



Contact: Jenny Kefauver
703/850-3533

Southeastern Legal Foundation Warns Southern Utah University Against Bias Reporting System

(Oct. 4, 2022) Cedar City, UT: As part of its [1A Project](#), [Southeastern Legal Foundation](#) (SLF) sent a [letter](#) to [Southern Utah University](#) warning it that its bias reporting system is unconstitutional. The University [encourages](#) students to report speech they find demeaning, embarrassing, or stereotypical. The problem with this, SLF [explains](#), is that even the most offensive or demeaning speech is protected by the First Amendment and cannot be punished as a bias incident.

Additionally, bias reporting systems give students the power to control their classmates' speech by reporting them for views they disagree with. With the press of a button, classmates can shut down their conservative or libertarian peers by accusing them of engaging in "demeaning" speech. These days, that could include speech on abortion, gun control, and transgenderism, to name a few.

Reports of bias then go to the Dean of Students. The discretion lies solely with the Dean to determine what kind of response to take. If the Dean of Students dislikes conservative or libertarian views, there is nothing to stop her from finding a bias incident occurred and punishing those students.

"This is plainly unconstitutional," explains SLF Director of Litigation [Braden Boucek](#). "No single administrator should have the sole authority to decide a student's fate in any situation, but especially when it comes to protected speech."

Adds Director of SLF's [1A Project Cece O'Leary](#), "Colleges cannot intimidate students into silence and self-censorship. Students shouldn't have to look over their shoulder when engaging in speech activities, wondering if this is the day they'll be reported to campus authorities."