

# Academic Freedom Policy

<b>Approving body</b>	Governing Board (GB)
<b>Date approved</b>	21 Mar 2024
<b>Date of effect</b>	Commencement of operation
<b>Next scheduled review</b>	Two years from when policy commence
<b>Policy owner</b>	Academic Dean
<b>Policy contact</b>	Academic Dean
<b>Related Documents</b>	<a href="#">Student Academic Integrity Policy and Procedure</a> <a href="#">Delegations Policy and Schedule</a> <a href="#">Student Equity and Diversity Policy and Procedure</a> <a href="#">Health and Safety Policy and Procedure</a> <a href="#">Human Resources Management Policy and Procedure</a> <a href="#">Intellectual Property Policy and Procedure</a> <a href="#">Quality Assurance Framework</a> <a href="#">Staff Code of Conduct</a> <a href="#">Student Code of Conduct</a> <a href="#">Student Appeals Policy and Procedure</a> Learning and Teaching Plan
<b>Related Legislative and Regulatory Instruments</b>	HESF B1.1 'Institute of Higher Education' Category HESF Standard 6.1.4

## Purpose

1. **Zenith Innovation Institute (Zenith / ZII / the Institute)** recognises the importance of academic freedom and expression and is committed to protecting:
  - (a) the rights of academic staff to critical inquiry, scholarly engagement, publication and public discourse and
  - (b) the rights of students to engage in open and rigorous intellectual debate within and outside the Institute.
2. This Policy defines academic freedom at the Institute and provides guidance for its staff and students.

## Scope

3. This Policy applies to:
  - (a) all students enrolled at the Institute
  - (b) all staff of the Institute whether full-time, part-time, casual or contract
  - (c) all visitors to the Institute, and
  - (d) members of the Institute governing bodies.

## Policy

### Principles

4. For the purposes of this Policy academic freedom comprises the following attributes, identified by Schedule 1 of the *Higher Education Support Act 2003*:
  - (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*

*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”<sup>1</sup>.*
5. The Institute ensures that all academic staff and students can exercise academic freedom (as defined in this Policy) without fear of penalty, censorship, harassment, bullying, intimidation or unfair treatment.

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<sup>1</sup> Higher Education Support Act 2003 accessed 11 March 2024, <https://www.legislation.gov.au/C2004A01234/latest/text>

6. The rights of academic staff and students to exercise academic freedom will be restricted only to the extent that the action or speech:
  - (a) is prohibited by law
  - (b) is a breach of the *Staff Code of Conduct* for academic staff, the *Student Code of Conduct* for students, or the *Advertising and Marketing Policy*
  - (c) interferes with rights and freedoms of expression and intellectual inquiry and
  - (d) prevents the Institute from discharging its responsibilities and activities as an education institution, including its duty to foster the wellbeing of students and staff.
7. The Institute shall take reasonable steps to ensure that any arrangements it enters into with third parties do not impose constraints on the academic freedom of any member of staff or students.
8. The Institute reserves the right to determine the terms and conditions under which it shall permit external visitors to speak and conduct scholarly activity at the Institute and use the Institute facilities. In doing so it will ensure that the principles of academic freedom are upheld. Permission of any visitor to speak may be refused where the content of the speech or scholarly activity is or is likely to contravene the provisions in this Policy.

## Procedures

### Strategies

9. The Institute implements strategies to foster an environment which promotes and respects academic freedom:
  - (a) **Culture:** The Institute ensures a culture of respect of academic freedom through a process of awareness training, benchmarking, and monitoring.
  - (b) **Leadership:** Senior academic staff will demonstrate high levels of commitment to academic freedom in the Institute.
  - (c) **Staff awareness:** Upon commencement, academic staff will be informed of rights to academic freedom and responsibilities in exercising academic freedom.
  - (d) **Student awareness:** Students receive regular communications, including receiving information during orientation on academic freedom, rights and responsibilities.

### Breaches

10. In exercising academic freedom, students and academic staff are expected to behave in accordance with this Policy and the *Student Code of Conduct* and *Staff Code of Conduct*, respectively.
11. A breach of this Policy will be investigated by the Institute, in accordance with the respective codes of conduct. While the inappropriate exercise of academic freedom, or the limiting of another's academic freedom, may lead to disciplinary action, the exercise of academic freedom in itself by staff or students shall not constitute misconduct or attract any penalty.

### Monitoring and improvement

The Governing Board (GB), through the Academic Board (AB), receives a bi-annual report on matters relating to academic freedom, including appeals based on the principles of academic freedom.

12. The Academic Dean will report any serious incident relating to the exercise of academic freedom to the AB for potential referral to the GB.

13. The GB, through the AB, will receive an annual report on academic freedom, including recommendations for improvement of processes and strategies relating to academic freedom.

## Appeals

14. A student may appeal against a decision made under this Policy under the provisions of the *Student Appeals Policy and Procedure*.
15. An academic staff member may lodge a grievance in relation to this Policy under the grievance provisions in the *Human Resources Management Policy and Procedure*.

## Responsibilities

16. The GB and AB are responsible for oversight in ensuring all activities of the Institute reflect the principles of academic freedom.
17. All students are responsible for:
  - (a) personal behaviour and conduct that always reflects the standards of the Institute's *Student Code of Conduct* and the principles of academic freedom and
  - (b) following reasonable and proportionate directions from the Institute as necessary to safeguard the health, wellbeing and safety of other students and staff of the Institute and to enable the Institute to carry out its mission.
18. All staff are responsible for:
  - (a) personal behaviour and conduct that always reflects the standards of the Institute's *Staff Code of Conduct* and the principles of academic freedom and
  - (b) following reasonable and proportionate directions from the Institute to safeguard the health, wellbeing and safety of students and staff of the Institute and to enable the Institute to carry out its mission.
19. The Chief Executive Officer (CEO) is responsible for:
  - (a) on behalf of the GB, ensuring all activities of the Institute reflect the principles of academic freedom
  - (b) reviewing the Institute policies and processes, including delegations of authority, to confirm that they enable and do not interfere with, the exercise of academic freedom and
  - (c) implementing the strategies to safeguard and promote academic freedom at the Institute.
20. Course Coordinators are responsible for:
  - (a) reviewing and assessing if events with invited speakers, lecturers or researchers or the use of facilities for events relating to the respective course conform to this Policy.

## Definitions

For the purposes of this Policy and Procedure, the following terms are defined as follows:

Term	Definition
Academic Freedom	<p>Academic freedom comprises the following attributes, identified by Schedule 1 of the <i>Higher Education Support Act 2003</i>:</p> <ul style="list-style-type: none"> <li>(a) <i>‘the freedom of academic staff to teach, discuss, and research and to disseminate and publish the results of their research</i></li> <li>(b) <i>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</i></li> <li>(c) <i>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</i></li> <li>(d) <i>the freedom of academic staff to participate in professional or representative academic bodies</i></li> <li>(e) <i>the freedom of students to participate in student societies and associations</i></li> </ul> <p><i>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’<sup>2</sup>.</i></p>

## Version History

Version	Changes	Approval Body	Approval Date
1.0	New Policy	Governing Board (GB)	21 March 2024

<sup>2</sup> Higher Education Support Act 2003 accessed 11 March 2024, <https://www.legislation.gov.au/C2004A01234/latest/text>