



SPEECH FIRST

University of Michigan: Settlement Summary

Thanks to Speech First's lawsuit and subsequent settlement agreement filed on Monday, the University of Michigan agreed to the following terms set by Speech First:

- 1) The school has revised its previously unconstitutional definitions of "harassment" and "bullying," and will never return to the previous definitions in the future.
- 2) The school has abolished its Bias Response Team, replacing it with a Campus Climate Support program that – in its current guise – does not punish students.
- 3) If the Campus Climate Support program is used to chill student speech in the future, Speech First has reserved its right to sue the school again.

This landmark victory for free expression means the University of Michigan can no longer intentionally chill unwelcome student speech while ignoring the guaranteed protections of the First Amendment.

Thanks to the September 23 decision by the 6th Circuit Court of Appeals, schools around the country are now on notice that simply changing a policy during the course of litigation to try and moot their lawsuits will be viewed critically in the future.

In addition, the 6th Circuit dealt a body blow to the very concept of Bias Response Teams, asserting that "Both the referral power and the invitation to meet with students objectively chill speech."

"Speech First is thrilled that the University of Michigan has finally agreed to respect the First Amendment rights of its students," said president Nicole Neily. "Speech First's victory paves the way for college students who may have been too fearful or intimidated to express their opinions to finally embrace their free speech rights and engage in true academic discourse. While our battle is far from over, we are pleased that the administration will no longer maintain policies that have both the purpose and the effect of chilling student speech."