct and all applicable AIAT policies and procedures through signing a declaration on their Acceptance of Offer.
  - 1.3.2 Staff must agree to abide by Staff Code of Conduct and all AIAT policies and procedures through signing their
- 1.4 This policy applies to all domestic and international students and academic and non-academic staff.

## 2. Definitions

Refer to *Glossary of Terms*.

## 3. Policy Statement

- 3.1 AIAT is committed to promoting and supporting a learning and working environment respectful of academic inquiry and academic freedom of speech for all students and academic and non-academic staff.
- 3.2 AIAT takes active steps to develop and maintain an institutional culture which upholds free speech and independent academic inquiry.
- 3.3 Students and staff are encouraged to participate in the governance of AIAT and express their opinions about the operation of AIAT.

## 4. Policy Principles

- 4.1 Students and academic staff have the right to open inquiry, critique, publication and association.

- 4.2 AIAT recognises the importance of challenging accepted ideas, encouraging vigorous debate, and supporting the development and testing of theories. Its academic staff therefore have the right and duty to exercise their own professional judgment in engaging in teaching and research, and to disseminate the results of that research, without undue interference from any other party provided that the rights of other parties are respected and there is no breach of any relevant legislation.
- 4.3 In particular, academic staff have the right to:
  - 4.3.1 undertake scholarship that informs their teaching and conduct research that leads to the creation of new knowledge and original creative endeavour;
  - 4.3.2 participate in determining the treatment of intellectual and practical issues in the subjects they teach, to provide a balanced presentation that enhances student learning; and
  - 4.3.3 to be forthright in the respectful expression of informed views and to be able to express these views free from undue institutional constraint.
- 4.4 As members of a community of scholars, students are encouraged to develop a capacity for critical judgment and sustained and independent search for truth.
- 4.5 Students have the right to academic freedom of speech and they should be encouraged to examine and discuss all questions of interest to them, and express opinions publicly as well as privately.
- 4.6 Inquiry should be conducted with due consideration for ethical concerns, including disclosure of conflicts of interest and sponsorship or funding.
- 4.7 Academic freedom of speech provides students and staff with the right to express their views freely, but on the condition that the views expressed:
  - 4.7.1 are consistent with the rights and freedoms of others; and
  - 4.7.2 comply with relevant South Australian and Commonwealth laws.
- 4.8 Academic freedom of speech and of academic inquiry does not protect academic staff or students from disciplinary action and prosecution for unlawful activities.
- 4.9 The principles of natural justice apply where the expression of views by students or staff are being reviewed by AIAT as being potentially inappropriate and in breach of this policy.
- 4.10 Breaches of academic inquiry and academic freedom of speech are dealt with under Student General Misconduct Procedure, Student Academic Misconduct Procedure or Staff Performance Policy.

## 5. Roles and responsibilities

- 5.1 The Board of Directors governs the affairs of AIAT in a manner that protects and promotes the principles of free academic inquiry and academic freedom of speech.

## 5.2 The Academic Board:

- 5.2.1 approves the values, principles and standards underpinning the desired academic culture;
- 5.2.2 promotes and monitors quality, standards and values of AIAT's academic activities;
- 5.2.3 receives Academic Inquiry and Academic Freedom of Speech report which incorporate information about ethical conduct and responsible practice in learning, teaching and scholarship at AIAT.

## 5.3 The Learning and Teaching Committee is responsible for:

- 5.3.1 implementing, monitoring, and making recommendations for improvement relating to strategies for the protection and promotion of independent academic inquiry and academic freedom of speech;
- 5.3.2 ensuring that AIAT's policies, procedures and processes do not interfere with the right to academic inquiry and academic freedom of speech;
- 5.3.3 ensuring that learning resources and support to students are adequate to develop and maintain their capacity for independent learning and inquiry; and
- 5.3.4 providing an annual report to the Academic Board on Academic Inquiry and Academic Freedom of Speech.

## 5.4 The Head of Institute is responsible for

- 5.4.1 the overall management of staff activities in regard to academic inquiry and academic freedom of speech;
- 5.4.2 determining if events with guest lecturers or invited speakers and other uses of AIAT's facilities conform to this policy; and
- 5.4.3 ensuring that the principles of procedural fairness are upheld when reviewing incidents and allegations relating to academic inquiry and academic freedom of speech.

## 5.5 The Director, Learning and Teaching is responsible for:

- 5.5.1 coordinating and reporting on the implementation of approved strategies;
- 5.5.2 ensuring that student orientation and academic and non-academic staff induction include a module on academic inquiry and academic freedom of speech; and
- 5.5.3 ensuring that regular reminders are issued to students regarding this policy.

## 5.6 Students are responsible for:

- 5.6.1 approaching academic matters in an open, respectful, and balanced manner;
- 5.6.2 ensuring that their behaviour and conduct always reflect the standards of AIAT's Student Code of Conduct and the principles of academic inquiry and academic freedom of speech;
- 5.6.3 following all reasonable directions issued by AIAT staff to maintain a safe and diverse learning and working environment.

## 5.7 Academic and non-academic staff are responsible for:

- 5.7.1 approaching academic matters in an open, respectful, and balanced manner;

- 5.7.2 ensuring that their behaviour and conduct always reflect the standards of AIAT's Staff Code of Conduct and the principles of academic inquiry and academic freedom of speech;
- 5.7.3 not speaking, or appearing to speak, on behalf of AIAT unless expressly authorised to do so;
- 5.7.4 not identifying as, and taking steps not be identified as, AIAT staff when publicly discussing matters which are outside of the scope of their discipline or expertise;
- 5.7.5 following all reasonable directions issued by AIAT to maintain a safe and diverse learning and working environment.

## 6. Policy Details

Institution	Australian Institute of Advanced Technologies (AIAT)
Policy name	Academic Inquiry and Academic Freedom of Speech Policy
Policy Reference No.	POL – 16
Policy Approval	Board of Directors in consultation with Academic Board regarding academic matters
Policy Authority	Academic Board
Responsible Officer	Learning and Teaching Committee
Governance Reference Threshold Standards	HESF 2021: 6.1.4
Related Documents	<p>Conflict of Interest Policy</p> <p>Discrimination, Bullying and Harassment Prevention Policy</p> <p>AIAT Governance Charter</p> <p>Intellectual Property Policy</p> <p>Privacy Policy</p> <p>Scholarship Policy</p> <p>Staff Code of Conduct</p> <p>Staff Performance Policy</p> <p>Student Code of Conduct</p> <p>Student Complaints and Appeals Policy</p> <p>Student Academic Misconduct Procedure</p> <p>Student General Misconduct Procedure</p>
Related Legislation	<p>Australian Human Rights Commission Act (1986)</p> <p>Higher Education Standards Framework (Threshold Standards) 2021 (HESF)</p> <p>Human Rights and Equal Opportunity Commission Act 1986 (Cth)</p> <p>Racial Vilification Act 1996 (SA)</p>
References	<p>AIAT has referred and benchmarked with the following institutions and policies during the creation of this policy:</p> <p>AIB Academic Freedom and Free Intellectual Inquiry Policy July 2021</p> <p>IJET, Academic Enquiry and Freedom of Speech Policy, 2021</p>
Date of approval	31 March 2022

Review date	December 2024
Policy Category	Academic

## 6. Document Version Control

Document No	POL - 16	Last Modify Date	Summary of Changes
Version No	1.0	NA	Initial version approved by Board of Directors
	1.01	31/3/2022	Updated relevant legislation
Created Date	March 2022		