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Victory over University of Wisconsin-Milwaukee Bias Reporting System

(March 6, 2023) Milwaukee, WI: Following Southeastern Legal Foundation’s (SLF) legal [demand letter](#), the University of Wisconsin-Milwaukee (UWM) corrected its [bias reporting system](#) to comply with the First Amendment. In its letter, SLF warned that bias reporting systems infringe on students’ freedom of speech when they lead students to believe that they will be punished for offending other students. As a result, students self-censor rather than risk being reported to and disciplined by a campus bias response team.

On its website, UWM [maintained a policy](#) that urged students to report incidents of so-called hate or bias. But as SLF pointed out in a [letter](#) to UWM, nowhere did it explain that hate speech and offensive speech are protected by the First Amendment and that students cannot be punished for engaging in so-called hate speech.

UWM acknowledged this error and [corrected its website](#) to explain that the University will abide by the First Amendment. Its website now clarifies that students who are reported for the words that they say—no matter how offensive they seem—will not be punished for the words that they say. And, at SLF’s request, the University now provides a link to its free speech policy to ensure that students understand the full extent of their rights if they are reported for a bias incident.

Director of SLF’s [1A Project Cece O’Leary](#) says, “Too many colleges engage in censorship these days and encourage students to censor each other. Students should be free to engage in open debate and discourse without fear of retribution. We are glad that UWM has fixed this problem on its campus by ensuring that speech is protected so that students can make the most of their four years.”

SLF General Counsel [Kimberly Hermann](#) adds, “Bias reporting systems have become a tool to scare conservative students into silence because they are typically the ones engaging in open debate and discourse. We stand behind those students, and we are pleased that UWM has met its duty to protect the speech of every student on campus.”