



# SPEECH FIRST

## Lawsuit Challenges University of Houston's Restrictions on Free Speech

**Houston, TX (February 23, 2022)** – [Speech First](#), a nonprofit membership association working to combat restrictions on free speech and other civil rights at colleges and universities across the United States, filed a lawsuit on behalf of its members today against the University of Houston— ***Speech First v. Khator, et al.***— in the Houston Division of the United States District Court for the Southern District of Texas. This lawsuit challenges an institutional policy that restricts protected speech under the guise of prohibiting “harassment.” Speech First is dedicated to restoring free speech and expression for American college students and reinforcing the need for academic discourse in higher education.

Through the use of their harassment policy, the University of Houston reserves the right to punish students for “harassment” that could occur anywhere, anytime, on campus, off campus, or on social media. Supreme Court precedent dictates that institutions of higher learning are only permitted to restrict speech when speech becomes so “severe *and* pervasive” that it crosses the line into harassing conduct. However, the university’s definition of “harassment” is so broad that it includes “negative stereotyping,” “denigrating jokes,” and other forms of speech that are protected under the Constitution. In response, Speech First is taking legal action to seek to restore the First Amendment rights of the students of the University of Houston.

“Universities should not be ideological instruments for propagating expression carefully curated to match whatever ideas and beliefs happen to be popular at the moment,” said **Speech First’s Executive Director Cherise Trump**. “Rather, they must once again establish themselves as open forums where students can engage in debate and dialogue without fear of retribution. That’s the environment that forges courageous leaders. The University of Houston has a harassment policy that is so overbroad, students could be reported or disciplined for simply expressing their opinions. The University of Houston is silencing its students’ speech at every turn, and inquisitive minds seeking an education deserve much better.”

Speech First has asked for a permanent injunction barring the University of Houston from enforcing the harassment policy.

### **Background:**

- Speech First filed this lawsuit on behalf of three of its members who are University of Houston students. These students are politically conservative, and they want to share their views about a range of pressing topics, including affirmative action, abortion, illegal immigration, and transgender athletes.

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- Conservative students at the University of Houston know that they can be punished for taking even mainstream positions on public affairs, so they self-censor and remain silent.
- The University of Houston claims that it has the right to punish students even for “[m]inor verbal and nonverbal slights, snubs, annoyances, insults, or isolated incidents including, but not limited to microaggressions” if “such incidents keep happening over time and are targeting a protected class.” Nevertheless, this definition of harassment is so broad that it can plainly be applied to protected speech, and, therefore, is unconstitutional.

To schedule an engagement with [Speech First](#), please contact Caroline Thorman at [caroline@athospr.com](mailto:caroline@athospr.com) and [info@athospr.com](mailto:info@athospr.com).

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