

## Academic Freedom and Intellectual Inquiry Policy

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### 1. PURPOSE

The purpose of this policy is to outline JMC Academy's commitment to the exercise of academic freedom, underpinned by the principle of free intellectual inquiry.

This policy provides direction on matters of academic freedom. Students, staff and teaching faculty are expected to adhere to the provisions of relevant legislation, and to the rules, policies, regulations, procedures and guidelines of JMC Academy, the accepted ethical practices of the higher education community in Australia, and the standards of relevant academic research disciplines and professional practice.

### 2. SCOPE

This policy applies to all those who are engaged by JMC Academy to provide academic leadership and/or teach and extends to those who provide, whether on a contractual basis or otherwise, teaching and assessment services at JMC Academy.

### 3. DEFINITIONS

#### Academic Freedom

JMC Academy endorses the *Global Colloquium of University Presidents 2005* definition of academic freedom 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.”

#### Free Intellectual Inquiry

Free intellectual inquiry refers to the freedom for students, staff and teaching faculty to explore their own ideas and to challenge in a thoughtful manner the assumptions and evidence which underpin the academic content of the programs of study. Free intellectual inquiry also covers the right and responsibility to pursue knowledge and inquiry, whether the pursuit might lead, in accordance with the highest scholarly standards. It includes the responsible transmission and/or communication of the knowledge so gained, openly within JMC and into the community at large, in conformity with the law and policies and obligations of JMC Academy.

For definitions not listed here please refer to *JMC Academy Glossary*.

### 4. POLICY

JMC Academy's reputation as an educational institution depends upon its ability and determination to challenge, revise and renew accepted ideas, be able to encourage debate, and support the development and testing of theories.

A core value of JMC Academy is to preserve, defend and promote the traditional principles of academic freedom in the conduct of its affairs. Scholars at JMC Academy are free to engage in intellectual and critical enquiry, scholarly endeavour and public discourse without fear or favour. In return for that freedom, JMC Academy expects all its scholars to carry out their academic work with utmost integrity.

JMC Academy recognises and values the right to academic freedom and free intellectual inquiry as central to its endeavours in scholarship, teaching and research and is committed to its promotion and protection within JMC Academy. It supports the right of its scholars to engage in critical inquiry and

robust and unfettered critical debate. It recognises and promotes a diversity of opinion and the right to express that opinion freely.

Notwithstanding, academic freedom and free intellectual inquiry carries responsibilities to exercise professional care and competence in teaching, learning and research and must not adversely affect the ability of others to engage freely in teaching, learning, research and debate.

Students at JMC Academy have the right to:

- Have access to information about free intellectual inquiry
- Develop design theories, concepts and products underpinned by the access to information from a broad and diverse scholarly base and be active in exploring ideas, theories and experience
- Freely and generously cooperate with other students to reciprocally exchange
- Information and ideas for significant scholarly advancement
- To explicitly work together with staff, lecturers and colleagues to create classroom cultures that support robust discussions of ideas, theories and experience; and
- To create original and innovative solutions to complex problems with open-minded and professional research approaches, unimpeded by preconceived notions of outcomes by staff, lecturers or industry representatives.

Staff and Lecturers at JMC Academy have the right to:

- Exercise the right of academic freedom without fear of harassment, bullying, intimidation or unfair treatment
- Speak, write and publish, or perform, create and exhibit, without being subject to JMC Academy sanction, censorship or discipline
- Express unpopular or controversial views, although this does not mean the right to harass, vilify or intimidate other persons or to demean alternate points of view
- Explicitly work together with other academics and students in creating classroom cultures that support robust discussions of ideas, theories and experience
- Be responsible for the transmission and/or communication of the knowledge so gained, openly within the academy and into the community at large, in conformity with the law and policies and obligations of the institute; and
- Work in a safe environment where academic integrity and honesty are key guiding principles and rigorous attention is paid to Intellectual Property.

By recognising, promoting and supporting the right to academic freedom and free intellectual inquiry, JMC Academy does not imply endorsement of particular views expressed by our academics. The views expressed are the views of the academic staff and lecturers even though an affiliation with JMC Academy is indicated. Views on behalf of JMC Academy can only be expressed by officials and executives because of the position they hold or by other members of the Academy if specifically authorised to do so.

Academic freedom is not a defence for acting unlawfully or for poor behaviour or disrespectful treatment of others and in their exercise of academic freedom academic staff and lecturers will at all times also observe the JMC Academy's Code of Conduct.

References

Academic Freedom Statement of the First Global Colloquium of University Presidents, Colombia University, January 18-19, 2005. Sourced from

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

*FairWork Commission Decision University of Technology Sydney Academic Staff Agreement 2018*, 48

Intellectual Freedom, p 48. Sourced from <https://www.uts.edu.au/sites/default/files/2019-01/UTS-Academic-Staff-Agreement-2018-FWC-Approval.pdf>

French RS (2019) Report of the Independent Review of Freedom of Speech in Australian Higher Education Providers. Sourced from <https://docs.education.gov.au/node/52661>

TEQSA (2018) *Guidance Note: Scholarship*. Sourced from <https://www.teqsa.gov.au/latest-news/publications/guidance-note-scholarship>

TEQSA (2018) *Guidance Note: Research and Research Training*. Sourced from

<https://www.teqsa.gov.au/latest-news/publications/guidance-note-research-and-research-training>

TEQSA (2019) *Guidance Note: Academic Leadership*. Source from <https://www.teqsa.gov.au/providers/resources/guidance-note-academic-leadership>.

## 5. COMPLAINTS and APPEALS

To appeal against any decisions made under this policy

- Students may access the Student Complaints and Appeals Policy and its associated procedures
- JMC Academy staff and lecturers may access the Grievance Handling Policy.

## 6. POSITIONS RESPONSIBLE FOR IMPLEMENTING POLICY

- Governing Council
- Academic Board
- Senior Management
- Academic Staff and Lecturers

## 7. RELATED DOCUMENTS

- Grievance Handling Policy
- Discrimination, Bullying, Harassment and Sexual Misconduct Policy
- JMC Academy Glossary
- Diversity, Equity and Inclusion Policy

## 8. RELATED LEGISLATION

This Policy supports JMC Academy's compliance with the following legislation:

- Higher Education Support Act 2003 (Cth)
- Higher Education Standards Framework (Threshold Standards) 2015

## 9. POLICY REVIEW DATE

30<sup>th</sup> October, 2022

## 10. VERSION CONTROL TABLE

Title	<i>Academic Freedom and Intellectual Inquiry Policy</i>			
Maintained By	Education Team			
Approving Authority	Academic Board			
Approved Date	2/12/2019			
Version Number	Modified By	Modifications Made	Date Modified	Status
1.0	S Stanford	As a result of the Policy review conducted by JMC Academy, it was determined that as the Academic Freedom and Free Intellectual Inquiry policies were similar enough (it was taken that free intellectual inquiry is a core principle of academic freedom) that they could be combined into a single statement.	08/11/2019	Approved by the Academic Board Executive Committee <b>Current</b>

Title	<i>Free Intellectual Inquiry Policy</i>			
Maintained By	Education Team			
Approving Authority	Academic Board			
Approved Date	22/03/2018			
Version Number	Modified By	Modifications Made	Date Modified	Status
1.0	Dr Green	Refinements to terminology and responsibilities	17/01/2017	Superseded
2.0	S. Stanford	Refined format and position titles	01/12/2017	Approved by the Academic Board on 22/03/2018 Superseded
2.1	G. Jedlinska	Reformatted, added related documents and related legislation sections,	18/10/2018	Current
				Superseded by Academic Freedom and Intellectual Inquiry Policy

Title	<i>Academic Freedom Policy</i>			
Maintained By	Education Team			
Approving Authority	Academic Board			
Approved Date	19/03/2019			
Version Number	Modified By	Modifications Made	Date Modified	Status
2.0	S. Stanford	Updated to new format. Renamed positions	01/12/2017	Approved by the Academic Board on 22/03/2018 Superseded
2.1	M. Hafda	Updated format	18/10/2018	Superseded
2.2	G. Jedlinska	Section 4 updated with reference to academic integrity.	19/03/2019	Approved by G. Markakis as a Health Check on 19/03/2019 Current
				Superseded by Academic Freedom and Intellectual Inquiry Policy