

# California Terms of Service Report

At GitHub, we put developers first and work hard to provide a safe, open, and inclusive platform for code collaboration. Our developer-first approach to content moderation minimizes disruptions to code while protecting developer privacy, taking action on abusive content, and being transparent about content moderation and disclosure of user information.

As a platform and productivity tool that operates for the purpose of facilitating shared document or file collaboration, GitHub falls outside the scope of a “social media platform” as defined in California Business & Professions Code § 22675. Nonetheless, in the interest of providing transparency to our customers and users in California, we hereby voluntarily submit this Terms of Service Report. To learn more visit GitHub’s Transparency Center: <https://transparencycenter.github.com/>

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## 1) The current version of the terms of service of the social media platform.

- GitHub’s current Terms of Service can be found at: <https://docs.github.com/site-policy/github-terms/github-terms-of-service>
- GitHub’s Acceptable Use Policies (“AUP”), which specifically address the subcategories identified in section 22677(3) are available at <https://docs.github.com/site-policy/acceptable-use-policies/github-acceptable-use-policies>.
- The Terms state, “Questions about the Terms of Service? Contact us through the [GitHub Support portal](#).” The Acceptable Use Policies also provide links for contacting Support.

## 2) If a social media company has filed its first report, a complete and detailed description of any changes to the terms of service since the previous report.

This is GitHub’s first report.



**3) A statement of whether the current version of the terms of service defines each of the following categories of content, and, if so, the definitions of those categories, including any subcategories:**

GitHub's Acceptable Use Policies define the identified categories of content as follows.

*(a) Hate speech or racism*

GitHub's [AUP](#) prohibits content or activity on GitHub that:

- is [discriminatory or abusive](#) toward any individual or group

GitHub's policy on [Hate Speech and Discrimination](#) further states:

GitHub does not tolerate speech that attacks or promotes hate toward an individual or group of people on the basis of who they are, including age, body size, ability, ethnicity, gender identity and expression, level of experience, nationality, personal appearance, race, religion, sexual identity, or sexual orientation. This includes:

- Mocking, attacking, or excluding a person or group based on their beliefs or the characteristics listed above
- Supporting or promoting hate groups or hate-based conspiracy theories
- Displaying clear affiliation or identification with known terrorist or violent extremist organizations
- Sharing symbols or images synonymous with hate
- Using harmful stereotypes, slurs, or dehumanizing speech
- Attacking an individual based on their perceived gender'
- Dog whistling; or using coded or suggestive language and/or symbols to promote abuse or hate

While GitHub takes all instances of abuse and harassment on the platform seriously, we are especially committed to fighting hate-based abuse where it disproportionately affects communities that have historically been targeted by such abuse. We aim to make GitHub a place where all individuals feel welcome and safe.

*(b) Extremism or radicalization*

Although our policies do not address extremism or radicalization by name, our policy on [Hate Speech and Discrimination](#) mentioned above includes the following prohibition:



- Displaying clear affiliation or identification with known terrorist or violent extremist organizations

*(c) Disinformation or misinformation*

GitHub's [AUP](#) prohibits content or activity on GitHub that:

- is [false, inaccurate, or intentionally deceptive information](#) and likely to adversely affect the public interest (including health, safety, election integrity, and civic participation);

GitHub's policy on [Misinformation and Disinformation](#) further states:

You may not post content that presents a distorted view of reality, whether it is inaccurate or false (misinformation) or is intentionally deceptive (disinformation), where such content is likely to result in harm to the public or to interfere with fair and equal opportunities for all to take part in a free and open society. This may include:

- Inaccurate or scientifically unsupported medical claims that endanger public health or safety
- Manipulated media, whether audio or visual, likely to mislead or deceive in a way that may harm the public interest
- False or misleading content likely to interfere with an individual's ability to participate in civic activities
- Unsubstantiated claims that could promote hate or targeted harassment of specific groups of people

Synthetic & Manipulated Media Tools. GitHub does not allow any projects that are designed for, encourage, promote, support, or suggest in any way the use of synthetic or manipulated media for the creation of non-consensual intimate imagery or any content that would constitute misinformation or disinformation under this policy.

*(d) Harassment*

GitHub's [AUP](#) prohibits content or activity on GitHub that:

- [harasses or abuses](#) another individual or group, including our employees, officers, and agents, or other users

GitHub's policy on [Bullying and Harassment](#) further states:

We do not tolerate harassment, bullying, or abuse of any kind, whether directly or by encouraging others to take part in the prohibited conduct. This includes:



- Targeted personal attacks
- Piling on to or orchestrating [disruptive](#) activity in a way that amounts to abuse
- Following another user around the platform in a manner that causes intimidation
- Making sexual advances or comments directed at another individual
- Disingenuously participating in conversation in a way that instigates conflict or undermines sincere discussion
- Creating alternative accounts specifically to evade moderation action taken by GitHub staff or users

*(e) Foreign political interference*

While GitHub's policies do not address *foreign political interference* by name, we refer back to our definition of Misinformation and Disinformation:

- is [false, inaccurate, or intentionally deceptive information](#) and likely to adversely affect the public interest (including health, safety, **election integrity, and civic participation**);

GitHub's policy on [Misinformation and Disinformation](#) also includes the following prohibition:

- False or misleading content likely to interfere with an individual's ability to participate in civic activities

**4) A detailed description of content moderation practices used by the social media company for that platform, including, but not limited to, all of the following:**

*(a) Any existing policies intended to address the categories of content described in paragraph (3).*

GitHub's Terms of Service and Acceptable Use Policies identify the content and conduct restrictions related to the categories in paragraph (3).

GitHub additionally details our approach to content moderation in our [Community Guidelines](#). Specifically, our human-centered approach and our commitment to diversity, inclusion, and belonging.



*(b) How automated content moderation systems enforce terms of service of the social media platform and when these systems involve human review.*

GitHub relies on reports from the community, as well as proactive detection, to help ensure that GitHub is a safe, welcoming, and productive platform for software developers.

Automated systems are used only to identify abuse at scale such as spam or other deceptive and inauthentic activity on the platform. All content moderation decisions involved in enforcing GitHub's Terms of Service and Acceptable Use Policies are made by humans, and automated systems are only used to identify content for human review.

*(c) How the social media company responds to user reports of violations of the terms of service.*

As stated in GitHub's Community Guidelines, we encourage our community to contact GitHub Support through the [GitHub Support Portal](#) when they believe content or activity they've encountered violates our policies.

GitHub makes every effort to inform reporting users of the action taken after review of the report.

*(d) How the social media company would remove individual pieces of content, users, or groups that violate the terms of service, or take broader action against individual users or against groups of users that violate the terms of service.*

Where GitHub has determined that a violation of our Terms of Service or Acceptable Use Policies has occurred, we may respond with one or more of the following actions:

- Removing the offending content
- Blocking or disabling the offending content
- Downgrading the visibility of the offending content
- Hiding a user account or organization from public view
- Suspending a user account or organization

GitHub notifies users of any content moderation action taken against their account or content and informs them of the opportunity to appeal those actions via our [Appeals and Reinstatement Policy](#).



*(e) The languages in which the social media platform does not make terms of service available, but does offer product features, including, but not limited to, menus and prompts.*

The primary language for GitHub’s Terms of Service and Acceptable Use Policies is American English; however, these terms and all other product documentation are also offered in several additional languages: Chinese (simplified), French, German, Japanese, Korean, Portuguese, Russian, and Spanish.

**5) Information on content that was flagged by the social media company as content belonging to any of the categories described in paragraph (3)**

This section of the report has been omitted from this report in response to the Ninth Circuit’s decision in *X Corp. v Bonta*, No. 24-271 (9th Cir. Sept. 4, 2024).

To view detailed information about GitHub’s content moderation actions visit GitHub’s Transparency Center: <https://transparencycenter.github.com/>