

FREE EXPRESSION

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Frequently Asked Questions

Read answers to frequently asked questions relating to free speech and the First Amendment.

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What is the First Amendment?

The first 10 Amendments to the U.S. Constitution are known as the Bill of Rights, which were created to ensure the protection of certain individual liberties. The First Amendment states:

“Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.”

While the language of the First Amendment refers only to “Congress,” the First Amendment – as well as most of the other Amendments that make up the Bill of Rights – applies to government entities in general by way of the Fourteenth Amendment to the Constitution. This includes federal, state and local government officials, and extends to public schools and institutions including UC San Diego.

What is free speech?

Is hate speech protected speech?

What types of speech are not protected by the First Amendment?

Are nonverbal symbols, like swastikas or burning flags, constitutionally protected?

Is speech on the Internet entitled to the same level of protection as speech in print and other media?

When does speech become unlawful harassment?

As a public university, what laws govern UC San Diego's position on free speech?

As a public university, UC San Diego is obligated to uphold the First Amendment. Our campus is home to diverse organizations, faculty, staff and students, each with a wide range of interests and viewpoints. Although the views expressed by a particular group or at a particular event may not reflect the views of UC San Diego, all campus community members have the right to express those views, at appropriate times, in appropriate places and in appropriate manners. UC San Diego is not permitted to silence speech merely because the speech is offensive to many or even most of the UC San Diego community. Students, faculty, and staff are all entitled to exercise their own rights to free speech to condemn or criticize offensive speech, for example, by holding protests, teach-ins or counter-demonstrations as long as they are conducted in a lawful manner.

Are private universities obligated to comply with the First Amendment?

How does UC San Diego respond to hate speech?

Does the First Amendment protect civil disobedience on campus?

Beyond its legal obligations, does UC San Diego believe that offensive speech should be allowed on campus?

What is academic freedom?

Can university officials or the student government censor a student organization publication if the university or student government funds it?

What are "time, place, and manner" restrictions? How do they relate to controversial speakers?

What if a speaker coming to campus is known for hate speech?

What about the argument that restrictions on speech are an effective way to combat bigotry on campus?

Can I use my own freedom of speech to shout down a speaker's whose message I oppose?

How do campuses ensure the safety of students and staff in light of freedom of speech?

What are UC San Diego's Principles of Community? How do they relate to free speech?

If someone is holding an event on campus, can I protest it?

Are there regulations pertaining to the speech and expressive conduct of non-University affiliates while on campus at UC San Diego?

If my student organization hosts an on-campus event, can others video- or audio-record the event or the participants?

Is chalking permitted on campus?

What are the rules regarding the Graffiti Art Park?

Where can I review UC San Diego's current event policies regarding free speech on campus?

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Free Expression

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