

University of California, Berkeley Statement on Free Speech

The University of California [Policy on Speech and Advocacy](#) guarantees students the constitutionally protected rights of free expression, speech, assembly, and worship. This statement explains how the Policy on Speech and Advocacy applies to disciplinary cases that arise under the [Code of Student Conduct](#).

1. Constitutionally protected expressive activity will not be subject to discipline under the Code. Nevertheless, members of the campus community must recognize that certain types of conduct and speech are not constitutionally protected and that when individuals engage in them — even in the context of expressive actions — they may be subject to discipline under the Code. For example:
 - a. Some forms of speech are not constitutionally protected and may be grounds for discipline. Examples include threats of violence, incitement to imminent lawless action, raising false alarms regarding imminent personal danger, and certain severe and pervasive harassment. The actual definitions of these conduct violations are set out in the Code.
 - b. The University may impose reasonable limits on the time, place and manner of speech activities. Campus [Time, Place and Manner regulations](#) are posted on the Student Affairs website. Speech activities that violate Time, Place and Manner rules may subject individuals to discipline.
 - c. Conduct that violates University rules, such as destruction of property, endangering the safety of others, assault, or interfering with campus operations, even if it occurs in connection with speech activities or is motivated by expressive concerns, is not protected and may subject students to discipline.
2. While violations of the [Code of Student Conduct](#) may be subject to discipline even when they occur in connection with expressive activities, the viewpoints or political positions expressed shall have no influence on either the decision to impose discipline or the severity of penalties imposed.