



Virtual Learning and Student Speech Rights

VIRTUAL LEARNING AND STUDENT SPEECH RIGHTS

If you're a college student, you may not be on campus at the moment. But while your stuff might still be in your dorm room, you haven't left your right to freedom of expression behind as well. The purpose of a college education remains the same. That's why **your expressive rights in the virtual classroom should generally mirror those you have when attending class on campus.**

Threats to free speech may not always be immediately apparent, and censorship can **take many forms**, both online and off. Here are some speech-related issues to watch out for as you and your fellow students attend classes remotely:

- **Punishment for social media posts:** College officials sometimes try to punish students for protected **speech over social media**, especially when the speech is **controversial**. Just because much of what you would have said to other students in person is now being said online doesn't mean that you can be punished or investigated for social media use that is protected by the First Amendment. Now that even more student speech is online and easy to record or screenshot, students will need to be more vigilant in protecting and asserting their rights.
- **Refusals to allow student organization meetings or events:** Student groups still have the right to meet and engage in expressive activity online. Universities can't use the pandemic to justify banning online meetings or events organized by student groups or publications, even if they claim to have "shut down" student groups.
- **Bans on campaigning:** College officials might move to censor student political expression because of a **misguided** concern that student speech regarding an election or candidate could jeopardize the school's tax-exempt status. But just as campaign season continues even amidst this pandemic, students who wish to **speak their minds** on the 2020 election or political topics in general must not be silenced or censored.

FIRE advocates for robust free speech rights for students, but keep in mind that **not all expression is protected** by the First Amendment.

LIMITS IN THE VIRTUAL CLASSROOM

As with in-person classes, your in-class expression online is subject to your professor's right to keep discussions relevant to the topic at hand and the need to maintain a classroom conducive to learning. (No "**Zoombombing!**") Generally speaking, students do not have the right to:

- repeatedly talk out of turn,
- interfere with someone else's right to participate in discussion,
- intentionally divert attention away from the professor in an attempt to disrupt class, or
- violate the college code of conduct or the professor's reasonable classroom rules.



That means the professor can:

- impose some limits on distractions, such as virtual backgrounds, or ask students to turn off their cameras; and
- limit chats on the side, including classwide and direct messaging.

FIRE is [here to help](#) if you think your rights may have been violated.