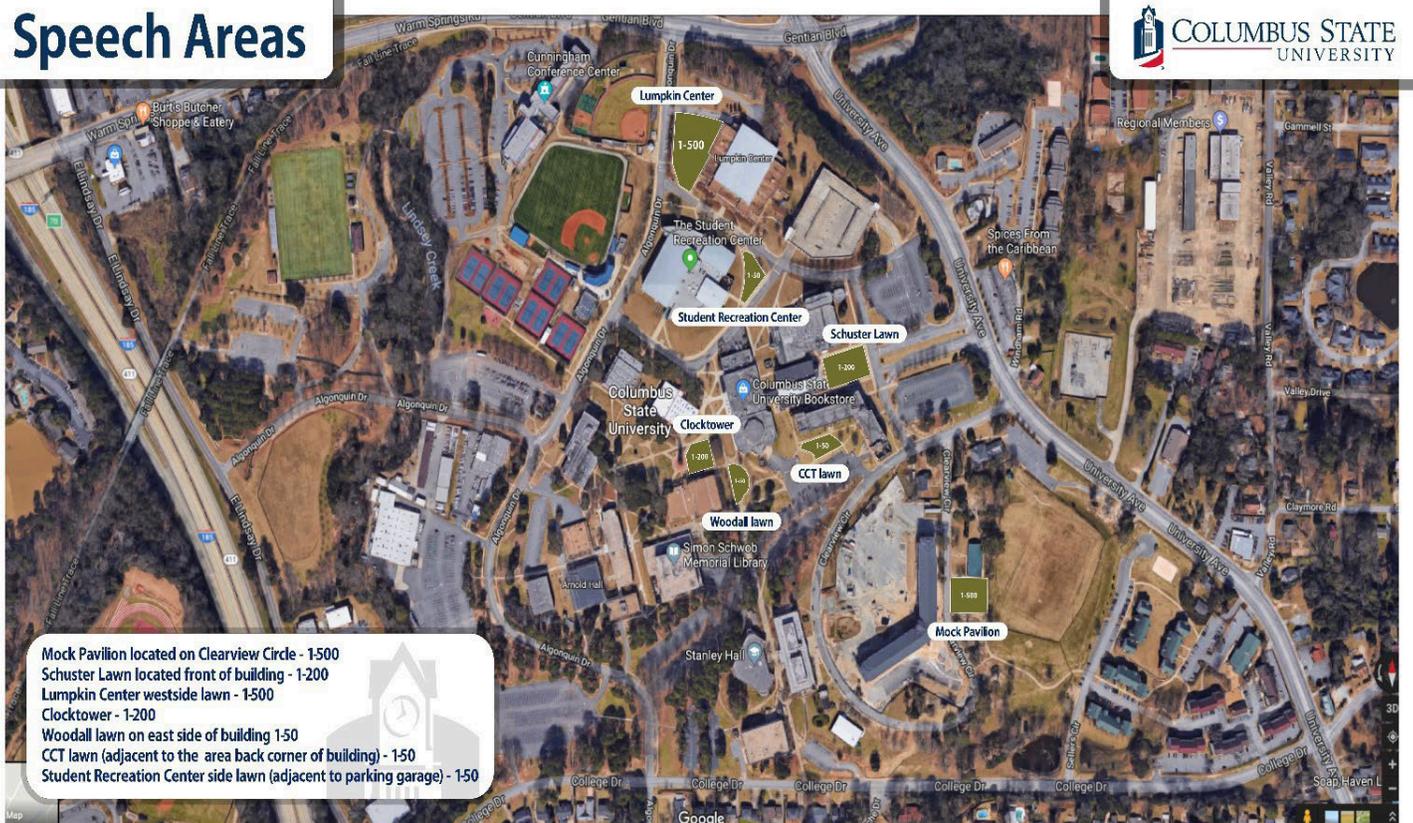


# Freedom of Expression

Download the CSU Freedom of Expression Policy

## CSU Designated Forums

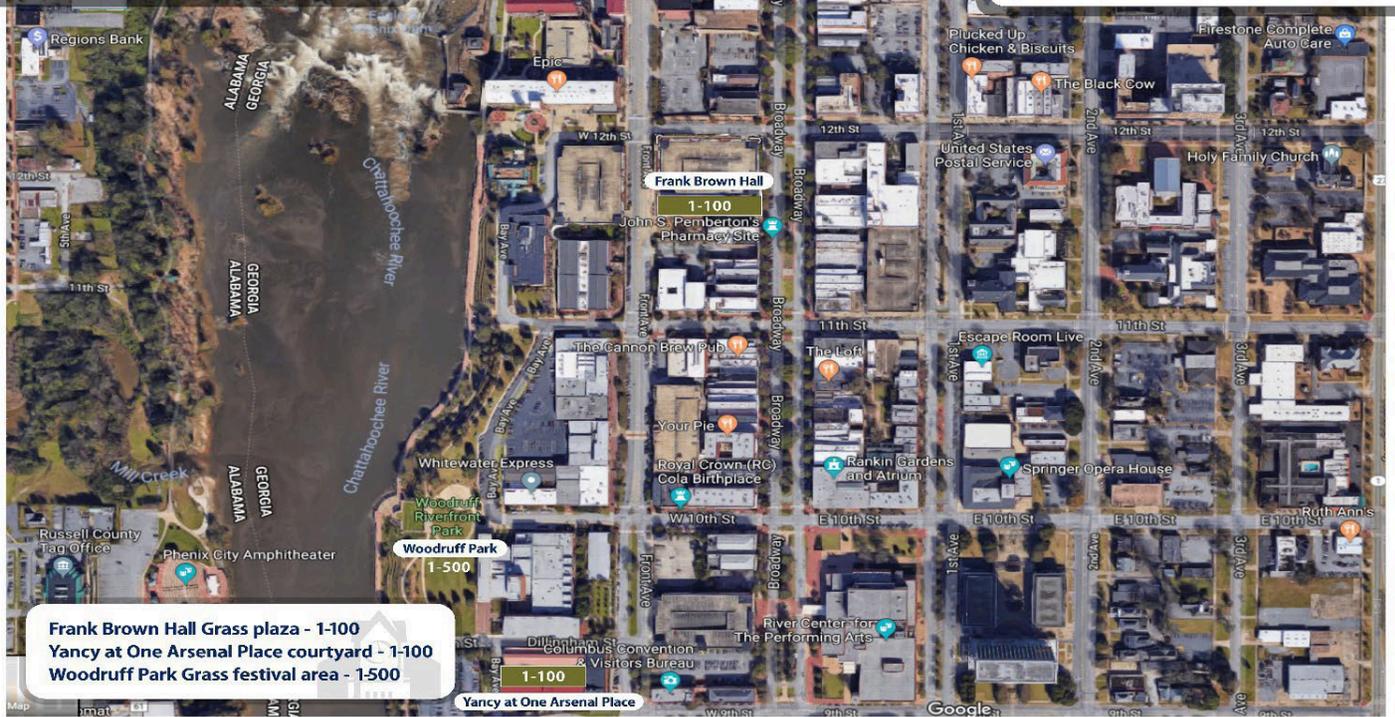
### Speech Areas



Campus (click on image to make

Main

# Speech Areas



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Campus (click on image to make larger)

## Helpful Links

- [Constitution of the United States of America](#)
- [Constitution of the State of Georgia](#)
- [Foundation for Individual Rights and Expression](#)
- [USG Freedom of Expression and Academic Freedom](#)
- [American Civil Liberties Union](#)
- [United States Courts](#)

## Frequently Asked Questions

How can I find out where I can hold a protest?

You can consult the CSU [Freedom of Expression Policy](#) or contact Legal Affairs, Ethics and Compliance Division at (706) 507-8237.

How do I schedule a protest at CSU?

Members of the CSU community who plan to engage in non- spontaneous expressive activity on campus in a group that is expected to consist of thirty (30) or more persons must submit a Reservation Request [via the Astra Schedule Portal on CSU's webpage](#) at least two (2) university business days prior to the scheduled activity and must receive approval in writing prior to engaging in such activity.

How do outside groups get to come to CSU's campus?

Visitors who wish to engage in expressive activity on CSU's campus can do so by making a reservation to speak in one of CSU's designated public forums (See CSU [Freedom of Expression Policy Attachment A](#)). Visitors are generally not permitted to engage in expressive activity outside of these designated forums. However, student organizations, faculty, or university units can invite visitors not otherwise affiliated with CSU to participate in expressive activity at any location

that the inviting student(s), faculty, or staff could speak. The inviting student(s), faculty, or staff remain responsible for the invited visitor's conduct under the Freedom of Expression Policy.

Who is considered part of the University Community in regards to free speech?

"University Community" means any of the following: (i) any persons enrolled at or employed by the University including University students, faculty, staff, administrators, and employees, (ii) University colleges, schools, departments, units, registered University student organizations, and recognized cooperative organizations, and (iii) invited guests of any party listed in the foregoing (i) and (ii) provided such guests are in the company of the inviting party. In the case of invited guests, the inviting party remains responsible to the University under this Policy and other applicable University policies for the guest's conduct.

Can I distribute written material on campus?

Yes, in accordance with the Freedom of Expression Policy. If you are a member of the University Community, non-commercial pamphlets, handbills, circulars, newspapers, magazines and other written materials may be distributed on a person-to-person basis only in outdoor, publicly accessible areas of campus.

What speech is protected by the First Amendment?

The First Amendment to the United States Constitution protects the freedom of religion, speech, of the press, and of the right of the people peaceably to assemble and to petition the Government for the redress of grievances. The First Amendment protects unpopular speech with the same force as it protects speech that is celebrated and widely accepted.

#### **Freedom of speech includes the right:**

- Not to speak.  
-See, for example, *West Virginia Board of Education v. Barnette*, 319 U.S. 624 (1943), holding that students cannot be compelled to salute the flag.
- To engage in nonverbal expressive activity.  
-See, for example, *Tinker v. Des Moines*, 393 U.S. 503 (1969), ruling in favor of students who wore black armbands to school to protest the Vietnam War.
- To engage in symbolic speech, (e.g., burning the flag in protest).  
*Texas v. Johnson*, 491 U.S. 397 (1989); *United States v. Eichman*, 496 U.S. 310 (1990).
- To use certain offensive words and phrases to convey political messages.

#### ***Cohen v. California*, 403 U.S. 15 (1971).**

**Freedom of speech does not protect the following kinds of speech (these are particular legal concepts, so may not have the same meaning you would apply to them in ordinary conversation):**

- Obscenity
- "Fighting words" ("a direct personal insult directed at a specific person")
- Defamation (libel and slander)
- Child pornography
- Blackmail
- Incitement to imminent lawless action
- "True threats"
- Solicitation to commit crimes
- Plagiarism of copyrighted material

(Source: <https://www.uscourts.gov/about-federal-courts/educational-resources/about-educational-outreach/activity-resources/what-does> )

What is CSU's stance on freedom of expression/free speech?

No rights are more highly regarded at the CSU than the First Amendment guarantees of freedom of speech and expression and the right to assemble peaceably. Such opportunities must be provided on an equal basis and adhere to the basic principle of the University's being neutral to the content and viewpoint of any expression.

What is hate speech?

Hate speech is speech that offends, threatens, or insults individuals or groups on the basis of race, color, religion, national origin, sexual orientation, disability, or other traits. Contrary to popular belief, hate speech is not itself an unprotected category of speech under the First Amendment. An individual could say something that constitutes hate speech and also constitutes unprotected speech (a "true threat" for instance), but an individual could also say something that constitutes hate speech and is protected under the First Amendment. As a result, hate speech is not often used as a category in policies addressing the First Amendment.

- 3 Rules to Hate Speech: <https://www.freespeechrules.org/>
- Hate Speech: <https://www.thefire.org/issues/hate-speech/>

What does content-neutrality mean?

When assessing a reservation request or when informed of spontaneous expressive activities conducted in compliance with this Policy, University personnel shall not consider the content or viewpoint of the expression or the possible reaction to that expression other than as permitted by law. University personnel may not impose restrictions on individuals or organizations engaged in expressive activities due to the content or viewpoint of their expression or the possible reaction to that expression other than as permitted by law.

Can the University regulate the content or viewpoint of expressive activity in violation of the protections afforded by the First Amendment?

No. CSU must remain content and viewpoint neutral in the consideration of all expressive activities. The University can provide content-neutral time, place, and manner requirements to expressive activities occurring on campus.

How does the First Amendment right to free speech apply to controversial speakers who have been invited to CSU by student groups?

The Constitution prohibits CSU, as a public institution, from banning or punishing speech based on its content or viewpoint. Because campus policy permits Registered Student Organizations to invite speakers and provides access to campus venues for that purpose, CSU cannot take away the right or withdraw the resources due to the views of the speaker. Doing so would violate the First Amendment rights of the student group.

Further, once a speaker has been invited, the campus is obligated and committed to acting reasonably to ensure that the speaker is able to safely and effectively address his or her audience, free from violence or disruption, as afforded to them by the First Amendment.

Can people who oppose a speaker's message use their own freedom of speech to drown out the offending words?

No, freedom of speech does not give someone the right to drown out the words and speech of others.