

# YOUR VOICE. YOUR VOTE. YOUR RIGHTS.

## FREE SPEECH GUIDELINES FOR SOCIAL MEDIA MANAGERS

Free expression is a nuanced and complex legal topic and its intersection with social media amplifies its complexity. To assist campus communicators in navigating this space, the following are recommendations on how to approach constituent issues management on official university-affiliated social media accounts.

**DO NOT BLOCK SOMEONE FROM AN INSTITUTIONAL ACCOUNT.** This is tempting and can be an easy solution but can be viewed as an attempt to silence critics.

**DO NOT DELETE NEGATIVE COMMENTS.** This action would likely violate the commenter's First Amendment rights. If a commenter expresses a concern, respond quickly thanking them for reaching out and invite the person to share more information via direct messages or email.

**MONITOR COMMENTS.** It is critical to monitor comments so that you are aware of the social conversations around your content as well as being able to spot issues and address accordingly.

**HAVE A SYSTEM TO TRIAGE ACTUAL ISSUES.** If someone brings forward issues, have a network of colleagues in different areas of the institution (ex: financial aid, registrar's office, housing and dining, individual colleges) whom you can refer constituent issues and, if possible, have that person/office directly respond to the person who brought it forward.

**DON'T FEED THE TROLLS.** If a comment is clearly an effort to pick a fight or without merit, just let them be. Encourage constructive and civil discourse. If a thread on one of your posts turns contentious, you may consider posting a reminder to users that while it is okay to voice an opinion, criticism or disagreement, the institution asks that they do so in a constructive and respectful manner.

**PUT PERSONAL BELIEFS ASIDE.** You are working as the voice of the institution when curating content and managing accounts.

**INSTITUTIONS/INSTITUTIONAL LEADERSHIP CAN SHARE THEIR VOICES ON POLITICAL ISSUES.** Be sure to know where your institution, its leadership, and the System stand on issues and be ready to advise best ways to share that position.

**SPEECH NOT PROTECTED BY THE FIRST AMENDMENT CAN BE DELETED.** This includes obscenity, true threats of imminent harm, incitement to imminent unlawful action, defamation, fighting words, false or misleading commercial speech, and illegal speech (such as extortion, a solicitation to commit a crime, or perjury). A college or university could remove postings on its interactive social media sites that fall within any of these narrow categories of unprotected speech. (Source: American Council on Education). Before a post deemed unprotected is deleted, record the incident in your records by taking any necessary screen shots, then saving them in your records.

**IS HATE SPEECH ALLOWED?** Yes. Unfortunately, hate speech is not one of the narrow categories listed above, therefore hate speech cannot be deleted from a social media account unless it has other characteristics causing it to fall within one of these categories: obscenity, true threats of imminent harm, incitement to imminent unlawful action, defamation, fighting words, false or misleading commercial speech, and illegal speech (such as extortion, a solicitation to commit a crime, or perjury). (Source: American Council on Education).

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