



ACADEMIC FREEDOM AND FREE INTELLECTUAL INQUIRY POLICY

Purpose

This policy sets out guidelines for academic freedom and free intellectual inquiry for Australian Institute of Business (AIB) staff and students.

Academic freedom can be defined as “the freedom to conduct research, teach, speak, and publish, subject to the norms and standards of scholarly inquiry, without interference or penalty, wherever the search for truth and understanding may lead.” (Global Colloquium of University Presidents 2005)¹.

The National Tertiary Education Union (2018) states that “Academic freedom is central to the mission of all Australian universities and is internationally acknowledged as an essential and defining characteristic of university education. The particularities of a university education, as opposed to secondary education, lie in the creation and dissemination of new knowledge, the link between teaching and research and in promoting independent thought and critical inquiry. Academic freedom is central to providing this type of education.”²

In its statement on academic freedom, the United Nations Education, Scientific and Cultural Organisation (UNESCO 1997) states that academics have “the right without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof.”³

The *Higher Education Support Act 2003 (HESA)* was amended on 23 March 2021 to include a definition of Academic Freedom⁴ to mean the following:

- (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;

¹ First Global Colloquium of University Presidents, *Academic Freedom Statement of the First Global Colloquium of University Presidents*, Columbia University 18-19 January 2005, viewed 11 October 2019

<http://www.columbia.edu/~md2221/academicstatement.doc>

² NTEU 15 August 2018, *NTEU Submission to the Senate Education to the Employment and Workplace Relations Committee Inquiry into Academic Freedom*, viewed 11 October 2019,

https://www.nteu.org.au/indigenous_ed/article/Inquiry-into-Academic-Freedom---August-2008-174

³ ILO/UNESCO, ‘VI. Rights and Freedoms of higher-education teaching personnel’ in *Recommendation Concerning the Status of Higher-Education Teaching Personnel* 1997 pp. 58-59, viewed 11 October,

https://www.ilo.org/wcmsp5/groups/public/---ed_dialogue/---sector/documents/normativeinstrument/wcms_493315.pdf

⁴ Schedule 1 - Dictionary, *Higher Education Support Act 2003*, as retrieved on 16 July 2021 from

<https://www.legislation.gov.au/Details/C2021C00264>

- (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;
- (f) 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.

The Australian Institute of Business (AIB) subscribes to these statements with the following caveats:

- Where the definitions above refer to 'academic staff', AIB recognises this applies to 'AIB Staff' as per the AIB Glossary definition
- Dissemination of publications as per article (a) above is subject to AIB ethical approval as outlined in the ***AIB Research and Scholarship Policy*** and the ***Higher Degrees by Research Policy and Procedure***;
- The freedom to express opinions as per article (c) above is subject to the ***AIB Privacy Policy***, ***AIB Staff Code of Conduct*** and the ***AIB Student Code of Conduct*** policies; and
- The autonomy of AIB as outlined in article (f) is also in relation to the ***Tertiary Education and Quality Standards Agency Act 2011***

Scope

This policy applies to all AIB staff and students.

Definitions

Unless otherwise defined in this document, all capitalised terms are defined in the [glossary](#).

Policy Principles

1. AIB staff

- 1.1. AIB, as an institution of higher learning, 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. The policy relates specifically to the academic freedom to speak to media, including social media, in the areas identified set out in this policy but does not infer a right to speak on behalf of AIB. Internal AIB Communication should only be used for the intended purpose.
- 1.2. In particular, AIB staff have the right to:
 - (a) undertake scholarship that informs their teaching and conduct research that leads to the creation of new knowledge and original creative endeavour; and
 - (b) participate in determining the treatment of intellectual and practical issues in the subjects they teach, to provide a balanced presentation that enhances student learning.

- (c) to be forthright in the respectful expression of informed views and to be able to express these views free from undue institutional constraint.

1.3. These rights are incorporated into employment contracts with AIB staff.

2. Students

- 2.1. As members of a community of scholars, students are encouraged to develop a capacity for critical judgment and sustained and independent search for truth. Freedom to learn depends upon appropriate opportunities and conditions in the classroom and in the larger community.
- 2.2. Students have the right to freedom of speech and are encouraged to examine and discuss all questions of interest to them, and express opinions publicly as well as privately.

Related Policies and Procedures

Academic Facilities Policy and Procedure
Academic Integrity Policy and Procedure
Assessment Policy and Procedure
AIB Staff Code of Conduct (internal)
Acceptable Use of Information Technology Facilities Policy and Guidelines For Students
Acceptable Use of Information Technology Facilities Policy and Guidelines For Staff (internal)
Higher Degrees by Research Policy and Procedure
Privacy Policy
Professional Development of Academic Staff Policy
Research and Scholarship Policy
Staff Code of Conduct (internal)
Student Code of Conduct Policy and Procedure
Whistleblower Policy and Procedure

Related Legislation

Higher Education Support Act 2003
Higher Education Standards Framework (Threshold Standards) 2021
Tertiary Education Quality and Standards Agency Act 2011

Responsibility

Academic Dean

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