



Free Speech on Campus

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What is Free Speech

- ▶ Freedom of speech is the right of a person to articulate opinions and ideas without interference or retaliation from the **government**. The term “speech” constitutes expression that includes far more than just words, but also what a person wears, reads, performs, protests, and more.
- ▶ Hate Speech. While the university condemns speech of this kind, there is no “hate speech” exception to the First Amendment and it is only illegal if it falls into one of the categories described above.



What is Not Protected

- ▶ Speech that would be deemed a “true threat”
- ▶ Incitement of illegal activity
- ▶ *Severe or Pervasive Harassment* in an educational institution aimed at an individual on the basis of a protected characteristic
 - ▶ (age, disability, race, nationality, ethnicity gender, gender identity or expression, sexual orientation, religion, marital status, or veteran/military status)
 - ▶ Single, isolated incidents will typically be insufficient to rise to the level of Harassment
- ▶ Defamation



Time, Place, Manner Policy

- ▶ The purpose of this Systemwide Time, Place and Manner Policy is to facilitate the **CSU's mission, academic freedom, and freedom of expression while protecting the right to learn and work in a safe and harassment-free environment.**
- ▶ The **CSU is committed to free expression** as a function of and essential to its educational mission. This Policy applies to all forms of expressive activity conducted on University Property and **sets forth time, place, and manner regulations** to ensure that persons and groups engaging in **lawful** expressive activities **are protected and do not disrupt** University operations or infringe on the rights of others.



Time & Manner

- ▶ Campus is closed Midnight to 6am
- ▶ Free Speech Activities can take place...
 - ▶ Between 7am-10pm (with amplified sound)
 - ▶ Between 6am-Midnight (with NO amplified sound)
- ▶ Obstructing, disrupting, or interfering with instructional, research, or administrative operations is NOT permissible.
- ▶ Noise levels must not disrupt classes, meetings, administrative operations, or scheduled activities.
- ▶ Disruption or interference of the speech of others is PROHIBITED

Place

- ▶ Public Areas: Space available for demonstrations/protests
 - ▶ Outside: Kellogg, Forum, Chavez, University Hall Plaza
 - ▶ Activities are lawful and do not disrupt the normal operations
- ▶ Limited-Public (Classroom; USU)- *Cannot demonstrate*
 - ▶ Open to public for scheduling and reserving, but not available for demonstrations
- ▶ Non-Public (Administrative Building)- *Cannot demonstrate*
 - ▶ Interiors of buildings and facilities not available to the public



Place



- ▶ Cannot Demonstrate
 - ▶ Reserved Spaces
 - ▶ Indoors
 - ▶ Administrative Building, SHCS, UPD
 - ▶ In fire lanes, entrance/exits, bridges, parking lots/garages, and roadways

CSUSM Philosophy

- ▶ We want to make sure ALL students are supported and have the right to exercise their free speech
- ▶ Staff (Jason or Tony) can be first point of contact
- ▶ Free Speech Activities that are safe and are within policy and law

Options for Counter Demonstrating

- ▶ Peacefully challenge/protest or walk away
- ▶ Use counter-speech
- ▶ Use tools/resources for freedom of speech (Freedom of Speech website, free speech guide by the library courses that teach about the constitution and free speech; etc.)
- ▶ Use restorative practices
- ▶ Make free speech a normative value and common ground
- ▶ Challenge your own ideas
- ▶ Know when to walk away and when to ask for help/assistance
- ▶ Deescalate in an attempt to have civil discourse



Role of Student Org Leaders

- ▶ If you are planning a demonstration or know of one being planned, we encourage you to reach out to Jason and Tony
- ▶ Be aware of policies and help to inform members of policies
- ▶ Support your members in providing resources and awareness
- ▶ Provide members ideas of how they can counter-speech
- ▶ Be engaged

Free Speech Scenarios

CHOOSE THIS SIDE OR THAT
SIDE

Resources for Free Speech

- ▶ www.csusm.edu/freespeech
- ▶ Training
 - ▶ Time, Place & Manner (September 19)
- ▶ Staff will be present at demonstrations to ensure safety and support students.

Resources for Elections

- ▶ Election Resources:
<https://www.csusm.edu/elections/>
 - ▶ Polling Location: MMH; Drop Box: Chavez Circle; Registration/Engagement: Bottom of the page
 - ▶ Information Literacy:
<https://libguides.csusm.edu/elections/Home>
- ▶ Post Election
 - ▶ CCN/SHCS for students
 - ▶ Events

