Freedom of Expression

Expiry: April 30, 2029

1. Facts

1. The University of Alberta Students' Union has a mandate as prescribed by the Post-Secondary Learning Act, 2003 has a mandate from Albertans and a duty to its members to engage in "the promotion of the general welfare of the students consistent with the purposes of the public post-secondary institution". [1]
2. Students, being endowed with fundamental rights and liberties, have the right to engage in free expression, peaceful assembly, free association, and security of the person in such exercises as prescribed by the Canadian Charter of Rights and Freedoms. [2]
3. Students, being afforded protections of human rights, enjoy protections in the free expression of opinion free from prejudicial and discriminatory prosecution and infringement prescribed in the Alberta Human Rights Act. [3]
4. Students, as part of the university community and the University of Alberta as a means to the end of education of society as whole, enjoy an educational environment facilitated by free expression core to the purpose of post-secondary education as established by precedence; "The education of students largely by means of free expression is the core purpose of the University dating from its beginnings and into the future". [4]
5. Students, as part of the university community and the University of Alberta as a means to the end of education of society as whole, are benefited by the ability to learn, debate, and share ideas in which the greater community and society are benefited in the production of wisdom, innovation, and associational harmony and peace that serves to strengthen our liberal democracy. [5]
6. The University of Alberta, being a public institution extension of the state and of the civil society as a whole, are grounds subject to the Canadian Charter of Rights and Freedoms [6] and students exercising such rights are protected by such rights and freedoms [7].
7. The University of Alberta, serving as a method for the reproduction of knowledge from educators to students, is benefitted from funding, public and private, for the ability to educate students and provide the means for the University of Alberta and educators to facilitate the ends of uplifting the whole people.

2. Resolutions

1. The University of Alberta Students' Union shall promote the freedom of expression of our members subject to reasonable limitations as protected by the Canadian Charter of Rights and Freedoms. [8]
2. The University of Alberta Students' Union shall urge the utmost restrained exercise of regulations and restrictions in the exercise of free expression, peaceful assembly, and free association of students by the University of Alberta in the pursuit of the security of the person.
3. The University of Alberta Students' Union shall advocate in any regulation and policy created by the University of Alberta that mutual respect be at the core of the policy, impacts to equity seeking groups be recognized and internalized, and the responsibilities of administrators and community members be outlined in such regulations and policies.
4. The University of Alberta Students' Union shall advocate to the University of Alberta for the accommodation of expression and protest as much as is reasonably possible and respond to practices of expression with respect to rights associated with such practices.
5. The University of Alberta Students' Union shall advocate for the incorporation of the principles of accessibility, openness, honesty, and transparency in the University of Alberta responding to practices of expression.
6. The University of Alberta Students' Union shall advocate against undue and unjust barriers or interference in the receiving of public funds by the University of Alberta that poses a risk to the learning of University of Alberta undergraduate students.

3. References

1. *Post-Secondary Learning Act, 2003,* (93(4)). https://www.canlii.org/en/ab/laws/stat/sa-2003-c-p-19.5/latest/sa-2003-c-p-19.5.html

2. *The Constitution Act, 1982*. https://www.canlii.org/en/ca/laws/stat/schedule-b-to-the-canada-act-1982-uk-1982-c-11/latest/schedule-b-to-the-canada-act-1982-uk-1982-c-11.html.
3. *Alberta Human Rights Act, 2000*. https://canlii.org/en/ab/laws/stat/rsa-2000-c-a-25.5/latest/rsa-2000-c-a-25.5.html.
4. *UAlberta Pro-Life v Governors of the University of Alberta, 2020*, [148](1). https://ww.canlii.org/en/ab/abca/doc/2020/2020abca1/2020abca1.html.
5. *UAlberta Pro-Life v Governors of the University of Alberta, 2020, [148](2-4)*.
6. *The Constitution Act, 1982*.
7. *UAlberta Pro-Life v Governors of the University of Alberta, 2020, [148](4-5)*.
8. *The Constitution Act, 1982*.

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