

Know Your Rights

ON CAMPUS



Q. Do I have free speech rights on my public university campus?

Yes. The First Amendment to the United States Constitution protects your right to express your beliefs on campus.



Q. Do I have religious freedom on my public university campus?

Yes. You don't need to leave your faith at home when you go to college. A university cannot target religion for discrimination or treat religious students, faculty, or student organizations differently than their secular counterparts.



Q. What are “speech codes,” and are they constitutional?

A speech code is any policy that restricts what you can say on campus. Perhaps the most persistent method of censorship on campus, speech codes typically take the form of overly broad “harassment” or related policies that deter students from speaking freely on critical issues. They are often unconstitutional.



Q. What are “speech zones”?

Many public universities limit free speech to designated areas of campus, at designated times, or require students to get permission in advance to speak or distribute literature. These policies are typically unconstitutional.



Q. Can my university use my student fees however it wants?

No. Your mandatory student fees are not government funds. They are held by the university for allocation to student groups, and the Constitution requires officials to distribute them in a way that gives all student groups an equal opportunity to receive these funds. Anything less violates the First Amendment.

Q. What is the danger of “nondiscrimination policies” for student groups?



Some universities have abused these policies to limit the free association of student groups, in violation of the First Amendment, by denying their right to set standards for membership or leadership. All groups, including religious and political student groups, have the right to choose leaders that support their group's purpose.

Q. Can my university tell me not to speak on “offensive” topics?



No. Many public universities abuse their authority when they use terms like “offensive,” “demeaning,” and “uncomfortable” in their speech codes to unconstitutionally silence students. Also, universities cannot charge security fees for “controversial” speech or impose other restrictions on student speech because of the response of others.

Q. Can my university force me to publicly take a position on an issue with which I disagree?



No, and the ADF Center for Academic Freedom has successfully defended students who were put in that very position. A government entity cannot tell students what to think, say, or feel.

Q. Can my university or professor punish me for expressing my beliefs and viewpoints?



No. University officials may not directly prohibit expressive activities, nor may they threaten, punish, or harass students in order to “chill” such activities.

Q. I’m just one student. Could I really make a difference by standing up to my university?



Yes. With the help of the ADF Center for Academic Freedom, your courage could pave the way for thousands of students, faculty, or staff members across the country.

Public universities are bound by the First Amendment, and therefore may not punish students for their beliefs. If you have any questions about your rights on campus, or if you believe you have been punished for expressing your views, contact us or visit www.CenterforAcademicFreedom.org to learn more. Any advice or assistance ADF provides is rendered free of charge.