



# SPEECH FIRST

## The University of Central Florida to Pay Speech First \$35,000 in Lawsuit Fees after Violating Students' First Amendment Rights on Campus

**Washington D.C.** – Speech First won their lawsuit - [Speech First v. Cartwright, et al.](#) – against the University of Central Florida (UCF) after challenging three of its policies that suppress and punish student speech on campus on Friday evening. This [settlement](#) forced UCF to pay **\$35,000** for Speech First's legal fees.

Speech First challenged the following UCF policies: discriminatory harassment policy, computer use policy, and their Bias Response Team, (called the Just Knights Response Team).

Through the use of these policies – the UCF and its administrators created a series of rules and regulations that restrain, deter, suppress, and punish speech about the political and social issues of the day. Read more about this case [here](#).

In addition to paying legal fees, the settlement requires UCF to completely discontinue their bias response team, its associated practices, and not to reinstate it. The university has eliminated the provision in its computer use policy that targeted Constitutionally protected student speech, and to rewrite its discriminatory harassment policy to include the *Davis* Standard which states that speech can only be considered harassing conduct if it is 'so severe, pervasive, and objectively offensive as to deny a student an equal access to education.'

**Cherise Trump**, Executive Director of Speech First, said the following:

*"After a year and a half of litigating and negotiating, we are happy to say that the students can rest assured their speech rights are in better shape on UCF's campus today than they were yesterday. Our lawsuit led to the elimination of UCF's Stasi-like bias response team and ensured that the university's policies actually consider the fundamental rights of their students. Our win in the Eleventh Circuit not only set precedent in all of Florida, Alabama, and Georgia, but it also guarantees that universities recognize that the law is not on their side when they want to violate their students' rights and shut down dissenting ideas. These lawsuits aren't quick, and they require a substantial amount of follow-through, but the results last, and they reverberate across hundreds of campuses. We are looking forward to arguing our case regarding similar policies in the Fourth Circuit against Virginia Tech this October."*

## Background

Speech First [filed a motion for preliminary injunction](#) against the University of Central Florida's policies on February 16th, 2021 in the U.S. District Court for the Middle District of Florida. These policies were their bias-related incidents response team, discriminatory harassment policy, and computer use policy.

Speech First was granted partial relief on July, 29, 2021 regarding the computer use policy where the University has a ban on sending messages that are “intimidation, harassment, [or] unwarranted annoyance,” and agreed that the computer policy uses “broad and undefined terms”. The district court upheld, however, the University's bias-response team and its policy on "discriminatory harassment" and noted that Speech First had created a circuit split on bias-response teams, but it sided with the minority view of the Seventh Circuit rather than the majority view of the Fifth and Sixth Circuits. On November 29th, 2021, UCF signed a settlement regarding their computer-use policy, agreeing to eliminate this policy and not reinstate it.

We appealed the other aspects of the District Court's decision to the Eleventh Circuit on September 8th, 2021. Six amicus briefs were filed on our behalf by coalition allies and on February 10th, 2022, Speech First presented our oral argument to the Eleventh Circuit Court of Appeals.

On April 21, 2022, the [Eleventh Circuit ruled in favor of Speech First in a 3-0 decision](#), with Judge Kevin C. Newsom, Judge Stanley Marcus and district judge Richard W. Story. They stated that Speech First has standing to challenge both the discriminatory-harassment and bias-related-incidents policies and stated we are entitled to an injunction of the discriminatory harassment policy, and the district court must determine in the first instance whether Speech First is entitled to a preliminary injunction of the bias-related-incidents policy.

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