



Freedom of Speech on Campus
Annual Report to the Ontario Government
by the
Higher Education Quality Council of Ontario
December 2022

Introduction

Since January 2019, the Ontario government has required that each of the province's publicly assisted colleges and universities implement a free speech policy that meets a minimum standard prescribed by the Ministry of Colleges and Universities (MCU).

Institutional policies are to be based on the [University of Chicago's Statement on Principles of Free Expression](#). Government asked that institutional policies include the following elements:

- a definition of freedom of speech;
- that universities and colleges should be places for open discussion and free inquiry;
- that the institution should not attempt to shield students from ideas or opinions that they disagree with or find offensive;
- that members of the institution are free to criticize and contest views expressed on campus, but may not interfere with the freedom of others to express their views; and
- that speech that violates the law or constitutes harassment or threat is not allowed.

The policies are also intended to address administrative mechanisms whereby members of the college or university community can raise and resolve free speech issues. Any complaint that remains unresolved through institutional processes can be referred to the Ontario Ombudsman. The Higher Education Quality Council of Ontario (HEQCO) has been tasked by government with an ongoing role to review implementation of the free speech policies. Institutions are instructed to develop, post and submit to HEQCO an annual report on implementation of their free speech policies by September 1 annually.

HEQCO's role in ensuring the success of the government's free speech initiative was summarized in a December 14, 2018 memo by then-Deputy Minister George Zegarac of MCU:

A recent regulatory amendment to O. Reg. 336/06 made under the *Higher Education Quality Council of Ontario Act, 2005* gives HEQCO the function to research and evaluate how free speech is addressed at each postsecondary institution and across the postsecondary sector, as well as provide reports and

recommendations to the Minister on the results of such research and evaluation.

This is our fourth annual report, based on the institutional implementation reports posted across the province.

Annual Implementation Reports

All publicly assisted colleges and universities posted their free speech annual reports in September 2022. Appendix A provides links to the 2022 annual reports on each institution's website.

HEQCO provided a template to support institutions in their reporting efforts (provided in Appendix B). We asked institutions whether they had amended their free speech policy and asked where members of the institutional community could direct any free speech-related questions or complaints. We also asked institutions about their respective policies on holding events with security concerns and to detail examples of events that did not proceed due to security-related issues or costs. Institutions were asked to summarize any free speech complaints and whether or not they were resolved. Institutions also reported on the number of non-curricular events held on campus, with acknowledgement that campus closures and the shift to remote delivery during the COVID-19 pandemic have made that task more difficult. Finally, we invited institutions to use the annual report to provide supporting or contextual information, such as institutional history and culture, with regard to free speech policy and practice.

Highlights from the institutional implementation reports are as follows:

Free Speech Policies

Free speech policies, like all institutional policies, are subject to pre-scheduled review windows, typically of between three and five years. We consider regular review to be a best practice, even if no issues have been raised. In this reporting cycle, one institution made updates to its free speech policy. Appendix C provides links to each institution's policy, as posted on the institutional websites.

Events on Campus and Online

We asked institutions to give us a sense of the volume of non-curricular events (i.e., those not directly attached to an academic program) held at colleges and universities. For the 2022 reporting year, campus closures and the shift to remote activity due to the COVID-19 pandemic continued to impact institutions' ability to hold and count events. Collectively, the institutions reported approximately 35,000 in-person and online events. We know this estimate to be conservative; many institutions lack centralized logging systems to capture such activity across their campus(es), particularly in the online space, and several institutions were unable to provide any estimate due to the exigencies of the pandemic. Clearly, Ontario's postsecondary

institutions host a substantial volume of events aimed at fostering dialogue and discourse for both their internal and external communities.

We asked about cancellations of events due to concerns about safety or the costs of security. No events were cancelled due to security-related financial concerns. Many institutions detailed their risk-management assessment processes to identify and address safety and security risks. We believe formal risk-assessment processes to be a best practice.

Complaints and Issues

Each institutional free speech policy has associated procedures regarding the lodging and resolution of a free speech-related complaint. Two formal complaints were reported across the system during the 2021-22 reporting cycle. These were, to the involved institutions' knowledge and understanding, resolved internally.

The Premier's August 30, 2018 announcement stated that any complaint against an institution that remained unresolved may be reported to the Ontario Ombudsman. No institution reported knowledge of a referral of a free speech complaint to the Ombudsman during the 2021-22 reporting period. It should be noted that under the *Ombudsman Act*, Ombudsman investigations are conducted in private (s. 18(2)). Furthermore, the Ombudsman is obligated to inform the institution only in the event that they decide to proceed with an investigation (s. 18 (1)). On its website, the Ombudsman's office further states, "Complaints are often resolved without need to contact the relevant organization." It is therefore highly likely that an institution would not know if a complaint has been lodged against it with the Ombudsman, or that a complaint could be lodged with the Ombudsman that did not proceed through institutional processes.

Housekeeping Tips

We believe that ongoing review of reporting processes and templates is best practice. We engaged with the sector in spring 2022 to review the reporting template with the dual goals of straightforwardness and consistency and will continue to do so on an annual basis. We are mindful that questions of free speech "on campus" look different in the COVID-19 environment and appreciate the expertise of institutional partners as we navigate this reporting responsibility.

Concluding Observation

It is our conclusion that the ongoing implementation of the free speech initiative across Ontario colleges and universities continues to meet government objectives.

Appendix A: 2022 Freedom of Speech Annual Reports

| UNIVERSITIES | |
|-----------------|---|
| Algoma | https://algomau.ca/wp-content/uploads/2022/09/Algoma-University-Free-Speech-Annual-Report-2022.docx.pdf |
| Brock | https://brocku.ca/free-speech/wp-content/uploads/sites/195/Brock-University-Free-Speech-Annual-Report-2022-.pdf |
| Carleton | https://carleton.ca/senate/wp-content/uploads/CU-Free-Speech-Annual-Report-2022-b-1.pdf |
| Guelph | https://www.uoguelph.ca/freedom-of-expression/doc/Freedom-of-Expression-Annual-Report-2022.pdf |
| Hearst | http://www.uhearst.ca/sites/default/files/downloads/rapport annuel sur la liberte dexpression 2022-23.pdf |
| Lakehead | https://www.lakeheadu.ca/sites/default/files/uploads/108/documents/Lakehead%20University%20-%20Free%20Speech%20Annual%20Report%202022.pdf |
| Laurentian | https://laurentian.ca/assets/files/Policies/Freedom-of-Speech-2022.pdf |
| McMaster | https://president.mcmaster.ca/app/uploads/2022/08/FoE-Annual-Report McMaster August-202296.docx |
| Nipissing | https://www.nipissingu.ca/sites/default/files/2022-08/Free%20Speech%20Annual%20Report%202022.pdf |
| NOSM | https://www.nosm.ca/wp-content/uploads/2022/09/Free-Speech.pdf |
| OCADU | https://www.ocadu.ca/sites/default/files/documents/Free%20Speech%20Annual%20Report%202022 OCAD%20U%20(220830)%20(final).pdf |
| Ottawa | https://www2.uottawa.ca/about-us/sites/g/files/bhrsdk336/files/2022-09/Free%20Speech%20Annual%20Report%202022%20-%20University%20of%20Ottawa_FINAL.pdf |
| Ontario Tech U | https://shared.ontariotechu.ca/shared/uoit/documents/uoit-publications/freedom of expression 2022 report.pdf |
| Queen's | https://www.queensu.ca/secretariat/sites/uslclwww/files/uploaded_files/policies/administration/QueensFreeSpeechAnnualReport2022.pdf |
| TMU | https://www.torontomu.ca/content/dam/freedom-of-speech/tmu-freedom-of-speech-annual-report-2022.pdf |
| Toronto | https://freespeech.utoronto.ca/wp-content/uploads/University-of-Toronto-%E2%80%93-2022-Annual-Freedom-of-Speech-Report.pdf |
| Trent | https://www.trentu.ca/president/sites/trentu.ca.president/files/documents/Trent%20University%20Free%20Speech%20Annual%20Report%202022.docx |
| UOF | https://uontario.ca/fileadmin/user_upload/Rapport 2021-22 Liberte d expression COQES.pdf |
| Waterloo | https://uwaterloo.ca/secretariat/annual-report-re-policy-8-freedom-speech-2022 |
| Western | https://www.provost.uwo.ca/pdf/2022%20FOS%20Report%20Final.pdf |
| Wilfrid Laurier | https://www.wlu.ca/about/discover-laurier/freedom-of-expression/assets/resources/annual-report-on-free-speech-policy-2022.html |
| Windsor | https://www.uwindsor.ca/provost/sites/uwindsor.ca/provost/files/u_of_windsor - free speech annual report 2022 1.pdf |
| York | https://www.yorku.ca/secretariat/wp-content/uploads/sites/107/2022/08/2022-HEQCO-Free-Speech-Report.pdf |

| COLLEGES | |
|---------------|---|
| Algonquin | https://www.algonquincollege.com/reports/files/2022/08/Algonquin-College-Free-Speech-Annual-Report-2022.pdf |
| Boréal | https://www.collegeboreal.ca/static/uploaded/Files/Liberte%20d'expression/College-Boreal--Rapport-annuel-sur-la-liberte-d'expression-2021-2022.pdf |
| Cambrian | https://cambriancollege.ca/wp-content/uploads/2022/08/CambrianCollege_Free-Speech-Annual-Report-2022.Final_.pdf |
| Canadore | https://cdn.agilitycms.com/canadore-college/Attachments/about-us/edocs-downloads/Free%20Speech%20Annual%20Report%202021-2022%20Canadore%20College.pdf |
| Centennial | https://centennialcollege.widen.net/s/lvxkppdcvx/free-speech-annual-report-2022 |
| Conestoga | https://www-assets.conestogac.on.ca/documents/www/about/college-reports/free-speech-report-2022.pdf |
| Confederation | https://www.confederationcollege.ca/sites/default/files/uploads/department/ch1-s1-17_heqco_2022_free_speech_annual_report_confedcollege.pdf |
| Durham | https://durhamcollege.ca/wp-content/uploads/Durham-College-Free-Speech-Annual-Report-2022.pdf |
| Fanshawe | https://public.myfanshawe.ca/Policies/CPM%20College%20Policy%20Document%20Library/Corporate%20Operations%20Policies/free_speech_annual_report_2022%20jq.pdf |
| George Brown | https://www.georgebrown.ca/media/27791/view |
| Georgian | https://www.georgiancollege.ca/wp-content/uploads/campus-safety-services-2022-free-speech-annual-report-georgian-college-2022-08-18.pdf |
| Humber | https://humber.ca/legal-and-risk-management/assets/files/pdfs/general_admission_pdfs/humber-freedom-of-expression-annual-report-2021-2022.pdf |
| La Cité | https://www.collegelacite.ca/documents/10315/30304236/RA-liberte-expression-LaCite_2022-08-22.pdf/22f78bcb-386f-0aa6-d5b7-427cab07ddbdt=1662032439349 |
| Lambton | https://www.lambtoncollege.ca/uploadedFiles/LambtonCollege/Content/About_Us/Our_College/College_Reports_and_Plans/Free%20Speech%20Annual%20Report.pdf |
| Loyalist | https://www.loyalistcollege.com/wp-content/uploads/2022/08/Loyalist-College-Free-Speech-Annual-Report-2022-Website-Version.pdf |
| Mohawk | https://www.mohawkcollege.ca/sites/default/files/Corporate%20Policies%20and%20Procedures/Freedom-of-Speech-Report-Back-to-Government-2022-UA.pdf |
| Niagara | https://www.niagaracollege.ca/wp-content/uploads/Free-Speech-Annual-Report-to-HEQCO-2022.pdf |
| Northern | https://www.northerncollege.ca/documents/admin/reports/Freedom-of-Speech-Annual-Report-2021-2022.pdf |
| Sault | https://www.saultcollege.ca/sault-college-freedom-speech-annual-report |
| Seneca | https://www.senecacollege.ca/about/reports/free-speech/Free-Speech-Annual-Report-2022.pdf |
| Sheridan | https://www.sheridancollege.ca/-/media/project/sheridan/shared/files/about/administration-and-governance/policies-and-accountability/freedom-of-speech/free-speech-report-august-2022.pdf |
| S. S. Fleming | https://flemingcollege.ca/PDF/Policy/Fleming-College-Free-Speech-Annual-Report-2022.pdf |
| St. Clair | https://www.stclaircollege.ca/sites/default/files/inline-files/board-staff/corporate-docs/Free-Speech-Annual-Report-2022.pdf |

St. Lawrence

<https://364599a3-cdn.agilitycms.cloud/Attachments/6-about/reports-policies/reports-and-policies/free-speech/St%20Lawrence%20College%20-%20Free%20Speech%20Annual%20Report%202022.pdf>

Appendix B: Free Speech Annual Reporting Template 2022

Appendix: Freedom of Speech Annual Report Template (2022)

As indicated in the December 14, 2018 and September 12, 2018 memos from the Ministry of Colleges and Universities, each of Ontario's publicly assisted colleges and universities is to prepare an annual report on the implementation of a free speech policy. Please use this template; you may append additional documents or institution-specific information as you see fit.

The institutional Freedom of Speech Annual Report will be a public document and should respect privacy obligations. Please report on events or incidents that took place between **August 1, 2021** and **July 31, 2022**.

The reports are to be posted on the institution's website and submitted to the Higher Education Quality Council of Ontario (HEQCO) by **September 1, 2022**.

We recognize that the ongoing COVID-19 pandemic impacted operations during the period covered by this report. Please reach out to Amy Kaufman, Director of Policy, Research and System Improvement, at HEQCO with any questions.

Please submit your institution's annual report via email to Amy Kaufman (akaufman@heqco.ca).

Section A: Institutional Policy

You may append additional documentation or institution-specific information as you see fit.

Has your institution amended its free speech policy (or policy framework) since the time of your 2021 report? If so, please explain the reason for the change and provide the link to its location on your institutional website.

Where are members of the institutional community (or guests) directed when there is a free speech related question or complaint about an institutional event? Please provide contact information.

What is your institution's policy on holding events where there are security concerns? To your knowledge, were there any instances where a non-curricular event did not proceed due to security concerns or their related costs?

Section B: Complaints

You may append additional documentation or institution-specific information as you see fit.

Between **August 1, 2021** and **July 31, 2022**, did any member of the institutional community (or guests) make an official complaint about free speech? If yes, please provide a general description that protects the privacy of complainants.

If there has been an official complaint (or more than one):

What were the issues under consideration? Please identify any points of contention (e.g., security costs, safety, student unions and/or groups, operational requirements, etc.).

How did the institution manage the free speech complaint(s)? Was the complaint addressed using the procedures set out in the policy? How were issues resolved?

Section C: Summary Data

Please provide the following summary data for free speech-related official complaints received by the institution:

| | |
|--|--|
| Number of official complaints received under the free speech policy relating to curricular and non-curricular events. | |
| Number of official complaints reviewed that did not proceed. | |
| Number of official complaints where the institution determined that the free speech policy was not followed appropriately. | |
| Number of official complaints under the free speech policy that resulted in the institution applying disciplinary or other institutional measures. | |
| To your knowledge, were any free speech complaints forwarded to the Ontario Ombudsman? | |

To the best of your ability, please provide an estimate of the number of **non-curricular events** held at the institution between **August 1, 2021** and **July 31, 2022**. Non-curricular events include, for example, invited speakers, sporting events, rallies, student life/student affairs events, conferences, and so forth, as opposed to regular events held as part of an academic program or course.

** We acknowledge the difficulty of tracking events held remotely due to campus closures caused by the pandemic and recognize that institutions may be unable to provide a complete response to this question for 2021-22.*

Institutional Comments (if any).

Appendix C: Institutional Free Speech Policies

| UNIVERSITIES | |
|-----------------|---|
| Algoma | https://employees.algomau.ca/services/wsDocuments/4158 |
| Brock | https://brocku.ca/policies/wp-content/uploads/sites/94/Freedom-of-Expression-Policy.pdf |
| Carleton | https://carleton.ca/secretariat/wp-content/uploads/Freedom-of-Speech.pdf |
| Guelph | https://www.uoguelph.ca/secretariat/policy/1.2 |
| Hearst | http://www.uhearst.ca/docs/politique-sur-la-liberte-dexpression.pdf |
| Lakehead | https://www.lakeheadu.ca/sites/default/files/policies_procedures/Free%20Expression%20Policy.pdf |
| Laurentian | https://laurentian.ca/policy-freedom-of-speech |
| McMaster | https://president.mcmaster.ca/app/uploads/2020/09/Guidance-for-Event-Organizers_FINAL_8Jun18.pdf |
| Nipissing | https://nipissingu.ca/sites/default/files/2018-12/Free%20Speech%20Policy%20-%20Dec%202018.pdf |
| NOSM | https://www.nosm.ca/about/administrative-offices/vpadministration/statement-on-free-speech/ |
| OCADU | https://www2.ocadu.ca/internal-update/ocad-university-freedom-of-expression-statement-and-policies |
| Ottawa | https://www2.uottawa.ca/about-us/policies-regulations/policy-121-statement-free-expression |
| Ontario Tech U | https://usgc.ontariotechu.ca/policy/freedom-of-expression-policy.php |
| Queen's | https://www.queensu.ca/secretariat/policies/administration-and-operations/free-expression-queens-university |
| TMU | https://www.torontomu.ca/freedom-of-speech/ |
| Toronto | http://www.governingcouncil.utoronto.ca/Assets/Governing+Council+Digital+Assets/Policies/PDF/ppmay281992.pdf |
| Trent | https://www.trentu.ca/governance/sites/trentu.ca.governance/files/documents/Free%20Speech%20Policy%20-%20ACCESSIBLE.pdf |
| U of F | https://uontario.ca/fileadmin/user_upload/Politiques-Reglements-Administratifs/Politique-sur-la-liberte-dexpression.pdf |
| Waterloo | https://uwaterloo.ca/secretariat/policies-procedures-guidelines/policies/policy-8-freedom-speech-0 |
| Western | https://www.uwo.ca/univsec/pdf/policies_procedures/section1/mapp154.pdf |
| Wilfrid Laurier | https://www.wlu.ca/about/discover-laurier/freedom-of-expression/index.html |
| Windsor | https://lawlibrary.uwindsor.ca/Presto/pl/OTdhY2QzODgtNjhYi00ZWY0LTg2OTUtNmU5NjEzY2JkMWYxLjk4 |
| York | https://www.yorku.ca/secretariat/policies/policies/free-speech-statement-of-policy/ |

| COLLEGES | |
|---------------|---|
| Algonquin | https://www.algonquincollege.com/policies/files/2019/12/AD07.pdf |
| Boréal | https://www.collegeboreal.ca/static/uploaded/Files/Politiques-directives/Finances/B-09-Maintien-du-droit-a-la-liberte-dexpression.pdf |
| Cambrian | https://cambriancollege.ca/wp-content/directory/policies/Corporate%20Policies/General%20Administration/General%20Operations/Cambrian%20Statement%20on%20Upholding%20Free%20Speech%202022.pdf |
| Canadore | https://cdn.agilitycms.com/canadore-college/Attachments/about-us/policies/Free%20speech%20policy%20statement%202018.pdf |
| Centennial | https://p.widencdn.net/ajx9gc/ac100-25-free-speech-policy |
| Conestoga | https://www-assets.conestogac.on.ca/documents/www/about/policies/presidents-office/free-speech-policy-english-version.pdf |
| Confederation | https://www.confederationcollege.ca/sites/default/files/uploads/department/ch1-s1-17_free_speech_0.pdf |
| Durham | https://durhamcollege.ca/wp-content/uploads/322-upholding-free-speech.pdf |
| Fanshawe | https://www.fanshawec.ca/sites/default/files/legacy/oldfanshawe/sites/default/files/assets/policies/pdf/c305.pdf |
| George Brown | https://www.georgebrown.ca/media/5571/view |
| Georgian | https://www.georgiancollege.ca/wp-content/uploads/CS-001-Free-Speech-policy-and-procedure.pdf |
| Humber | http://humber.ca/policies/policy-statement-upholding-free-speech |
| La Cité | https://www.collegelacite.ca/directives/humaines/rh-13 |
| Lambton | https://www.lambtoncollege.ca/custom/Pages/Policies/Policy.aspx?id=2147523917 |
| Loyalist | https://www.loyalistcollege.com/policy-statement-on-upholding-free-speech/ |
| Mohawk | https://www.mohawkcollege.ca/about-mohawk/leadership-and-administration/policies-and-procedures/policy-statement-on-upholding |
| Niagara | https://www.niagaracollege.ca/policies/wp-content/uploads/sites/123/2019/10/NC100-free-speech.pdf |
| Northern | https://www.northerncollege.ca/documents/admin/policies/Admin-A8_Free-Speech-Policy.pdf |
| Sault | https://www.saultcollege.ca/sites/default/files/2020-09/Statement%20of%20Commitment%20-%20Freedom%20of%20Expression.pdf |
| Seneca | http://www.senecacollege.ca/about/policies/free-speech-policy.html |
| Sheridan | https://policy.sheridanc.on.ca/dotNet/documents/?docid=1063&public=true |
| S. S. Fleming | https://department.flemingcollege.ca/policies-procedures/college-policies/1-109-free-speech-policy/ |
| St. Clair | https://www.stclaircollege.ca/sites/default/files/policies/scc-policy-5-22.pdf |
| St. Lawrence | https://364599a3-cdn.agilitycms.cloud/Attachments/6-about/reports-policies/reports-and-policies/free-speech/St%20Lawrence%20College%20Free%20Speech%20Policy.pdf |