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## Group appeals ruling to dismiss free speech suit against UT

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A nonprofit that sued the University of Texas for allegedly violating students' rights to free speech is appealing a federal judge's decision to dismiss the lawsuit.

Speech First Inc., a Washington D.C.-based group that offers to sue schools over censorship issues for as little as \$5, first filed the suit in December with the Western District Court of Texas. The suit names UT President Gregory L. Fenves as a defendant and was filed on behalf of three unnamed UT students who say the school's policies on verbal harassment make them uncomfortable expressing opinions on issues such as abortion, gun rights, and immigration.

In June, U.S. District Judge Lee Yeakel **dismissed the suit** saying Speech First's had failed to provide sufficient evidence showing anyone had been affected by the university's policies.

Attorneys for Speech First are disputing the ruling and filed their case with the 5th U.S. Court of Appeals soon after Yeakel dismissed it.

The suit claims the University of Texas at Austin and its officials have "created an elaborate investigatory and disciplinary apparatus to suppress, punish, and deter speech that other students deem 'offensive,' 'biased,' 'uncivil,' or 'rude,'" according to the original complaint.

Specifically, Speech First is targeting UT's "vague and overbroad" speech codes listed in the Institutional Rules, the Handbook of Operating Procedures and the campus IT policies, among others. It also targets UT's Campus Climate Response Team, which is responsible for investigating bias incidents.

A number of conservative and libertarian organizations have voiced their support for Speech First's cause, including the Independent Women's Forum and the American Council of Trustees and Alumni, which filed a joint amicus curiae brief Friday.

Jennifer Braceras, the director of IWF's Center for Law & Liberty, said in a statement that college campuses should "expand access to the marketplace of ideas," rather than stifling free speech.

"A desire to encourage civility, however laudable, can never justify the enactment of overbroad policies and Orwellian punitive systems that can be used to deter the expression of unpopular political opinions," Braceras said.

Several other organizations — including conservative think tanks like the Goldwater Institute and the Cato Institute — have filed similar briefs, claiming students across the country are being unfairly disciplined more and more for "expressing unpopular ideas."

Representatives for Speech First did not return requests for comments. UT Spokesman J.B. Bird said Tuesday the university agrees with the dismissal but said that “free speech is essential for The University of Texas at Austin to carry out its mission as an institution of higher education.”

“While we agree with the judge’s decision, we acknowledge a shared dedication with the plaintiffs to the importance of free speech on university campuses,” Bird said in a statement. “UT will continue to do all it can to support freedom of expression.”