



SPEECH FIRST

Speech First Secures Decisive Settlement with Oklahoma State University Following Win in the U.S. Court of Appeals for the Tenth Circuit

Oklahoma City, OK (April 16, 2024) – Yesterday, Speech First secured a [decisive settlement](#) in [Speech First v. Shrum et al.](#) after the Oklahoma State University (OSU) unconstitutionally chilled student speech with a number of campus policies.

After Speech First won in the Tenth Circuit when the OSU challenged our prioritization to protect our students' identities, the university was forced to settle with Speech First or face an embarrassing loss in court. Our settlement will fundamentally change student life on campus for the better; OSU will have to:

- End and disband their Bias Response Team on campus.
- End their current harassment policy that targets constitutionally protected speech.
- Allow Speech First to rewrite their harassment policy to include the *Davis* standard— an important speech protection for students.
- Change their computer policy that previously forbade students from sending emails about politics.
- Pay \$18,000 in attorney's fees to Speech First—almost two years of tuition at OSU.

[Cherise Trump](#), Executive Director of Speech First, issued the following statement:

“Speech First’s lawsuits garner wins for our students, and that’s exactly what we did here. First, the Tenth Circuit agreed that our students’ concerns for the protection of their identities are valid. And now, OSU has to grapple with the fact that its policies violate their students’ rights. We are excited to announce that OSU will be eliminating their insidious bias reporting system that told students to anonymously report on one another for “bias”, they will have to rewrite their harassment policy to include important speech protections so that students can no longer be punished for merely expressing their views, and we have secured a change to their computer policy so that it no longer targets the protected political speech of students. Finally, the university will have to pay \$18,000 to Speech First—that’s almost two years of tuition at OSU. I hope universities learn from OSU’s experience that there is a high cost to violating students’ constitutional rights.

This is a major victory for OSU students, and we won’t stop until ALL students across the nation are able to exercise their constitutionally protected right to free speech. We have won a number of battles against colleges who knowingly violate students’ speech rights and will continue to do so.”

Background:

Speech First filed its complaint against OSU on January 10th, 2023, in the U.S. District Court for the Western District of Oklahoma. In this complaint, Speech First challenged the constitutionality of OSU's Bias Response Team, harassment policy, and computer policy. All which target, track, and punish students for their constitutionally protected speech.

On February 9th, 2024, Speech First won in the [U.S. Court of Appeals Tenth Circuit](#) after OSU attempted to have the case dismissed because Speech First uses pseudonyms to identify its members rather than their legal names in order to protect their identities. Per all of Speech First's lawsuits on behalf of its members, the legal names of the plaintiffs are kept out of the court documents in order to protect students from potential retaliation from their schools and the community at large. Students who stand up against the university that is violating their rights requires courage, but this action does not eliminate the threat of reprisal that still exists while these students remain on campus and attend classes. In fact, it could amplify this threat. Speech First has a duty to protect the identities of its student members.

On April 15th, 2024, OSU was forced to settle with Speech First or face an embarrassing loss in court.

Speech First's win in the Tenth Circuit on the issue of protecting the identities of its members set an important precedent in other cases and is already being cited in a major case before the Second Circuit, *Do No Harm v. Pfizer*, Speech First filed an [amicus brief](#) in this case.

To schedule an engagement with Speech First, please contact Michael Hensley at
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