Academic Freedom Policy

Scope

This policy applies to students, staff and officers of Kaplan Business School Pty Limited and Kaplan Higher Education Pty Limited (collectively '**Kaplan'**). It governs the expression and application of academic freedom within Kaplan's institutes of higher education in Australia.

Purpose

The purpose of this policy is to affirm the importance of academic freedom as a foundational principle of higher education and scholarly inquiry at Kaplan. It supports the rights of academic staff and students to teach, discuss, debate, research, and publish ideas.

This freedom, while robust, is not absolute. It is always subject to restrictions in relevant laws. It is also to be exercised within the context of Kaplan's status as a private sector employer and education provider. It is therefore subject to restrictions found in regulatory obligations, contractual obligations of staff and students, Kaplan's other policies and Kaplan's legitimate employer interests in maintaining a safe, respectful, and professional learning and working environment.

Principles

This policy engages the following human rights:

- the right to education – Article 13 of the International Covenant on Economic, Social and Cultural Rights
- the right to freedom of expression – Article 19 of the International Covenant on Civil and Political Rights

This policy also draws on principles from the French Model Code on Academic Freedom (2019), while being tailored to the operational and legal context of a private institution.

To the extent that this policy limits human rights, these limitations are reasonable, necessary and proportionate.

Policy Statement

Kaplan recognises and upholds the right of academic staff and students to:

- pursue critical and open inquiry
- engage in teaching, learning, and research without unlawful interference
- express different views, perspectives, academic opinions and debate scholarly ideas freely and respectfully
- publish the results of research, consistent with scholarly and ethical standards
- participate in public discourse in their areas of expertise.

These freedoms are essential to the advancement of knowledge and the integrity of higher education. Kaplan encourages a culture where intellectual diversity, respectful dialogue, and evidence-based inquiry can flourish.

However, academic freedom must be exercised responsibly and is subject to the lawful restrictions set out in this policy. Breaches of this policy may be addressed under Kaplan's relevant disciplinary procedures or other applicable frameworks, and may result in appropriate corrective or disciplinary action.

Application of Policy

Freedoms

Kaplan has a strong commitment to promoting Academic Freedom and as such upholds these freedoms, all of which can be exercised without fear of institutional reprisals:

the freedom of academic staff to teach, discuss, research, disseminate and publish the results of their research in alignment with established scholarly standards within the relevant discipline

i. the freedom of academic staff and students to engage in intellectual inquiry, to express their opinions and beliefs, and to contribute to debate, in relation to their subjects of study, research findings and/or publication

ii. the freedom of academic staff and students to make public comment on any issue in their personal capacities, provided they do not speak either on behalf of Kaplan or as an officer of the company

iii. the freedom of academic staff to participate in professional or representative academic bodies

iv. the freedom of students to participate in student societies and associations

v. the freedom of students to participate in Kaplan's deliberative and decision-making processes through their Student Representatives who serve on key academic governance bodies such as the Academic Board and the Teaching & Learning Committee

Any staff member or student who believes their academic freedom has been unduly restricted is entitled to seek resolution through Kaplan's established grievance and complaints processes, consistent with relevant staff and student policies.

Restrictions

Every member of staff, and every student, at Kaplan enjoys the freedom of speech exercised within Kaplan's institutes of higher education subject to restraints and burdens imposed by:

i. law (including defamation, harassment, discrimination, vilification, racial hatred, and workplace safety legislation, e.g., protections against psychosocial harm such as conduct and expression that may cause mental distress, anxiety, or humiliation in the learning or work environment)

ii. employment contracts (as applicable to staff), for example, obligations in relation to:

   a. using all reasonable efforts to promote the interests of Kaplan;

   b. acting in the best interests of Kaplan, including by avoiding conflicts of interest and immediately disclosing to Kaplan if suspected or perceived conflicts of interest may arise;

   c. observing Kaplan's work health and safety policies, including by having due regard for the wellbeing of staff and students;

   d. complying with all lawful orders, directions and instructions given by Kaplan, and that specifically staff must;

      i. refrain from the teaching of doctrines (religious, political or of other groups);

      ii. refrain from disseminating propaganda that is inconsistent with the values and principles of Kaplan

      iii. not convey teachings or disseminate materials that do not meet scholarly standards or may be detrimental to Kaplan's reputation as a registered institution of higher education.

   e. not making disclosures to the media about any information of any nature whatsoever relating to Kaplan;

   f. preventing the unauthorised publication of Kaplan confidential information (noting Kaplan generally owns all intellectual property rights in materials created by staff in the course of their employment)

iii. enrolment terms and conditions (as applicable to students), for example, obligations in relation to:

   a. not using course or learning materials made available by Kaplan for any purpose other than the student's personal learning related to their specific course of study

b. not infringing, or assisting any other person to infringe, Kaplan's intellectual property rights

c. complying with Kaplan student policies, which, for example, require students to avoid:

i. disrespecting others' opinions or alternative points of view

ii. engaging in academic misconduct or dishonesty

iii. engaging in disorderly conduct, using offensive language or causing disturbances

iv. causing damage or risk to Kaplan's reputation

iv. the autonomy of Kaplan which resides in its governing bodies and management in relation to:

a. the choice of academic courses and offerings and the methods and frequency with which they are delivered

b. the choices of research activities and the ways in which they are conducted and supported

c. all matters for which Kaplan is subject to the Higher Education Standards Framework, the conditions of Kaplan's registration with TEQSA as an institute of higher education, the conditions of Kaplan's course accreditations with TEQSA, and national research ethics policies

v. this policy and other relevant Kaplan policies and procedures

vi. any other reasonable and lawful directions given by Kaplan from time to time.

Relevant Legislation

- Racial Discrimination Act 1975 (Cth)
- Sex Discrimination Act 1984 (Cth)
- Disability Discrimination Act 1992 (Cth)
- Age Discrimination Act 2004 (Cth)
- Criminal Code Act 1995 (Cth)
- Fair Work Act 2009 (Cth)
- Various State based Anti-Discrimination legislation, including for NSW:
    - Crimes Amendment (Inciting Racial Hatred) Act 2025 (NSW)
    - Defamation Act 2005 (NSW)
    - Anti-Discrimination Act 1977 (NSW)

Related Policies

- Academic Integrity and Misconduct Policy
- Equity, Diversity, Inclusion Policy

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officer(s) to ensure compliance with this policy.

Policy Category	Academic			
Responsible Officer	Vice President, Academic			
Implementation Officer	Academic Dean, College Director or equivalent			
Review Date	September 2028			
Approved by		**Endorsed by:**		
Corporate Board		**Academic Board**		
Version	**Authored by**	**Brief Description of the changes**	**Date Approved:**	**Effective Date:**
1.3	Quality, Regulations and Standards Team	Updated provider category to Institute of Higher Education. Updated role titles.	N/A	13.07.2021
2.0	General Counsel	New policy re-write	19.09.2025	19.09.2025