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Victory in Challenge to Southern Utah University's Anti-Bias Code

(Dec. 21, 2022) Cedar City, UT: In direct response to [Southeastern Legal Foundation's](#) (SLF's) [First Amendment challenge](#), Southern Utah University (SUU) took down its bias reporting system. Before SLF intervened, SUU maintained an [anti-bias code and reporting form](#), where students were encouraged to report each other for “speech . . . that is motivated wholly or in part by prejudice or bias[.]”

In a [letter](#) to SUU, SLF warned that the anti-bias code infringed on students' freedom of speech by giving the Dean of Students broad authority to investigate and punish students accused of offending their peers. As SLF explained, such policies are unconstitutional because they force students to guess whether something they say will offend their classmates. Instead of saying something that could be considered offensive, students often self-censor. Because the anti-bias code is a form of censorship, SLF demanded that SUU remove the policy from its website.

Following SLF's demand, SUU complied and removed the bias reporting system from its [website](#).

Director of SLF's [1A Project](#) Cece O'Leary says, “This is a huge victory for students on SUU's campus and other campuses. Yet another college has acknowledged that its bias reporting system was unconstitutional and unnecessary. It is time colleges start directing their resources to more useful things, like academics and extracurriculars.”

SLF Litigation Director [Braden Boucek](#) adds, “We hope this legal victory will encourage students on campuses across the country to stand up for their freedom of speech. Colleges often rely on intimidation tactics to deter students from expressing themselves. But when called on their bluff, they know they have no choice but to comply with the Constitution.”