

MUNFA
GRENFELL CAMPUS
ACADEMIC FREEDOM AND GRIEVANCE COMMITTEE
TERMS OF REFERENCE

Approved April 28, 2015

(Approved October 27, 1983 and as amended at MUNFA Annual General Meeting April 28, 2015)

A. **PREAMBLE**

Academic Freedom includes the right within the university to decide who shall teach, who shall be taught, and what shall be studied, taught or published, without deference to prescribed doctrine. It is involved in the appointment of Faculty Members, Academic Staff Members in Co-op and Field Education and Professional Librarians, their promotion, their tenure or permanence of appointment, and questions on non-renewal, probation or dismissal, since such decisions must be made without reference to race, religion, gender or politics. Academic Freedom also involves the right to criticise the university, and to pursue the settlement of grievances within the university which frustrate concentration on and the fulfilment of scholarly duties and interests. It also includes the right to make controversial statements about the community at large or any aspect of it without fear of recrimination or intimidation from the university administration.

A Faculty Member, Academic Staff Member in Co-op and Field Education, or Professional Librarian has the right to expect that the Association of which he/she is a member will offer skilled advice and, if necessary, direct assistance in defence of Academic Freedom and the redress of grievances. All members should expect the Association to maintain constant vigilance with respect to such matters, and report to the Association at regular intervals.

To serve these needs, MUNFA has established an Academic Freedom and Grievance Committee at the Grenfell Campus. This Committee shall operate in close consultation with the St. John's Academic Freedom and Grievance Committee. The Grenfell Campus Committee will use basically the same procedures as the St. John's Committee, with some modifications to take into account the size and location of the Campus.

B. **COMPOSITION**

The Committee shall normally consist of:

- (i) Three or more persons from the Grenfell Campus, one of whom shall normally be the Grenfell Campus Representative on the MUNFA Executive. All Committee members will, when possible, be full-time Faculty Members or Academic Staff Members in Co-op and Field Education or Professional Librarians tenured or permanent in their appointment or be retired members of MUNFA who have previously held such a position at the University.

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(ii) The Committee members shall be appointed for staggered three year terms by the Executive on the recommendation of the Grenfell Campus Representative. The Grenfell Campus Representative (or substitute) shall serve for one year. Appointments to the Committee shall be made each September.

(iii) The Grenfell Campus Representative will actively solicit nominations to the Committee, and will take into consideration broad representation from across the Campus.

(iv) The Committee shall select its own chairperson, subject to confirmation by the Executive, by October 15th each academic year.

(v) A member of the Committee shall step down if a majority of the Committee is so agreed and the Executive confirms the recommendation of the Committee.

(vi) The Committee may not be replaced or discontinued by the Executive without the approval of the General Meeting.

C. STRUCTURE AND REPORTS

(i) The Committee shall deal chiefly with matters pertaining to Academic Freedom and grievances in accordance with clauses D and E below.

(ii) The Committee shall meet as a whole whenever deemed necessary by the Chairperson, but no less than once each semester.

(iii) The Committee shall keep minutes of its meetings. These minutes shall be exchanged with those of the St. John's Academic Freedom and Grievance Committee and its subcommittees.

(iv) In conjunction with the St. John's Academic Freedom and Grievance Committee, the Committee shall report to the membership in writing each September, and the report shall be on the agenda of the October General Meeting. This requirement does not preclude reports at other times to either the Campus or general membership of MUNFA if these are thought necessary either by the Committee or the Executive. As well, the Committee may request the Grenfell Campus Representative to hold a meeting of the Grenfell Campus membership to discuss such reports. Committee reports will be approved by the Executive before circulation to the membership.

(v) It shall be the responsibility of this Committee to summarize which issues relevant to Academic Freedom were raised and dealt with in each individual grievance, and with what resolution. If no resolution was reached, the academic issue outstanding should be summarized. The case summary shall be written, within three weeks after the closing of each case, in such a way that an archive or jurisprudence based on precedent shall be built up. The grievor will be asked to permit the case documentation to be retained with the name of the

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grievor deleted. If the grievor agrees in writing, the documentation (with the name deleted) and the grievor's letter of agreement, will be appended to the summary report. If the grievor does not give permission, all documentation relating to the case, except for the summary, shall be destroyed by the Academic Freedom and Grievance Committee.

(vi) Copies of case summaries mentioned above and policy recommendations arising under D shall be sent to the Executive and the St. John's Academic Freedom and Grievance Committee as completed. Should none be issued in any one semester the Committee shall nevertheless report to the Executive on its activities at the end of each semester.

(vii) The Committee shall write its reports under C. (v) and (vi) above with due regard for the confidentiality of the grievor where this is warranted.

(viii) Files of case summaries shall be maintained by both the Grenfell Campus and St. John's Academic Freedom and Grievance Committees and by the MUNFA Office.

(ix) Recognizing the relevance of academic freedom and grievance cases at Grenfell Campus to the entire university community, the Committee shall consult with the Chairperson of the St. John's Academic Freedom and Grievance Committee on the initiation, progress, and resolution of specific cases.

D. ACADEMIC FREEDOM

In general, the Committee will be concerned with monitoring the state of Academic Freedom within the Campus, and promoting among Faculty Members, Academic Staff Members in Co-op and Field Education, and Professional Librarians awareness of the meaning and importance of Academic Freedom. In addition, the Committee will, in conjunction with the St. John's Committee, be concerned with general, university-wide issues of Academic Freedom. The Committee may investigate questions of Academic Freedom on its own initiative, or on referral from the St. John's Committee or the Executive.

E. GRIEVANCES

(i) The Committee shall advise and assist members of MUNFA who believe their rights have been, or are in danger of being violated.

(ii) The Committee may, on its own initiative, approach a MUNFA member whose rights appear to have been or are in danger of being violated. However, before formally adopting a case, or acting on behalf of a member, the Committee must receive written instructions from the member concerned.

(iii) Unless a grievor waives in writing his/her right to confidentiality, the committee shall handle all cases on a confidential basis.

(iv) All documents of a private and personal nature collected by the Committee during the course of its activities in respect to a case shall be returned to the grievor if requested.

(v) A grievor who is dissatisfied with the Committee's handling of the case retains the right to withdraw it from the Committee and request the Executive of the Faculty Association to assume responsibility. The Executive may decide not to assume responsibility.

(vi) The Executive shall not become involved in a case unless asked to do so by the grievor or the Committee.

(vii) A MUNFA member retains the right to appeal directly to the Academic Freedom and Tenure Committee of the C.A.U.T.

F. COMMITTEE STATUS

(i) The Committee is free to approach any level of the Administration or other parties in order to facilitate resolution of a case, or the investigation of matters pertaining to academic freedom.

(ii) The Committee in consultation with the St. John's Academic Freedom and Grievance Committee shall have independent access to legal services and the C.A.U.T.

(iii) Notwithstanding the above, all expenditures must be approved by the Executive. The Committee may not make any commitment to a grievor for financial aid.

(iv) Policy statements are the sole prerogative of the MUNFA Executive, therefore in grievances with ramifications for Faculty Association policy or of general concern to the faculty, interpretations of policy made by the Committee to the Administration must be referred to the Executive for prior approval.

(v) Normally the MUNFA Executive will not act on questions of Academic Freedom or individual grievance concerning the Campus without the advice of this Committee. When the Executive is obliged to so act because of urgent circumstances, it will act on the advice of the Grenfell Campus Representative, and it will inform the Committee as soon as possible.

(a) An exception to F. (v) shall be when a grievor specifically asks the Executive to handle his/her case.

G. REVIEW

(i) Every three years, the Executive shall appoint an Evaluation Committee of at least two MUNFA members to conduct a major review of the Committee's activities.

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(ii) The Evaluation Committee shall be composed of Campus MUNFA members who have had no connection with the Committee since the previous review.

(iii) The Report of the Evaluation Committee shall be circulated to the Grenfell Campus membership and discussed at a meeting of the Grenfell Campus membership.

(iv) The Grenfell Campus Evaluation Committee and the St. John's Evaluation Committee shall jointly review the coordination of the activities of the Grenfell Campus and St. John's Academic Freedom and Grievance Committees.

(v) Any changes in these Terms of Reference must be approved by a General Meeting of MUNFA.