This article argues that some colleges and universities have misapplied peer sexual and racial harassment law to restrict student speech that is protected by the First Amendment. These institutions have misinterpreted their obligations under Title IX and Title VI to prevent true hostile environment harassment of students and, crucially, have ignored the need to preserve and protect the unfettered exchange of ideas on the college and university campus. One major factor contributing to the problem has been the practice of conflating employment harassment law under Title VII with peer harassment law under Title IX and Title VI. This article argues that Title VII hostile environment standards should not be used to shape college and university policy and practice regarding student conduct, and that colleges and universities should properly follow the peer harassment standard established by the Supreme Court in *Davis v. Monroe County*. Additionally, the article advocates for elimination of institutional liability under Title IX and Title VI for peer harassment, as this would advance campus speech rights greatly by eliminating a primary justification of colleges and universities for censoring and punishing student expression.