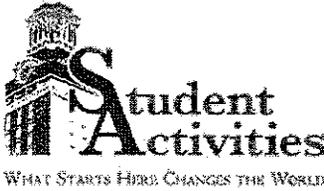


ATTACHMENT A



# New Student Organization Registration Application

Submit completed forms to Student Activities, along with required \$10 non-refundable fee.

A student organization that wishes to use university facilities must be registered with Student Activities. A group of three (3) or more enrolled students is eligible under the university's *Institutional Rules*, Section 6-202, if:

- 1) its membership is limited to enrolled students, staff and faculty of The University of Texas at Austin;
- 2) it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity or gender expression, except that a) an organization created primarily for religious purposes may restrict the right to vote or hold office to persons who subscribe to the organization's statement of faith; and b) an organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972;
- 3) it is not under disciplinary penalty prohibiting registration; and
- 4) it conducts its affairs in accordance with the Regents' *Rules and Regulations*, university regulations and administrative rules.

Please Note: If the registered student organization is approved, the following information (1-6) will be posted on the Student Activities Web site.

1. Name of proposed registered student organization \_\_\_\_\_

2. Type of organization:
- |  |   |                                   |
|--|---|-----------------------------------|
| <input type="checkbox"/> Political                           | <input type="checkbox"/> Educational/Departmental | <input type="checkbox"/> Honorary |
| (Check one only) <input type="checkbox"/> Student Governance | <input type="checkbox"/> Professional             | <input type="checkbox"/> Social   |
| <input type="checkbox"/> Recreational                        | <input type="checkbox"/> Religious                | <input type="checkbox"/> Service  |
| <input type="checkbox"/> International/Cultural              | <input type="checkbox"/> Special Interest         |                                   |

3. State the registered student organization's official purpose \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

4. Indicate any membership requirements\* beyond those stated in the *Institutional Rules* above \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\* Does your registered student organization intend to limit membership to a single gender?  Yes  No

For Office Use Only

Receipt Number _____	
Staff Signature _____	Date _____

## ORGANIZATIONS POLICY

### 1. General Statement of Purpose

The University recognizes:

1. the importance of organized student activities as an integral part of the total educational program of the University;
2. that college learning experiences are enriched by student organizational activity; and
3. that organizations provide a framework for students within which they may develop their own special talents and interests.

Inherent in the relationship between the University and organized student groups is the understanding that the purposes and activities of such groups should be consistent with the main objectives of the University.

All student organizations must register annually with the Department of Campus Activities and must then comply with the procedures and policies regarding registration as set forth.

The Dean of Students Office recognizes the role of Greek Coordinating Councils in establishing and upholding policies for member groups. However, membership in said councils does not exempt fraternities and sororities from judicial referrals to the Dean of Students Office for violations of Student Life Policies, including Organizations Policies.

The University Hearing Board, with the approval of the Dean of Students, delegates to Greek coordinating councils general supervision over those chapters of social sororities and fraternities which choose to be members of these councils.

The term "general supervision" shall include all the duties, powers and responsibilities exercised by the Greek coordinating council prior to the adoption of this policy, with the provision that membership in the Greek coordinating councils is optional with the local chapter.

It is understood that the Greek coordinating councils and their member groups will operate under the provisions of the Student Life Policies, including the Organizations Policy.

### 2. Procedure for Registration of New Organizations

#### 2.1 Permanent Organizations

- a. The group will file its name, statement of purpose, constitution or statement regarding its method of operation, faculty/staff advisor (if applicable), and the names of its officers or contact persons with the Department of Campus Activities.
- b. In cases where a potential faculty/staff advisor is unknown to the group, the Campus Activities staff will assist in identifying a university faculty or staff member who may wish to serve as an advisor. Organizations are encouraged to have a faculty/staff advisor.
- c. Should the group not have elected its officers or completed other work connected with its formation at the time they initially see the Campus Activities staff, the Campus Activities staff shall make arrangements for them to use university facilities for organizational purposes on a meeting-to-meeting basis until the organizational process is completed and the required information can be filed.
- d. At the time of filing, three officers or contact persons for the organization will sign a statement indicating that they are familiar with and will abide by the aforementioned responsibilities of student organizations. They will also sign the standard hazing and discrimination

disclaimer required of all student organizations.

- e. Having ascertained that the group's purpose is lawful and within university regulations and that the group has filed the required forms and disclaimers, the Director of Campus Activities, or designate, will sign the application. Appropriate university personnel are notified by Campus Activities that the group is then eligible for all of the rights of student organizations.
- f. Should the staff feel that the organization does not meet the requirements for registration, a written copy of the decision and reasons will be furnished to the applying organization. The group may appeal the decision to the Dean of Students.
- g. The Campus Activities staff shall make arrangements for the group to use university facilities on a meeting-to-meeting basis until the appeals process is completed.
- h. Decisions of the University Hearing Board may be appealed to the Dean of Students.

2.2 Registration for a Limited Purpose: Temporary Status In some cases, groups will organize with some short-term (one which can be accomplished in less than one academic year) goal in mind such as the passage of some particular piece of legislation or the holding of some particular event. The organization's structure will expire on the date indicated on the registration form. Requests for extension of Temporary Status may be made to the Director of Campus Activities.

#### 2.3 Membership Regulations

- a. Registered student organizations have freedom of choice in the selection of members, provided that there is no discrimination on the basis of race, color, religion, national origin, sex, age, disability, veteran status, or sexual orientation.
- b. Membership in registered student organizations is restricted to currently enrolled University of Houston students, faculty, staff and alumni.
- c. Hazing-type activities of any kind are prohibited.

#### 2.4 Officers Regulations

- a. Student organizations are free to set qualifications and procedures for election and holding office, with the following provisions:
  1. All officers must be regular members of the organization.
  2. There is no discrimination on the basis of race, color, religion, national origin, sex, age, disability, veteran status, or sexual orientation except where such discrimination is allowed by law.
  3. Religious student organizations may limit officers to those members who subscribe to the religious tenets of the organization where the organization's activities center on a set of core beliefs.
- b. Persons not currently enrolled at the University of Houston may not hold office or direct organizational activities.

#### 2.5 Records

All registered student organizations must maintain the following records in the Campus Activities Office:

- a. An organizational information form listing the current officers and faculty/staff advisor (if applicable) is due at the beginning of each school year. Any changes during the year, other than membership, are to be recorded within 10 days with the Department of Campus Activities.

## **University of Florida's Policy**

**(<https://www.union.ufl.edu/involvement/index.asp>)**

### **Student Organization Registration Policy Update**

The University of Florida has modified its policies relating to the registration of religious student groups as Registered Student Organizations (RSOs). The modification was made to accommodate any student group whose religious mission requires its membership to share the organization's religious beliefs, while at the same time continuing to protect the University's nondiscriminatory educational program.

More than 760 student organizations covering a wide variety of interests are registered at the University. UF has always welcomed registration of religious organizations. More than 60 religious student organizations, of which about 48 are Christian, are registered as RSOs at UF.

The University considers participation in registered student organizations to be an important educational opportunity for all of our students. The University applies its nondiscrimination in membership policy to registered student organizations to ensure that these important learning opportunities are not denied to any student due to discrimination based on race, sex, religion or certain other prohibited bases.

A small number of religious student groups have expressed a religious need to ensure that all of their members share the religious beliefs of the organization.

To the greatest extent possible-while fulfilling our nondiscriminatory educational mission and complying with the law-the University wants to be sure that a full range of religious student organizations feel just as free to register as any other type of student organization. This ensures that all of our students will find meaningful educational opportunities to participate in registered student organizations.

As we are committed to serving all of our students well, the University has carefully considered how to address the concerns expressed by some religious student groups and individuals without compromising our educational program. After doing so, the University has made the decision to modify its nondiscrimination policy as follows:

"Student organizations that wish to register with the Center for Student Activities and Involvement (CSAI) must agree that they will not discriminate on the basis of race, creed, color, religion, age, disability, sex, sexual orientation, marital status, national origin, political opinions or affiliations, or veteran status as protected under the Vietnam Era Veterans' Readjustment Assistance Act.

A student organization whose primary purpose is religious will not be denied registration as a Registered Student Organization on the ground that it limits membership or

leadership positions to students who share the religious beliefs of the organization. The University has determined that this accommodation of religious belief does not violate its nondiscrimination policy."

This modification of the University's registration policy recognizes a meaningful distinction between sincerely held current religious beliefs (which may be considered in selecting members or leaders of religious RSOs)-and religious or other status (e.g., religion of birth or historical affiliation). The modification takes effect immediately and is now reflected in the CSAI's Handbook of Student Activities as well as its registration and constitution guidelines and Web site. A letter has been sent to each religious student group that has recently sought and not received registration to ensure that it is aware of the modification and to invite its registration.

University of Minnesota's "Constitution and By-Laws Instructions" in *Student Groups Official Handbook*, available at <http://sua.umn.edu/groups/handbook/constitution.php> (last visited December 7, 2012)

**3. University of Minnesota Policy:** Student groups must comply with all University policies and procedures, as well as local, state, and federal laws and regulations. This includes, but is not limited to, the Board of Regents Policy on Diversity, Equal Opportunity and Affirmative Action as they relate to group membership and access to programs. Religious student groups may require their voting membership and officers to adhere to the group's statement of faith and its rules of conduct. Your constitution needs to include a statement about your group's responsibility to operate in accordance with these policies.

ATTACHMENT B

# California State University Northridge

Office of Student Involvement & Development

January 20, 2015

Cinnamon McCellen  
Rejoyce in Jesus Campus Fellowship

Cc: Vicki Allen, Advisor

Dear Cinnamon:

This correspondence is to inform you that effective immediately, your student organization, Rejoyce in Jesus Campus Fellowship, will no longer be recognized by California State University, Northridge.

Withdrawing or withholding of official recognition can occur when an organization has failed to meet the standards required for official recognition in a given year. The Rejoyce in Jesus Campus Fellowship organization will no longer be recognized given failure to submit an organizational constitution that is in compliance with non-discrimination and open membership requirements as outlined in California State University Executive Order 1068.

In withdrawing University recognition, your organization is no longer afforded the privileges of University recognition Clubs and Organizations. Those include:

- Recruiting California State University, Northridge students through official campus recruitment programs (such as Meet the Clubs, Matafest, AS Fair, etc.).
- Utilizing the university name as a designation for your organization.
- Have a university issued email account and or website. If your club or organization has a current email or website, a request to suspend your email and website will be sent to the University's IT department and will be deactivated within a week.
- Eligibility for Associated Students, Inc. (A.S.) funding and utilization of AS financial and marketing resources and services.
- Eligibility for University Student Union (USU) facility use at a discounted rate. Only University recognized clubs or organizations are eligible for the discounted rates and fee waivers on room reservations in the USU. Groups of students not recognized by the university who reserve rooms through USU Reservations and Events Services will be charged the off-campus rate and will not be eligible to receive two free meetings per week in USU rooms. Rate information can be found at the following website: [www.csun.edu/usu](http://www.csun.edu/usu).
- Eligibility for USU co-sponsorship support. Any organization applying for co-sponsorship must be a University recognized club or organization, auxiliary or university department. Therefore, any group of students not officially recognized by the University would not be eligible to receive any USU Co-Sponsorship funding including, but not limited to, funding for costs of room reservations, event production costs, performer fees, food, or Performance Hall usage.
- Ability to have a mailbox and receive mail at the University. If you currently have a mailbox at the MIC it will be closed (all current contents, if any, will be kept for you by the Club and Organization Advisor).

This loss of University recognition is effective immediately and notification has been sent to both the Associated Students and the University Student Union.

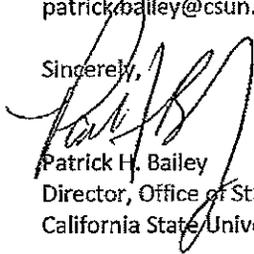
18111 Nordhoff Street . Northridge . California 91330-8281 . (818) 677-2393 . fax (818) 677-4596 . e-mail [patrick.bailey@csun.edu](mailto:patrick.bailey@csun.edu)

The California State University . Bakersfield . Channel Islands . Chico . Dominguez Hills . Fresno . Fullerton . East Bay . Humboldt . Long Beach . Los Angeles .  
Maritime Academy . Monterey Bay . Northridge . Pomona . Sacramento . San Bernardino . San Diego . San Francisco . San Jose . San Luis Obispo . San Marcos . Sonoma . Stanislaus

If your organization determines that it would again like to be officially recognized by the University, please contact the Matador Involvement Center (MIC) located on the first floor of the USU to discuss how your organization can come into compliance with non-discrimination and open membership guidelines as outlined in EO1068. Assistant Director Vicki Allen or Activities Coordinator Jennifer Villarreal are both available to assist you and can be reached at 818-677-5111 or via email at [micleadership@csun.edu](mailto:micleadership@csun.edu).

If you have any questions or additional concerns please contact me at 818.677.2393 or via email at [patrick.bailey@csun.edu](mailto:patrick.bailey@csun.edu)

Sincerely,



Patrick H. Bailey  
Director, Office of Student Involvement and Development  
California State University, Northridge

CC: Associated Students  
University Student Union  
Matador Involvement Center  
University Advisor for Rejoyce in Jesus Campus Fellowship

ATTACHMENT C

THE CALIFORNIA STATE UNIVERSITY  
OFFICE OF THE CHANCELLOR



BAKERSFIELD

December 21, 2011

CHANNEL ISLANDS

CHICO

MEMORANDUM

DOMINGUEZ HILLS

TO: CSU Presidents

EAST BAY

FROM: Charles B. Reed  
Chancellor

FRESNO

SUBJECT: Student Activities – Executive Order 1068

FULLERTON

Attached is a copy of Executive Order 1068, Student Activities, which supersedes Executive Order 1006.

HUMBOLDT

LONG BEACH

This executive order includes the following changes:

LOS ANGELES

- Revision of the formal chartering and recognition policies for student organizations to include an open membership requirement in addition to the nondiscrimination in student organizations requirement
- Transfer of the Minor Representative Student Officers section into the CSU policy on minimum academic qualifications for student office holders
- Transfer of the Student Judiciary section into the executive order on student conduct procedures

MARITIME ACADEMY

MONTEREY BAY

NORTHRIDGE

In accordance with policy of the California State University, the campus president has the responsibility for implementing executive orders where applicable and for maintaining the campus repository and index for all executive orders.

POMONA

SACRAMENTO

If you have questions regarding this executive order, please contact the Associate Director of Student Programs at (562) 951-4707 or the Assistant Director of Student Programs at (562) 951-4693.

SAN BERNARDINO

SAN DIEGO

SAN FRANCISCO

SAN JOSÉ

CBR/rm

SAN LUIS OBISPO

Attachment

SAN MARCOS

c: Provosts/Vice Presidents for Academic Affairs  
Vice Presidents for Administration and Finance  
Vice Presidents for Student Affairs  
Executive Staff, Office of the Chancellor

SONOMA

STANISLAUS

THE CALIFORNIA STATE UNIVERSITY  
Office of the Chancellor  
401 Golden Shore  
Long Beach, California 90802-4210  
(562) 951-4707

Executive Order: 1068

Effective Date: December 21, 2011

Supersedes: Executive Order 1006

Title: Student Activities

This executive order establishes systemwide policies, procedures, and guidelines for student organizations and activities. All provisions in this executive order are expected to be implemented by the 2012-2013 academic year.

#### Student Organizations

Campuses shall establish and publish procedures for formal chartering and recognition of student organizations in compliance with the following policies:

##### *Formal Chartering and Recognition Policies*

Campuses shall comply with all student organization filing requirements described in California Code of Regulations, Title 5, Article 4, Nondiscrimination in Student Organizations, Sections 41500 (*Withholding of Recognition*), 41501 (*Definition of Recognition*), 41503 (*Filing Requisites*), and 41504 (*Penalties*). These sections require each student organization to deposit with the vice president of student affairs or his/her designee copies of all constitutions, charters, or other documents relating to its policies. Documents shall be refiled within 90 days after any substantive change or amendment.

No campus shall recognize any fraternity, sorority, living group, honor society, or other student organization that discriminates on the basis of race, religion, national origin, ethnicity, color, age, gender, marital status, citizenship, sexual orientation, or disability. The prohibition on membership policies that discriminate on the basis of gender does not apply to social fraternities or sororities or other university living groups. Student organizations shall deliver to the vice president for student affairs or his/her designee a statement signed by the president or similar officer of the local student organization attesting that the organization has no rules or policies that discriminate on the basis of race, religion, national origin, ethnicity, color, age, gender, marital status, citizenship, sexual orientation, or disability. This statement shall be renewed annually.

No campus shall recognize any fraternity, sorority, living group, honor society, or other student organization unless its membership and leadership are open to all currently enrolled students at

that campus, except that a social fraternity or sorority or other university living group may impose a gender limitation as permitted by Title 5, California Code of Regulations, Section 41500. Student organizations may require applicants for leadership positions to have been members for a specified period of time, and may require officers to compete for those positions in elections of the membership.

In recognizing student organizations, campuses are encouraged to consider such factors as the mix of students who reside on campus, students who commute, part-time and full-time students, students who are working while attending college, and other factors that will provide opportunities that meet the diverse needs of students seeking to affiliate with student organizations.

#### *Withholding and Withdrawing Official Recognition*

Official recognition of student organizations that fail to abide by the open membership policy or that discriminate on the basis of race, religion, national origin, ethnicity, color, age, gender, marital status, citizenship, sexual orientation, or disability shall be withdrawn.

In addition, official recognition of a student organization may be withdrawn for hazing or conspiracy to haze as defined in the California Code of Regulations, Title 5, *Standards for Student Conduct*, Section 41301(b)(8). Individual students may be disciplined for hazing under Section 41301(b)(8).

Campuses may establish codes of conduct for student organizations and procedures for sanctions against the organizations. Sanctions may include actions such as withdrawal of recognition, suspension of recognition for a specified period of time, probation (warning that might lead to a more severe sanction), restriction of privileges, reprimand, and restitution for losses caused.

#### *Minimum Number of Students*

Official recognition of a student organization requires a minimum of five CSU students who are currently enrolled in at least one class. A maximum of twenty percent of the members of a student organization may be individuals who are not CSU students, e.g., community members, students at other colleges. Only students enrolled at the CSU campus may vote on issues that come before the student organization. The vice president of student affairs or designee may waive the twenty percent and voting provisions for fraternities and sororities to accommodate such organizations as the National Panhellenic Council that includes representatives from non-CSU campuses. Documentation for this waiver shall include copies of national charters or other appropriate documentation, and these documents shall be submitted to the vice president of student affairs or designee. Campuses retain authority to include additional requirements for recognition and/or to make the requirements listed here more limiting.

#### *Club Advisors*

Each officially recognized student organization must have a university advisor who is either a faculty member or professional member. Campuses may permit part-time faculty and professional staff to serve as advisors. Advisors should not be selected from auxiliary

organizations. Campuses should develop a training and orientation program for university advisors to student organizations.

#### *Training/Orientation Programs*

The CSU Alcohol Policies and Prevention Program (Board Resolution REP 07-01-03) requires campuses to provide orientation programs for student organization advisors and for student officers that outline policies, expectations, and information on alcohol use/abuse. This orientation may be provided to officers of student organizations in writing or electronically, and ~~an acknowledgement of completion of this orientation that includes the name of the student organization and student officer(s) shall be retained by the vice president of student affairs or designee.~~

In addition, campuses shall advise student organizations and student officers about the California State University Student Conduct Code in Title 5, California Code of Regulations, Section 41301.

#### *Role of Auxiliary Organizations in Recognizing Student Organizations*

Campuses may not delegate the process of approving or managing student organizations or their activities. Auxiliary organizations may not manage student organizations or approve student activities. Auxiliary organizations may not provide auxiliary funds or facilities to student organizations that are not currently recognized by the campus. Funding and use of facilities are available only to student organizations that are currently recognized by the campus.

#### *Off-Campus Student Activities*

Campuses shall comply with Section 41301, *Standards for Student Conduct*, of Title 5 of the California Code of Regulations. This section clarifies the university's authority for off-campus behavior that includes students who are members of clubs and organizations. The Student Conduct Code sets the standard of expected behavior and describes conduct that is unacceptable and subject to discipline through the university's disciplinary process.

#### *Overall Program Evaluations*

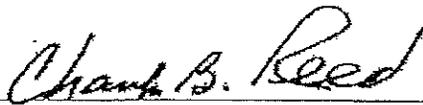
Campuses shall assess student organizations and activities programs biennially. The review shall include the assessment of such factors as risk management, program quality, student satisfaction, student participation growth, and how the student organizations and activities support the goals of the university. Campuses may develop an individual assessment instrument or select an existing assessment instrument, e.g., The Council for the Advancement of Standards in Higher Education (CAS) or CSU Quality Improvement (QI). The biennial reports shall be submitted to the Office of the Chancellor in August of every even-numbered year.

#### *Club Sports Insurance*

Officially recognized student club sports at all CSU campuses must carry adequate liability and secondary medical insurance as determined in collaboration with the campus risk managers or the Office of Risk Management in the Chancellor's Office for all participants and coaches,

including non-students and volunteers. The insurance shall cover travel, practices, and competition. Each campus may develop its own method for insurance coverage requiring participants to pay or other fiscally sound approaches as authorized by the campus vice president for student affairs or his/her designee. In no case may a campus use state appropriations to pay for club sports insurance. No student, non-student, or volunteer may participate in a club sport without approved insurance, and no club may be recognized or organized to participate in practices, competition, or travel without approved insurance.

Insurance documents should include appropriate hold harmless provisions as follows: "Insured shall hold harmless, indemnify, and defend the state of California, the Trustees of the California State University, the (*campus*) and the officers, employees, volunteers and agents of each of them from and against any and all liability, loss, damage, expense, costs of every nature, and causes of actions arising out of or in connection with the use by the insured of said property or participation in said activity."

  
Charles B. Reed, Chancellor

Dated: December 21, 2011

ATTACHMENT D

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

December 15, 2014

Dr. Timothy P. White  
Chancellor, The California State University  
401 Golden Shore  
Long Beach, CA 90802

Dear Chancellor White:

We write to express our deep concern about the de-recognition of religious student organizations on California State University campuses that require their student leaders to affirm the core religious beliefs of the organization. As Members of Congress dedicated to protecting constitutional freedoms in America, we are troubled that these student groups, some of which have been a part of student organization life on Cal State campuses for decades, are being forced to choose between preserving their religious identity through their student leadership and the benefits of being a fully recognized student organization. By choosing to preserve their religious identity, they are effectively relegated to be second class student organizations.

Among the most basic rights that Americans enjoy are the free exercise of religion, free speech, and the freedom of association. As the Supreme Court has reinforced, “[T]he constitutional shelter afforded such relationships reflects the realization that individuals draw much of their emotional enrichment from close ties with others. Protecting these relationships from unwarranted state interference therefore safeguards the ability independently to define one’s identity that is central to any concept of liberty.” *Roberts v. United States Jaycees*, 468 U.S. 609, 619 (1984).

Your own campuses acknowledge the vital role that student organizations play in the academic and social communities of student life on campus. For example, the San Diego State University Student Organizations Handbook states that student organizations “provide a valuable service to the San Diego State University community by providing leadership development, spirit, activism, public service, and social and cultural interaction.” *Student Organizations Handbook*, SAN DIEGO STATE UNIVERSITY, <http://studentaffairs.sdsu.edu/SLL/studentorgs/documents/2014-15RSOHandbookAugust252014.pdf> (last visited October 9, 2014). That same handbook further notes that religious-based organizations “Serve as a support for students of a particular faith or denomination.” *Id.* (emphasis added).

We understand that the de-recognized student groups may still operate on campus. This is little consolation, however, when stripping them of their official status effectively makes them second-class student organizations. Without official recognition, these groups may not avail themselves of many

advantages that are reserved solely for official student groups, such as the active support of student life and leadership staff on each campus that are employed to help student groups succeed and thrive, including leadership training opportunities. They are not eligible to apply for office space or to participate in informational tabling to promote their organization. They are excluded from avenues of communication offered exclusively to student organizations, including posting signs in reserved areas, maintaining an organizational mailbox, and participating in student organization fairs. They are not eligible to receive student organization funding such as program grants and travel funds. They must pay a fee in order to use campus facilities and they may use these rooms only after first priority is given to recognized student groups.

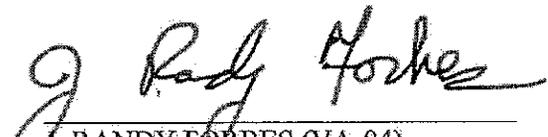
Since 1961, the regulations governing the university system have made religious identification a protected class by prohibiting recognized student organizations from discriminating in their membership on the basis of religion. CAL. CODE REGS. tit. 5, § 41500 (2014). However, interpreting this requirement to mean that student groups are prohibited from asking their leadership to affirm the core religious beliefs and mission of the organization does not make sense for two reasons. First, some of the affected student organizations have been present and active on California State University Campuses for years, but it was not until recently that their status as student organizations was called into question for their leadership requirements. For example, InterVarsity has been present on California State campuses since at least 1950 without incident, until now.

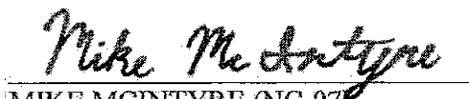
Second, applicable federal and state laws must be interpreted in context and with common sense. Section 41500 must be read in light of, not in spite of, the hierarchy of legal authority. The ability of Americans to freely associate with likeminded individuals is one of the most basic and crucial freedoms on which our Nation was founded. Furthermore, the California State Constitution guarantees the “[f]ree exercise and enjoyment of religion without discrimination.” CA. CONST. art. 1, § 4. The purpose of the administrative regulation is not thwarted by religious organizations requiring their leadership to affirm the core principles and beliefs of the organization. By interpreting an administrative regulation to *prevent* religious organizations from maintaining integrity to their mission in their leadership, you are discriminating against the very protected class which the law defends.

Allowing student groups to select leaders that best represent a student organization’s mission is not discrimination—it is common sense. Student organizations should be free to choose leaders who affirm the core purpose of their organization.

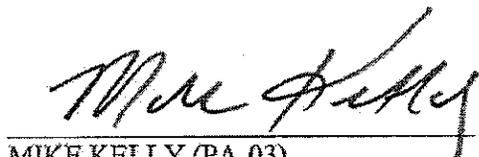
We urge you to ensure that Cal State’s nondiscrimination policy is not interpreted in a manner that discriminates against religious student organizations. Colleges and universities should be safe places for the free exchange and debate of ideas, and these groups should be free to choose student leaders that best represent the core beliefs that are their very purpose for existing on campus without fear of being marginalized. We look forward to hearing from you regarding this matter.

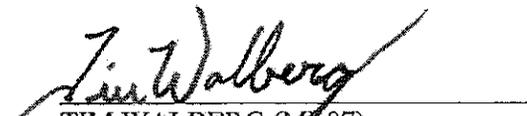
Sincerely,

  
\_\_\_\_\_  
J. RANDY FORBES (VA-04)  
Member of Congress

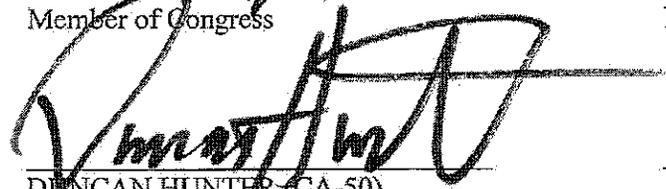
  
\_\_\_\_\_  
MIKE MCINTYRE (NC-07)  
Member of Congress

  
DOUG LAMALFA (CA-01)  
Member of Congress

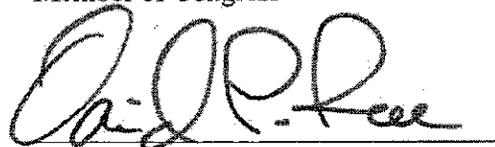
  
MIKE KELLY (PA-03)  
Member of Congress

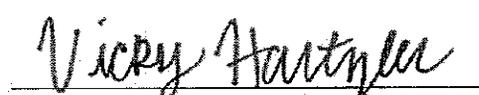
  
TIM WALBERG (MI-07)  
Member of Congress

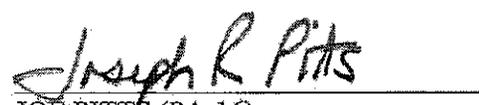
  
RANDY HULTGREN (IL-14)  
Member of Congress

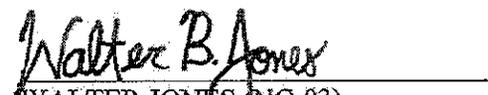
  
DUNCAN HUNTER (CA-50)  
Member of Congress

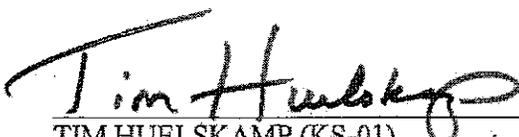
  
JEFF DUNCAN (SC-03)  
Member of Congress

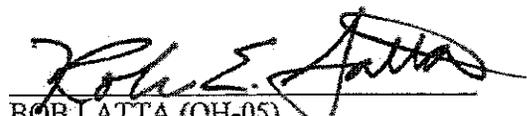
  
PHIL ROE (TN-01)  
Member of Congress

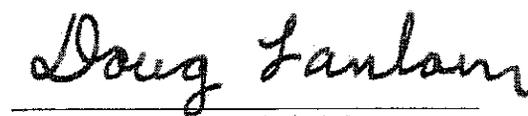
  
VICKY HARTZLER (MO-04)  
Member of Congress

  
JOE PITTS (PA-16)  
Member of Congress

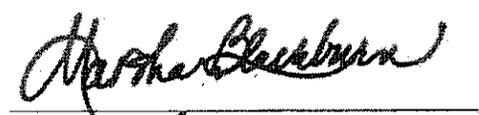
  
WALTER JONES (NC-03)  
Member of Congress

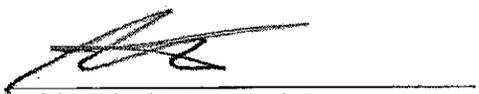
  
TIM HUELSKAMP (KS-01)  
Member of Congress

  
BOB LATTA (OH-05)  
Member of Congress

  
DOUG LAMBORN (CO-05)  
Member of Congress

  
STEVE PEARCE (NM-02)  
Member of Congress

  
MARSHA BLACKBURN (TN-07)  
Member of Congress

  
ANDY HARRIS (MD-01)  
Member of Congress

  
LOUIE GOHMERT (TX-01)  
Member of Congress



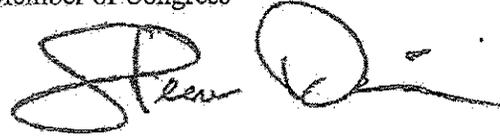
BOB GOODLATTE (VA-06)  
Member of Congress



ROBERT ADERHOLT (AL-04)  
Member of Congress



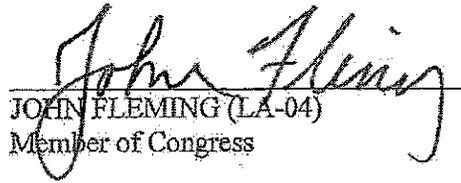
ALAN NUNNELEE (MS-01)  
Member of Congress



STEVE DAINES (MT-AL)  
Member of Congress



RODNEY DAVIS (IL-13)  
Member of Congress



JOHN FLEMING (LA-04)  
Member of Congress



DOUG COLLINS (GA-09)  
Member of Congress

ATTACHMENT E

----- Forwarded message -----

From: [redacted]

Date: Tue, Aug 9, 2011 at 10:40 PM

Subject: RE: Christian Legal Society status

To: [redacted]

Cc: [redacted]

Dear [redacted],

Thank you for submitting your new Constitution for the Christian Legal Society. In reviewing it, there are some parts of it that are in violation of Vanderbilt University's policies regarding student organizations; they will need to be addressed before the Office of Religious Life can endorse CLS's approval.

Article III states that, "All officers of this Chapter must subscribe to the Christian Legal Society Statement of Faith." Vanderbilt's policies do not allow any student organization to preclude someone from a leadership position based on religious belief. Only performance-based criteria may be used. This section will need to be rewritten reflecting this policy.

The last paragraph of Section 5.2 states that "Each officer is expected to lead Bible studies, prayer and worship at Chapter meetings as tasked by the President." This would seem to indicate that officers are expected to hold certain beliefs. Again, Vanderbilt policies do not allow this expectation/qualification for officers.

Section 9.1 regarding Amendments to the Constitution should include language stating that any amendment must also be in keeping with Vanderbilt University's policies on student organizations and must be approved by the University before taking effect.

Please make these few changes and submit a copy of the amended Constitution to me so we can proceed with the approval process.

Also, we do not have in hand a copy of the revised Officer and Advisor Affirmation Form, as requested in the initial deferral. Specifically, we need a clean document without the handwritten text that seems to be an exclusionary clause advocating for partial exemption from the University's non-discrimination policy. Please forward us a copy of this as well.

Thank you. Please let me know of any questions you may have.

Best,

[redacted]

[redacted]

ATTACHMENT F

----- Forwarded message -----

From: vanderbiltcollegiatelink

<noreply@collegiatelink.net<mailto:noreply@collegiatelink.net><mailto:noreply@collegiatelink.net<mailto:noreply@collegiatelink.net>>>

Date: Tue, Apr 17, 2012 at 11:53 AM

Subject: Registration Status Update: [redacted name of Christian student group]

To: [redacted name of student]

The registration application that you submitted on behalf of [redacted name of Christian student group] <[https://vanderbilt.collegiatelink.net/organization/\[redacted\]](https://vanderbilt.collegiatelink.net/organization/[redacted])> has not been approved and may require further action on your part. Please see the reviewer's comments below or access your submission now <[https://vanderbilt.collegiatelink.net/organization/\[redacted\]/register/Review/650475](https://vanderbilt.collegiatelink.net/organization/[redacted]/register/Review/650475)>.

Thank you for submitting your registration application. Vanderbilt appreciates the value of its student organizations. Your submission was incomplete or requires changes, thus we are not able to approve your application at this time. Please re-submit your application including the following items or changes: - Please change the following statement in your constitution:

"Article IV. OFFICERS

Officers will be Vanderbilt students selected from among active participants in [redacted name of Christian student group]. Criteria for officer selection will include level and quality of past involvement, personal commitment to Jesus Christ, commitment to the organization, and demonstrated leadership ability."

**CHANGE TO:**

Officers will be Vanderbilt students selected from among active participants in [redacted name of Christian student group]. Criteria for officer selection will include level and quality of past involvement, commitment to the organization, and demonstrated leadership ability.

We are committed to a timely review of every complete application received and to letting you know the status of your application as soon as possible.

ATTACHMENT G

Congress of the United States  
Washington, DC 20515

October 6, 2011

Chancellor Nicholas Zeppos  
Vanderbilt University  
211 Kirkland Hall  
Nashville, TN 37240

Dear Chancellor Zeppos,

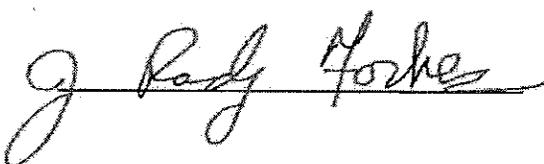
We write to express our deep concern about reports that several religious student groups at Vanderbilt University have been placed on provisional status and face possible dissolution, unless they allow students who do not share the groups' core religious beliefs to obtain leadership positions within the organization.

As Members of Congress dedicated to protecting religious freedom in America, we are troubled to learn that student groups are being prohibited from preserving their religious identity through their student leadership. Religious student groups form around specific beliefs, and provide an opportunity for like-minded individuals to assemble to study the tenets of their faith and engage in activities that enrich their religious experiences. Leaders of student groups necessarily lead student participants in the groups' activities; thus, if a religious student group's activities include Bible study, worship, or prayer, the leader of the group can necessarily be expected to lead in those activities. It follows, then, that religious groups must be allowed to select leaders that share the group's core religious beliefs in order to maintain their religious identities and carry out their primary functions. Selecting leaders that best represent a student organization's mission is not discrimination; it is common sense.

An aspect of American society that greatly contributes to diversity in public discourse is the freedom of like-minded individuals to coalesce around ideals, ensuring that their perspectives are given a voice in the public square. Preventing groups from choosing leaders who best represent the group's mission will dilute public discourse in which groups play such a vital role, and will diminish the diversity on your campus.

We urge you to ensure that Vanderbilt University's nondiscrimination policy is not being interpreted in a manner that discriminates against religious groups. We request that you allow these groups to freely choose student leaders that best represent their core beliefs. We look forward to hearing from you regarding this matter.

Sincerely,



David M. Hutto FL-8 Paul C. Brown BA-10

JOEL Wilson, SC-02 James L. Taylor OK-5

Tim Walberg MI-07 Gregg Harper MS-3

Kevin Joyce FL-05 Paul P. Bonior

Jeff Duncan SC-3

Wally Hulse IL-14

Steve Pearce NH-02 Doug Lamborn

Alaska Blackburn Diane Black

Steve King

Vicky Hartzler MO-4

Frank Lautenberg

Robbie L. Metcalfe

Bill Cassidy

Mike Kelly

Jay Pitts

1. Rep. Randy Forbes (VA-04)
2. Rep. Mike McIntyre (NC-07)
3. Rep. Daniel Webster (FL-08)
4. Rep. Paul Broun (GA-10)
5. Rep. Joe Wilson (SC-02)
6. Rep. James Lankford (OK-05)
7. Rep. Tim Walberg (MI-07)
8. Rep. Gregg Harper (MS-03)
9. Rep. Richard Nugent (FL-05)
10. Rep. Louie Gohmert (TX-01)
11. Rep. Jeff Duncan (SC-03)
12. Rep. Randy Hultgren (IL-14)
13. Rep. Stevan Pearce (NM-02)
14. Rep. Doug Lamborn (CO-05)
15. Rep. Marsha Blackburn (TN-07)
16. Rep. Diane Black (TN-06)
17. Rep. Steve King (IA-05)
18. Rep. Vicky Hartzler (MO-04)
19. Rep. Trent Franks (AZ-02)
20. Rep. Thaddeus McCotter (MI-11)
21. Rep. Bill Cassidy (LA-06)
22. Rep. Mike Kelly (PA-03)
23. Rep. Joe Pitts (PA-16)

**Congress of the United States**  
**Washington, DC 20515**

May 3, 2012

Mr. Mark F. Dalton  
Chairman  
Vanderbilt University Board of Trust  
305 Kirkland Hall  
Nashville, TN 37240

Chancellor Nicholas Zeppos  
Vanderbilt University  
211 Kirkland Hall  
Nashville, TN 37240

Dear Chairman Dalton, Chancellor Zeppos, and Members of the Board of Trust:

We are deeply concerned that Vanderbilt University's nondiscrimination policy is being applied in a manner that targets religious student organizations, creating an environment that is hostile to their existence on campus. We ask that you modify the policy to allow these groups to remain part of the official Vanderbilt community while also preserving their religious identities. Other institutions of higher education have implemented policies that recognize the unique need of religious organizations to consider religious criteria when selecting leaders. We urge you to do the same, allowing these important organizations to continue contributing to the Vanderbilt experience.

Since our nation's founding, religious organizations have played an important role in enabling like-minded individuals to coalesce around a set of ideals, ensuring that their perspectives are given a strong voice in the public square. This is sound public policy, and is consistent with the protections afforded by our Constitution to religious exercise and freedom of assembly. In October of 2011, twenty-three Members of the U.S. House of Representatives sent a letter expressing concern that Vanderbilt's newly-announced nondiscrimination policy was being applied in a manner that endangered religious student groups that had long been recognized at Vanderbilt. Since that time, concern has grown as a number of the groups are being forced to either leave campus or modify their constitutions in a manner that could compromise their religious identities.

We believe the public is only just beginning to see the fallout that will inevitably result from this policy. Vanderbilt Catholic recently announced that it will leave campus rather than comply with the policy. The group explained that it could not open leadership positions to students who may not share its core religious beliefs or even know anything about them. Now we hear that Vanderbilt is stripping this student group of its ability to even use the word "Vanderbilt" in its title. Additionally, we were shocked to learn that Vanderbilt officials this month told a previously recognized religious student group that it must delete a requirement that its leaders have a personal commitment to Jesus Christ. A group that exists to allow students to gather to worship God is unable to require that its leaders share its most core religious beliefs.

Vanderbilt officials have had months to modify the nondiscrimination policy, but have instead affirmed their position. Despite calls by Members of the U.S. Congress, Members of the Tennessee State Legislature, and concerned students, alumni, and professors, the university has

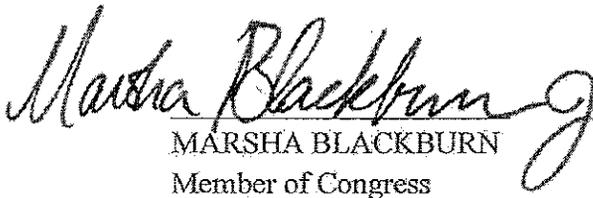
refused to recognize what federal law has long supported. Instead, the university has chosen to impose stringent requirements on religious student groups that are not required by federal law or regulation.

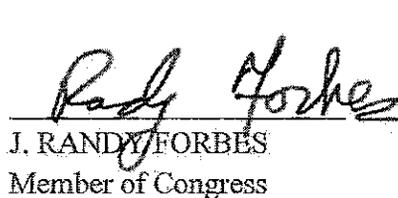
The "all-comers" nondiscrimination policy recently formalized by university officials purports to require all student groups to open membership and leadership positions to all students. However, the university decided to exempt single-sex organizations like sororities and fraternities, using Title IX of the Education Amendments Act of 1972 as its justification. Title IX gives fraternities and sororities an exemption only from Title IX itself, and yet Vanderbilt has expanded that narrow exemption into a broad exemption for fraternities and sororities from its own nondiscrimination policy.

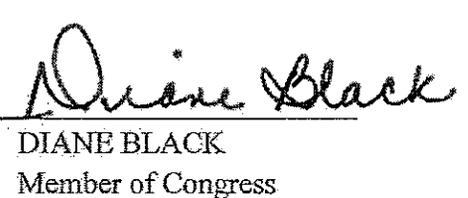
By contrast, the university has ignored an analogous exemption that could easily be applied to religious student groups. This is a double standard that suggests hostility on the part of Vanderbilt towards religious student groups. As you know, Title VII of the Civil Rights Act generally prohibits employers from making employment decisions on the basis of the applicant's race, color, religion, sex, or national origin. However, the law expressly exempts religious organizations "with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such [entity] of its activities." The law inherently recognizes that a non-religious organization's refusal to hire an individual because of his religion is unjust discrimination; while a religious organization's decision to hire an individual because of his religion is a relevant and commonsensical consideration. Were it not permitted, religious organizations would not be able to preserve their distinct religious identities. Just as other entities are permitted to engage in relevant qualification-based hiring, federal employment law provides the same baseline freedom to religious organizations. If Vanderbilt officials desire to retain religious student organizations as part of the on-campus community, they can easily do so by relying on the Title VII rationale explained above, just as they rely on the Title IX rationale to protect fraternities' requirements for leaders.

While we respect the autonomy of Vanderbilt University, we are deeply troubled that Vanderbilt would use its freedom as a private institution to create a nondiscrimination policy that discriminates against religious student groups. We respectfully request that you modify your policy to exempt religious student groups, recognizing what federal law has long provided—that religious organizations should have the same freedom as other organizations to select leaders who are best-qualified to lead the groups. We look forward to hearing from you regarding this matter.

Sincerely,

  
MARSHA BLACKBURN  
Member of Congress

  
J. RANDY FORBES  
Member of Congress

  
DIANE BLACK  
Member of Congress

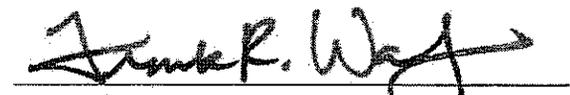
  
JAMES LANKFORD  
Member of Congress

  
VICKY HARTZLER  
Member of Congress

  
DAN BURTON  
Member of Congress

  
TRENT FRANKS  
Member of Congress

  
BILL JOHNSON  
Member of Congress

  
FRANK R. WOLF  
Member of Congress

  
LOUIE GOHMERT  
Member of Congress

  
MIKE KELLY  
Member of Congress

  
LEE TERRY  
Member of Congress

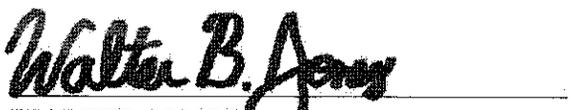
  
STEVE PEARCE  
Member of Congress

  
ROB WITTMAN  
Member of Congress

  
STEVE KING  
Member of Congress

  
MICHELE BACHMANN  
Member of Congress

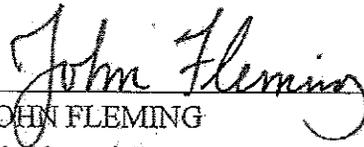
  
DOUG LAMBORN  
Member of Congress

  
WALTER JONES  
Member of Congress

  
ROBERT B. ADERHOLT  
Member of Congress



TOM PRICE  
Member of Congress



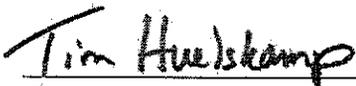
JOHN FLEMING  
Member of Congress



ALAN NUNNELEE  
Member of Congress



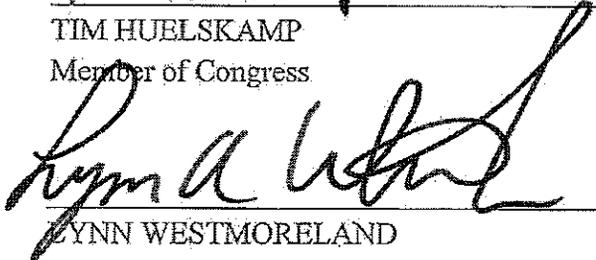
JOE WILSON  
Member of Congress



TIM HUELSKAMP  
Member of Congress



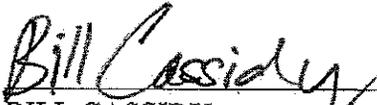
PAUL BROUN  
Member of Congress



LYNN WESTMORELAND  
Member of Congress



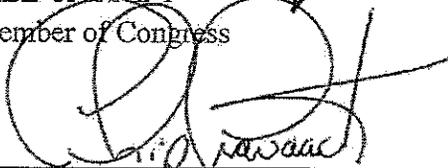
TIM WALBERG  
Member of Congress



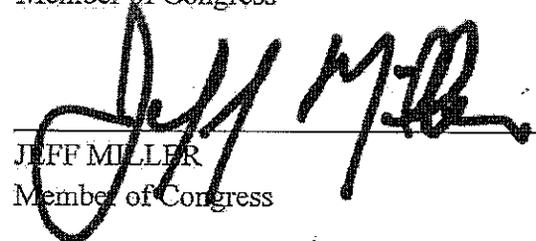
BILL CASSIDY  
Member of Congress



STEVE SOUTHERLAND  
Member of Congress



CHIP CRAVAACK  
Member of Congress



JEFF MILLER  
Member of Congress



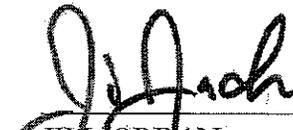
TODD AKIN  
Member of Congress



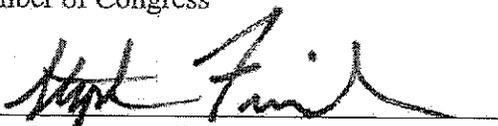
CHUCK FLEISCHMANN  
Member of Congress



RANDY NEUGEBAUER  
Member of Congress



JIM JORDAN  
Member of Congress



STEPHEN FINCHER  
Member of Congress

ATTACHMENT H

West's Tennessee Code Annotated

Title 49. Education

Chapter 7. Postsecondary and Higher Education Generally

Part 1. Miscellaneous Provisions

T. C. A. § 49-7-156

§ 49-7-156. Religious student organizations; discrimination

Effective: July 1, 2013

Currentness

(a) No state higher education institution that grants recognition to any student organization shall discriminate against or deny recognition to a student organization, or deny to a student organization access to programs, funding, or facilities otherwise available to another student organization, on the basis of:

(1) The religious content of the organization's speech including, but not limited to, worship; or

(2) The organization's exercise of its rights pursuant to subsection (b).

(b) A religious student organization may determine that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as members or leaders.

(c) As used in this section, "state higher education institution" means any higher education institution governed by chapter 8 or 9 of this title.

**Credits**

2013 Pub.Acts, c. 283, § 1, eff. July 1, 2013.

T. C. A. § 49-7-156, TN ST § 49-7-156

Current with laws from the 2014 Second Reg. Sess., eff. through Feb. 28, 2014

---

End of Document

© 2014 Thomson Reuters. No claim to original U.S. Government Works.

ATTACHMENT I



August 22, 2011

Registered Student Organization:

Recent court decisions have clarified the law regarding the application of anti-discrimination policies to Registered Student Organizations (“RSOs”) at institutions of higher education. To ensure compliance with the clarified law and University policy, our office is verifying that each RSO constitution contains the following anti-discrimination policy:

“Membership in, association with, and benefits emanating from this student organizations and its related activities shall be based upon such considerations as performance, educational achievement, and other criteria related to the goals of this organization and purposes of its activities. Judgments in this regard based solely on an individual’s race, color, religion, national origin, age, gender, sexual orientation, disability, veteran status, marital status, or political belief are not judgments based on such considerations. Further, the purpose of this organization shall be consistent with public policy as established by prevailing University Community standards.”

In addition to including the exact language above in your RSO’s constitution, no provisions of your constitution and none of your organization’s practices may contradict or create exceptions to this policy. You should carefully review your constitution and practices to ensure your organization adheres to the letter and spirit of the University’s anti-discrimination policy.

In order to remain eligible for use of University facilities and funding, your organization must electronically submit a constitution that complies with the University’s anti-discrimination policy as soon as possible, but no later than September 16, 2011. Please send your constitution to [gc@ou.edu](mailto:gc@ou.edu). If your constitution is in compliance, your organization will NOT have to re-submit its constitution for review next fall.

If you have any questions regarding this letter do not hesitate to contact my office, either by email at [gc@ou.edu](mailto:gc@ou.edu), or by phone at 325-5474.

Sincerely,  
Matt Zellner, General Counsel  
University of Oklahoma Student Association  
[p] (405) 325-5474  
[f] (405) 325-6529  
[e] [gc@ou.edu](mailto:gc@ou.edu)  
[www.ou.edu/uosagc](http://www.ou.edu/uosagc)

ATTACHMENT J

Oklahoma Statutes Annotated  
Title 70. Schools (Refs & Annos)  
Division IV. Universities, Colleges, and Schools of Special Character  
Chapter 45. General and Miscellaneous Provisions  
Exercise of Religion by Higher Education Students

70 Okl.St. Ann. § 2119

§ 2119. Definitions

Currentness

As used in Sections 1 through 5 of this act:<sup>1</sup>

1. "Benefit" includes, without limitation:

- a. recognition,
- b. registration,
- c. the use of facilities of the public institution of higher education for meetings or speaking purposes,
- d. the use of channels of communication of the public institution of higher education, and
- e. funding sources that are otherwise available to other student associations in the public institution of higher education;

2. "Exercise of religion" includes without limitation the practice or observance of religion as interpreted under state law or the First Amendment of the United States Constitution, whichever interpretation is broader;

3. "Public institution of higher education" includes any institution that is a member of The Oklahoma State System of Higher Education or of a technology center school district;

4. "Substantially burdens" includes without limitation an action by a public institution of higher education which directly or indirectly:

- a. constrains or inhibits conduct or expression that reflects a student's sincerely held religious beliefs,
- b. denies a student an opportunity to engage in religious activities, or

c. pressures a student either:

(1) to not engage in conduct or expression motivated by a sincerely held religious belief, or

(2) to engage in conduct or expression contrary to a sincerely held religious belief;

5. "Student" means a person who is enrolled full-time or part-time in a public institution of higher education; and

6. "Religious student association" means an association of students organized around shared religious beliefs.

#### **Credits**

Laws 2014, c. 350, § 1, eff. Nov. 1, 2014.

#### **Footnotes**

1 Title 70, §§ 2119 to 2119.4.

70 Okl. St. Ann. § 2119, OK ST T. 70 § 2119

Current through Chapter 430 (End) of the Second Session of the 54th Legislature (2014)

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.

Oklahoma Statutes Annotated  
Title 70. Schools (Refs & Annos)  
Division IV. Universities, Colleges, and Schools of Special Character  
Chapter 45. General and Miscellaneous Provisions  
Exercise of Religion by Higher Education Students

70 Okl.St. Ann. § 2119.1

§ 2119.1. Protection for religious student organizations

Currentness

A. No public institution of higher education may take any action or enforce any policy that would deny a religious student association any benefit available to any other student association, or discriminate against a religious student association with respect to such benefit, based on that association's requirement that its leaders or members:

1. Adhere to the association's sincerely held religious beliefs;
2. Comply with the association's sincere religious observance requirements;
3. Comply with the association's sincere religious standards of conduct; or
4. Be committed to furthering the association's religious missions,

as such religious beliefs, observance requirements, standards of conduct or missions are defined by the religious student association, or the religion upon which the association is based.

B. The legal standard provided in subsection B of Section 3 of this act<sup>1</sup> shall not apply to this section.

**Credits**

Laws 2014, c. 350, § 2, eff. Nov. 1, 2014.

**Footnotes**

<sup>1</sup> Title 70, § 2119.2.

70 Okl. St. Ann. § 2119.1, OK ST T. 70 § 2119.1

Current through Chapter 430 (End) of the Second Session of the 54th Legislature (2014)

Oklahoma Statutes Annotated

Title 70. Schools (Refs & Annos)

Division IV. Universities, Colleges, and Schools of Special Character

Chapter 45. General and Miscellaneous Provisions

Exercise of Religion by Higher Education Students

70 Okl.St. Ann. § 2119.2

§ 2119.2. Protections for students' exercise of religion

Currentness

A. In addition to the protections provided in Section 2 of this act, no public institution of higher education may substantially burden a student's exercise of religion, even if the burden results from a rule of general applicability, except as provided in subsection B of this section.

B. A public institution of higher education may substantially burden a student's exercise of religion only if that institution demonstrates that application of the burden to the student:

1. Is in furtherance of a compelling interest of the public institution of higher education;
2. Actually furthers that interest; and
3. Is the least restrictive means of furthering that interest.

**Credits**

Laws 2014, c. 350, § 3, eff. Nov. 1, 2014.

70 Okl. St. Ann. § 2119.2, OK ST T. 70 § 2119.2

Current through Chapter 430 (End) of the Second Session of the 54th Legislature (2014)

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.

Oklahoma Statutes Annotated  
Title 70. Schools (Refs & Annos)  
Division IV. Universities, Colleges, and Schools of Special Character  
Chapter 45. General and Miscellaneous Provisions  
Exercise of Religion by Higher Education Students

70 Okl.St. Ann. § 2119.3

§ 2119.3. Claims and defenses

Currentness

A student or religious student association aggrieved by a violation of Section 2 or 3 of this act<sup>1</sup> may assert that violation as a claim or defense in a judicial or administrative proceeding against the public institution of higher education and obtain appropriate relief, including damages, against that institution from a court or administrative body.

**Credits**

Laws 2014, c. 350, § 4, eff. Nov. 1, 2014.

**Footnotes**

1 Title 70, §§ 2119.1, 2119.2.

70 Okl. St. Ann. § 2119.3, OK ST T. 70 § 2119.3

Current through Chapter 430 (End) of the Second Session of the 54th Legislature (2014)

Oklahoma Statutes Annotated  
Title 70. Schools (Refs & Annos)  
Division IV. Universities, Colleges, and Schools of Special Character  
Chapter 45. General and Miscellaneous Provisions  
Exercise of Religion by Higher Education Students

70 Okl.St. Ann. § 2119.4

§ 2119.4. Construction

Currentness

These provisions shall be construed in favor of a broad protection of religious freedom, to the maximum extent permitted by their terms and by the Constitutions of this state and the United States of America.

**Credits**

Laws 2014, c. 350, § 5, eff. Nov. 1, 2014.

70 Okl. St. Ann. § 2119.4, OK ST T. 70 § 2119.4

Current through Chapter 430 (End) of the Second Session of the 54th Legislature (2014)

---

End of Document

© 2015 Thomson Reuters. No claim to original U.S. Government Works.

ATTACHMENT K



March 30, 2008

Cornerstone Ministry Officers:

In accordance with the requirements outlined in The Source #1, ASBSU Judiciary is officially requesting that you update your clubs constitution in order to comply with the ASBSU nondiscrimination clause. ASBSU Judiciary found the following sections of your constitution to be in conflict with the nondiscrimination clause:

**Article V, Section 2, subsection 3:**

"Be in good moral standing, exhibiting a lifestyle that is worthy of a Christian"

This phrase was found to be in conflict with the nondiscrimination clause. Both "good moral standing" and "lifestyle that is worthy of a Christian" are vague and can be discriminatory against people based on things listed in the nondiscrimination clause.

**Article V, Section 2, subsection 4:**

"Have passed the Cornerstone Ministry Equipping Course (or equivalent)."

Judiciary would like to know if anything in this course in any way conflicts with the nondiscrimination clause.

**Article V, Section 3, subsection 3:**

"Be in good moral standing, exhibiting a lifestyle that is worthy of a Christian as outlined in the Bible"

This phrase was found to be in conflict with the nondiscrimination clause. Both "good moral standing" and "lifestyle that is worthy of a Christian" are vague and can be discriminatory against people based on things listed in the nondiscrimination clause.

**Article V, Section 3, subsection 4:**

"Have passed the Cornerstone Ministry Equipping Course"

Judiciary would like to know if anything in this course in any way conflicts with the nondiscrimination clause.

**Article V, Section 5, subsection 1:**

"A Biblically compatible lifestyle"

Judiciary found this phrase to conflict with the nondiscrimination clause

**Article VI, Section 2:**

Specifically referencing Matthew 18:15-17. The final line of this passage is: "and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector".  
Judiciary found this in conflict with the nondiscrimination clause.



**Article X, Section 2, subsection C.1:**

"Abide by a Biblically compatible lifestyle"

Judiciary found this phrase to conflict with the nondiscrimination clause

**Article X, Section 2, subsection C.4:**

"Have passed the Cornerstone Ministry Equipping Course"

Judiciary would like to know if anything in this course in any way conflicts with the nondiscrimination clause.

**Article XI, Section 2:**

Specifically referencing Matthew 18:15-17. The final line of this passage is: "and if he refuses to listen even to the church, treat him as you would a pagan or a tax collector."

Judiciary found this in conflict with the nondiscrimination clause.

As this is the official notification of a request to update your constitution, your club has 2 months to update your constitution and submit it for judicial review. However, seeing as ASBSU Judiciary does not conduct business during the summer months, your club will have until September 2, 2008 to submit your constitution for review. If you have any further questions or concerns, you may direct them to Kara Fink, Student Activities Program Coordinator, at 426-5951.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell O'Leary".

Russell O'Leary  
Chief Justice  
ASBSU Judiciary



February 27, 2009

BSUCRU Officers:

In accordance with the requirements outlined in the Statute #1, ASBSU Judiciary is officially requesting that you update your club's constitution in order to comply with the ASBSU non-discrimination clause. ASBSU Judiciary found the following sections of your constitution to be in conflict with the non-discrimination clause.

**Article IX Section 1:**

"All officers must exemplify the application of Scriptural life principles, in accordance with the national standards of Campus Crusade for Christ." Judiciary is concerned that the passage: "Scriptural life principles may be in conflict with the ASBSU non-discrimination policy. Please further define "Scriptural life principles" and the process used to determine whether an officer is exemplifying these principles.

**Article X Section 4:**

"The qualifications for executive council (or your team) shall include, but are not limited to: a personal relationship with Jesus, a Spirit-filled servant attitude, agreement with BSUCRU goals of reaching students for Christ through personal and group evangelism using both the Holy Spirit and the Holy Word (Bible); to go through our basic follow up materials; willingness to be in a small group or bible study group and to be trained (to learn) to lead one to come to BSUCRU events like prayer and the weekly meetings, retreats, fun times, etc. to witness Christ intentionally (good evangelism); to prepare a 3 minute testimony and share it with a small group; to take on a ministry of service in one of the four committees of inward, upward, outward, and stewardship; To be part of a Bible based, Jesus-centered church; commit to at least 4-6 hours of active involvement." Not allowing members to serve as officers due to their religious beliefs is in conflict with the ASBSU non-discrimination policy.

In addition to the above request ASBSU Judiciary is requesting you submit a copy of the constitution of the national organization Campus Crusade for Christ. In your constitution you claim affiliation with the above mentioned organization and as a ASBSU policy that we have a copy of the national organization's constitution in our files.

As this is the official notification of a request to update your constitution, your club has 2 months to update your constitution and submit it for judicial review. If you have any further questions or concerns, you may direct them to Kara Fink, Student Activities Program Coordinator, at 426-3951.

Sincerely,

Russell O'Leary  
Chief Justice  
ASBSU Judiciary

ATTACHMENT L

West's Idaho Code Annotated  
Title 33. Education  
Chapter 1. State Board of Education

I.C. § 33-107D

§ 33-107D. Campus access for religious students

Currentness

(1) No state postsecondary educational institution shall take any action or enforce any policy that would deny a religious student group any benefit available to any other student group based on the religious student group's requirement that its leaders adhere to its sincerely held religious beliefs or standards of conduct.

(2) As used in this section:

(a) "Benefits" include without limitation:

(i) Recognition;

(ii) Registration;

(iii) The use of facilities at the state postsecondary educational institution for meetings or speaking purposes;

(iv) The use of channels of communication of the state postsecondary educational institution; and

(v) Funding sources that are otherwise available to any other student group through the state postsecondary educational institution.

(b) "State postsecondary educational institution" means a public postsecondary organization governed or supervised by the state board, the board of regents of the university of Idaho, a board of trustees of a community college established pursuant to the provisions of chapter 21, title 33, Idaho Code, or the state board for professional-technical education.

**Credits**

Added by S.L. 2013, ch. 190, § 1, eff. July 1, 2013.

I.C. § 33-107D, ID ST § 33-107D

Current through (2013) Chs. 1-354 (End)

ATTACHMENT M

## Resolution 1011-AU-006

### Supporting the Repeal of the Registered Student Organization Exemption

Author: Jonathan Nutt(19), President

Sponsor: The Executive Committee

Introduced: November 12, 2010

WHEREAS, new legal precedence set by the U.S. Supreme Court case *Christian Legal Society Chapter of the University of California, Hastings College of Law v. Martinez Et al.* brings reason to review the current Registered Student Organization exemption that enables “a student organization formed to foster or affirm the sincerely held religious beliefs of its members may adopt a nondiscrimination statement that is consistent with those beliefs;” and

WHEREAS, the President of the United States of America recently committed to a nationwide effort ending discrimination in all its forms in schools and communities; and

WHEREAS, the University has fostered a culture of inclusion for over 40-years and the exemption is in direct conflict with the vision and goals of the University set forth in the Academic Plan, Diversity Action Plan and motto *disciplina in civitatem* (education for citizenship); and

WHEREAS, the exemption is counterintuitive to the Philosophies and Guiding Principles outlined in the Registration Guidelines for Student Organizations at Ohio State and without intelligible principle and therefore difficult to interpret, enforce, and adjudicate; and

WHEREAS, the Council of Graduate Students has previously taken positions affirming mutual respect and fair treatment of all individuals at The Ohio State University to support an environment of diversity that enriches the community and enhances the educational process; and

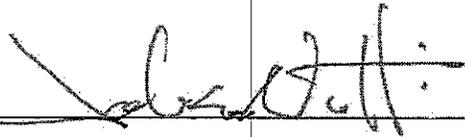
THEREFORE LET IT BE RESOLVED, that the Council of Graduate Students urges The Ohio State University to repeal the exemption outlined in the Registration Guidelines for Student Organizations at Ohio State that states “A student organization formed to foster or affirm the sincerely held religious beliefs of its members may adopt a nondiscrimination statement that is consistent with those beliefs;” and

LET IT BE FURTHER RESOLVED, that the Council of Graduate Students charges its Graduate Student Representatives in University committees to vote in accordance with this resolutions; and

## Council of Graduate Students | The Ohio State University

LET IT BE FURTHER RESOLVED, that the Council of Graduate Students charges its President to communicate to the Ohio State University President, the Executive Vice President and Provost, the Vice Provost and Chief Diversity Officer, the Vice President of Student Life, the Dean of the Graduate School, the Undergraduate Student Government, the Inter-Professional Council and all other appropriate groups the Council's position as established by this resolution.

Date Approved: NOVEMBER 12, 2010  
UNANIMOUSLY



President | Council of Graduate Students

Council on Student Affairs Recommendation  
Religious Student Organization Carve-Out

January 18th, 2011

Submitted by Bryan Ashton  
On behalf of The Council on Student Affairs

CHARGE:

Recommend a course of action in regards to the religious student organization carve-out to the non discrimination clause in the Student Organization Registration guidelines at The Ohio State University.

RESEARCH:

The Council began the process of reviewing the carve-out in the beginning of November through an Ad-Hoc committee. This committee finished their work at the end of November and produced a recommendation in favor of a blanket removal of the carve-out (attached). On November 30<sup>th</sup>, CSA hosted an open forum, in which we heard opinions from student organization leaders and university community members about the issue. During the quarter both Undergraduate Student Government and the Council of Graduate Students passed resolutions in favor of the removal of the Carve Out (attached). Voting CSA members were also provided with numerous reading materials and encouraged to engage in constituency outreach.

FINDINGS:

The Council voted (12-1) in favor of accepting the Ad-Hoc committee's recommendation of a blanket removal of the carve-out. The Council recommends that this change be placed into effect for the next student organization registration year and that appropriate University resources be allocated to help organizations transition and maintain their compliance and registration status.

The Council, in accepting this recommendation, endorses the position that every student, regardless of religious belief, should have the opportunity to participate in student organizations as well as have the opportunity to apply or run for a leadership position within those organizations. The Council believes that the Office of Student Life in conjunction with the Office of Legal Affairs should address acceptable officer selection procedures with groups who request such assistance.

Attached to this recommendation is the report of the Ad-Hoc committee as well as the Student Government resolutions that were introduced. Much debate and strong feelings were drawn from these resolutions and reports, so they are included in the recommendation.

Council on Student Affairs Recommendation  
Religious Student Organization Carve-Out

November 29, 2010

Submitted by Bryan Ashton  
On behalf of Student Organization Carve Out Ad-Hoc

**CHARGE:** Recommendation a course of action in regards to the religious student organization carve-out to the non discrimination clause in the Student Organization Registration guidelines.

**MAKE UP:** The Ad-Hoc Committee consisted of representatives from Residence Life, the Law School, IPC, USG, CGS, Muslim Student Association, Staff, and Faculty. Ex-Officio members included representatives from Legal Affairs and Student Activities.

**RESEARCH:**

The group heard from Michael Layish of Legal Affairs, as well as Kerry Hodak from Student Activities in regards to their experiences with the carve-out and the history of its implementation. The group also discussed the implications of the removal of the carve-out or continuing with the carve-out in place for religious student organizations. Each student government was asked to do constituency outreach and in the process CGS passed a resolution regarding the issue. The committee then spent three meetings debating the merit of the removal of the carve-out, upholding the carve-out, and the examination of a leadership exemption.

**FINDINGS:**

The Ad-Hoc Committee voted unanimously (8-0) in favor of recommending that the carve-out, in relation to its application to general members, be removed. There was discussion and dissent to the idea of a blanket removal, with three members of the committee voting in favor of adopting a carve-out, similar to current carve-out, however applied only to leadership positions in the organization. The recommendation of the Ad-Hoc Committee was (5-3) in favor of a blanket removal of the current carve-out. Below are opinions in favor of a blanket carve-out (Brandon Edwards) and opinions in favor of a leadership position carve-out (Maria Ahmad).

**OPINIONS:**

Blanket Removal

Put simply, the debate placed before the Council on Student Affairs regarding carve out language for religious-based Student Organizations requires a choice of the lesser of two evils. By removing the carve-out for religious-based Student Organizations, Ohio State runs the risk of diminishing the voice of student organizations built upon a sincerely held religious belief. By denying these organizations the privileges associated with registration, we threaten discrimination against those groups that are organized around a certain interpretation of religious doctrine. However, by keeping the religious Student Organization exemption currently in place,

## Council on Student Affairs Recommendation Religious Student Organization Carve-Out

Ohio State's Office of Student Activities leaves open the option of groups discriminating against members of the student body interested in membership. Keeping the carve out institutionalizes the ability of Student Organization members to openly discriminate against students with opinions and behaviors different than their own. The question is: should we potentially discriminate against Student Organizations or should we allow those Student Organizations to discriminate against individual students. It is my opinion, and the unanimous opinion of the CSA Student Organization Guideline Review Ad-Hoc Committee, that the former is a preferred action in lieu of the potential ramifications of the latter. We must protect the rights of students to join the organizations of their choosing instead of tolerating the discriminatory tendencies of individual Student Organizations.

As a public University entrusted with the stewardship of taxpayers dollars, we must not allow Student Organizations to discriminate against federally mandated protected classes. Additionally, we must consider where the funding comes from for the benefits bestowed to Registered Student Organizations. Each student pays a \$25 Student Activity Fee, and this money allows Registered Student Organizations access to a number of benefits. It is irresponsible to require this fund of every student but not allow individual students the right to join any Student Organization of their choosing due to discriminatory rules put in place by those groups.

It is the opinion of some that carve out language still be included in governing the selection of Student Organization Officers. In response to that, I advocate that we allow democracy to run its course. It is entirely rational to impose voting membership requirements relating to attendance at meetings and fulfillment of other membership characteristics. By restricting membership to those dedicated to its mission through demonstrated participation, each Student Organization has the ability to create an electorate as devoted to the organization as possible. It is in that spirit that we should allow voting members to install the leadership of their choosing, free from institutionalized guidelines precluding certain members the privilege of seeking officer status. We must trust the capacity of each Student Organization member to vote for the candidate most in line with his or her values and goals for the organization. Democracy should decide that someone is unfit for officership rather than guidelines that allow precautionary discrimination.

Justice Anthony Kennedy summed up the spirit of the need for carveout removal in his concurring opinion on *CLS v. Martinez*: "a vibrant dialogue is not possible if students wall themselves off from opposing points of view."

--Brandon N. Edwards, November 28, 2010

### Leadership Position Carve Out

Student Life is made up of students for students. Student groups are run by students. Any student is able to create a new group on campus with any mission or purpose that they desire. But once the group is started, it is crucial for the group to have some rights that will keep them stable and active. Religious student groups are created for two main purposes. The first purpose is to foster the beliefs and maintain the identity of those who follow that faith on campus. The second purpose is to let others on campus know about the faith through various means. Seeing the second purpose, it is obvious that groups that want to affiliate their self as an official OSU group, will plan events that would be open to all students and fulfilling their purpose, and using the student's activity fee.

Council on Student Affairs Recommendation  
Religious Student Organization Carve-Out

However the first purpose cannot be fulfilled without having a leader who shares the basic beliefs and concepts of the religious thought that the group was founded upon. One cannot help instill faith in another unless the former also believes. To have a leader who does not believe in the basics of that faith become the face of the group, and that religion, is deceitful and unfair to those who join. This partiality can be more readily applied to religious groups over others such as ethnic ones because religion is something one can choose to follow, not something one is born with. We do not even have to look at the degrees of religiosity but to have someone who claims and seems to be believing in and following the group's mission is not only ideal but necessary.

It may be true that groups should use their own wisdom in choosing their leaders through having a criteria and elections. However, student groups come in all sizes and to do this may be difficult for smaller and new groups. These student groups should have some rights as to who can and cannot be the representative of their group. If a group sees it necessary to not let that individual become the leader, the latter has the ability to start his or her own group which is simple to do at this University. This will also foster more diversity and give scope to larger group of students who may not have wanted to be part of another group's mission. Having a carve out for leadership does not have to be used by those who do not want to, but it should be there for those groups who want it. If about 23 of 900 student groups are using the carve out presently, and need to, then they should be able to.

-Maria Ahmad

ATTACHMENT N

Baldwin's Ohio Revised Code Annotated  
Title XXXIII. Education--Libraries  
Chapter 3345. State Universities--General Powers (Refs & Annos)  
Students and General Provisions

R.C. § 3345.023

3345.023 Religious student group benefits

Effective: September 29, 2011  
Currentness

(A) No state institution of higher education shall take any action or enforce any policy that would deny a religious student group any benefit available to any other student group based on the religious student group's requirement that its leaders or members adhere to its sincerely held religious beliefs or standards of conduct.

(B) As used in this section:

(1) "Benefits" include, without limitation:

(a) Recognition;

(b) Registration;

(c) The use of facilities of the state institution of higher education for meetings or speaking purposes, subject to section 3345.021 of the Revised Code;

(d) The use of channels of communication of the state institution of higher education;

(e) Funding sources that are otherwise available to any other student group in the state institution of higher education.

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

**Credits**

(2011 H 153, eff. 9-29-11)

R.C. § 3345.023, OH ST § 3345.023  
Current through 2013 File 11 of the 130th GA (2013-2014).

ATTACHMENT O

Arizona Revised Statutes Annotated

Title 15. Education (Refs & Annos)

Chapter 14. Provisions Relating to Community Colleges, Universities and Private Postsecondary Institutions  
(Refs & Annos)

Article 6. Students' Rights (Refs & Annos)

A.R.S. § 15-1861

§ 15-1861. Definitions

Currentness

In this article, unless the context otherwise requires,

1. "Community college" has the same meaning prescribed in § 15-1401.
2. "Public forum" includes any open, outdoor area on the campus of a university or community college and any facilities, buildings or parts of buildings that the university or community college has opened to students or student organizations for expression.
3. "University" means a university under the jurisdiction of the Arizona board of regents.

**Credits**

Added by Laws 2011, Ch. 337, § 1.

Current through the First Regular Session and Third Special Session of the Fiftieth Legislature (2011)

**End of Document**

© 2011 Thomson Reuters. No claim to original U.S. Government Works.

Arizona Revised Statutes Annotated

Title 15. Education (Refs & Annos)

Chapter 14. Provisions Relating to Community Colleges, Universities and Private Postsecondary Institutions  
(Refs & Annos)

Article 6. Students' Rights (Refs & Annos)

A.R.S. § 15-1862

§ 15-1862. Rights of students at universities and community colleges

Currentness

- A. A university or community college shall not discriminate against a student on the basis of the student's religious viewpoint, expression or belief.
- B. A university or community college shall not adopt any policy that penalizes or punishes a student based on the student's religious viewpoint, expression or beliefs.
- C. If an assignment or classroom discussion requests a student's viewpoint in coursework, artwork or other written or oral assignments, a university or community college shall not penalize or reward a student on the basis of religious content or a religious viewpoint. In such an assignment, a student's academic work that expresses a religious viewpoint shall be evaluated based on ordinary academic standards such as grammar, style, analysis and adherence to the instructions for the assignment.
- D. A university or community college shall not withhold any certificate or degree on the basis of a student's religious viewpoint or religious expression.
- E. A university or community college shall not discipline or discriminate against a student in a counseling, social work or psychology program because the student refuses to counsel a client about goals that conflict with the student's sincerely held religious belief if the student consults with the supervising instructor or professor to determine the proper course of action to avoid harm to the client.

**Credits**

Added by Laws 2011, Ch. 337, § 1.

Current through the First Regular Session and Third Special Session of the Fiftieth Legislature (2011)

End of Document

© 2011 Thomson Reuters. No claim to original U.S. Government Works.

Arizona Revised Statutes Annotated

Title 15. Education (Refs & Annos)

Chapter 14. Provisions Relating to Community Colleges, Universities and Private Postsecondary Institutions  
(Refs & Annos)

Article 6. Students' Rights (Refs & Annos)

A.R.S. § 15-1863

§ 15-1863. Student organizations; recognition; rights

Currentness

**A.** A university or community college that grants recognition to any student organization or group may not discriminate against or deny recognition, equal access or a fair opportunity to any student organization or group on the basis of the religious, political, philosophical or other content of the organization's or group's speech including worship.

**B.** A religious or political student organization may determine that ordering the organization's internal affairs, selecting the organization's leaders and members, defining the organization's doctrines and resolving the organization's disputes are in furtherance of the organization's religious or political mission and that only persons committed to that mission should conduct such activities.

**C.** A university or community college may not deny recognition or any privilege or benefit to a student organization or group that exercises its rights pursuant to subsection B.

**Credits**

Added by Laws 2011, Ch. 337, § 1.

Current through the First Regular Session and Third Special Session of the Fiftieth Legislature (2011)

End of Document

© 2011 Thomson Reuters. No claim to original U.S. Government Works.

Arizona Revised Statutes Annotated

Title 15. Education (Refs & Annos)

Chapter 14. Provisions Relating to Community Colleges, Universities and Private Postsecondary Institutions  
(Refs & Annos)

Article 6. Students' Rights (Refs & Annos)

A.R.S. § 15-1864

§ 15-1864. Students' right to speak in a public forum

Currentness

**A.** A university or community college shall not restrict a student's right to speak, including verbal speech, holding a sign or distributing fliers or other materials, in a public forum.

**B.** A university or community college may restrict a student's speech in a public forum only if it demonstrates that application of the burden to the student is both:

1. In furtherance of a compelling governmental interest.
2. The least restrictive means of furthering that compelling governmental interest.

**Credits**

Added by Laws 2011, Ch. 337, § 1.

Current through the First Regular Session and Third Special Session of the Fiftieth Legislature (2011)

End of Document

© 2011 Thomson Reuters. No claim to original U.S. Government Works.

**ATTACHMENT P**

June 22, 2004

Mr. Albert Thom  
2000 SW College, Box 21078  
Topeka, KS 66621

Dear Mr. Thom,

A complaint has been received by the Washburn Student Bar Association alleging instances of discrimination by the Washburn chapter of the Christian Legal Association. Attached you will find the complaint.

After meeting with Dean Honabach and Associate Dean Vizzier, we have decided that the appropriate course of action is to place a hold on Washburn Student Bar Association funding to the Christian Legal Society pending resolution of this dispute. The funds will be made available upon request by the Christian Legal Society to the Washburn Student Bar Association in the meanwhile. Put simply, these funds will be held in escrow until resolution of this complaint.

The next regularly scheduled meeting of the Washburn Student Bar Association will be Wednesday, September 1, at which point the board will convene to discuss the procedure for settling the dispute and the date the dispute will be heard.

We are, and always have been, dedicated to fair and equitable resolution of all disputes among students. This instance is no example. Should there be any questions that you or any other member of your organization have, please do not hesitate to ask. Answers to those questions may be limited, however, until the WSBA again convenes.

Thank You,

Levi J. Henry  
Vice-President, WSBA

Cc: Meaghan Dalton, Kelly McDonald, Associate Dean Carol Vizzier

EXHIBIT

F

-----Original Message-----

From: Meaghan Dalton [mailto:meaghan.fanning@washburn.edu]  
Sent: Friday, September 03, 2004 5:17 PM  
To: daniel.arkell@washburn.edu; jesse.paine@washburn.edu; albert.thom@washburn.edu;  
roy.mozingo@washburn.edu  
Subject: CLS Funding

To all involved,

The WSBA board met yesterday evening and voted to no longer fund the CLS.

Meaghan Dalton  
President WSBA

EXHIBIT

I

Wednesday, April 14, 2004

WSBA Budget and Finance Committee

Levi Henry, Chair

To the members of the Budget and Finance Committee:

I hereby lodge a formal complaint against the Christian Legal Society (CLS). The CLS is an organization that discriminates on the basis of religion, and therefore should not receive any funds from the WSBA.

I am a member of The Church of Jesus Christ of Latter-day Saints, more commonly referred to as the Mormon Church, because we hold that *The Book of Mormon: Another Testament of Jesus Christ* is a sacred text.

I was invited to join the CLS by three CLS members. I expressed reservation to these members because I knew several CLS members were Evangelical Christians, and in my two years of experience as a full time missionary for my church, I never encountered a practicing Evangelical Christian who was anything but hostile to me, when discussing religion. I knew, based on past discussions with the CLS president Albert Thom, that he was an Evangelical Christian.

I was assured by the members of the CLS that the CLS was non-denominational, and that not all of the members were "born again" Christians, but that there were Methodists and Baptists who also

EXHIBIT

E

attended. I was also reassured by the e-mails which Albert Thom wrote the entire law school, saying "all are welcome."

I thought it would be valuable to attend the meetings because I wanted to build bridges with CLS members. These are people who share my value system, who share my morals, and who although we don't believe all the same doctrines, share my deep faith in Jesus Christ.

After attending two meetings, President Albert Thom said that he was pleased that I was attending the meetings and that he hoped I would continue attending. The fourth time I attended a CLS meeting, a new Bible study program was instituted. The CLS would follow a study manual and have several students volunteer to lead the Bible study. Given my experience as a lay minister (I am an Elder in my church), and after seeing that most were reluctant to raise their hands, I volunteered.

Albert Thom approached me before the first Bible Study and told me that he would like me to lead the first session, but that as the group was non-denominational, to please not mention strictly Mormon beliefs, so as to not alienate any member of the group.<sup>1</sup>

This I endeavored to do. I prefaced the lesson by saying that I was Mormon, and that if I said anything offensive or disagreeable to anyone, to please stop me. Because I only had 20 minutes and one day to

---

<sup>1</sup> Albert Thom now says that he told me I had to cover every point of the lesson in the manual and the reason he was not allowing me to teach was because I didn't follow his explicit instructions. This is not true. In addition to what I already wrote, Albert only told me "don't talk about Joseph Smith or the angel Muh Roe Nee." I remember distinctly his words, because I thought his mispronunciation of Moroni (Muh Roe Nie) was a little funny.

---

prepare, I only covered the first two points. I finished the lesson, no one had objected to anything I said. I asked 4 of the attendees if there was anything that I said which was objectionable, they all said no. Albert Thom even said that there was nothing in the lesson that bothered him.<sup>2</sup>

After attending two more meetings, Albert Thom took me aside in the library. He seemed nervous. He said that the "executive committee of the CLS has decided that you are no longer allowed to lead Bible Study." I asked him why. Was there anything I said in the first study that I lead which was objectionable? "No," he said, "the reason that we don't want you leading Bible study is because we don't want a Mormon President of the CLS." I was confused. I told him that I was not running for office in the CLS, and I also said that he was being discriminatory by not allowing me to participate fully just because I was a Mormon. He said "I'm sorry but the executive committee has spoken." I told him that I was going to speak with Dean Vizzier about this, because having worked on the Budget and Finance Committee last year, I knew that no organization can discriminate and receive funds.

I asked Dean Vizzier what I should do about this. After some discussions with CLS members, she asked that I speak with Carl Walter.

Carl Walter said that the reason I was being barred from leading the Bible study was because I was teaching "Mormon doctrine." I asked him what I was saying that was "Mormon doctrine" and he said that "we

---

<sup>2</sup> My lesson plan is attached at the end.

don't believe in that sparkle in your eye thing, when you told about having people see a sparkle in your eyes."

First of all, I never said that in my lesson.<sup>3</sup> I said that I believed you can tell a lot about people from looking at their eyes. I said that I believe that the eyes are the window to the soul. This idea comes from Cicero, not the Mormon Church.<sup>4</sup> I also found it on a Christian website.<sup>5</sup> I have never heard any Mormon authority teach this.

Carl also told me that in order for me to be a CLS officer, I had to sign a document saying that I believed all the tenets of the CLS "Statement of Faith." I wasn't aware that this was a requirement of membership, and he said that all the presidency must sign this and they were going to start making all the member sign it also. I recommended against that, but after searching more on the CLS website, I found that it is a requirement for membership.<sup>6</sup>

I read over the Statement of Faith and I told him at first perusal that I disagreed with the wording of the 1<sup>st</sup> and 3<sup>rd</sup> statements. After more careful review, I probably disagree with all 5 statements.<sup>7</sup>

The CLS has done nothing to change its stance. As it is, people who don't agree with the Statement of Faith enough to sign it can not be full participating members of the CLS. That is discrimination.

---

<sup>3</sup> Again refer to lesson plan.

<sup>4</sup> "Ut imago est animi voltus sic indices oculi" which translated means "the face is a picture of the mind as the eyes are its interpreter," or "the countenance is the portrait of the soul, and the eyes mark its intentions."

<sup>5</sup> "The eyes are the window to your soul, so feed them, flood them with The Eternal Light and Love of God's word." <http://community-1.webtv.net/MaryTross49/PSALMSPROVERBS/>

<sup>6</sup> See Statement of Faith, attached.

<sup>7</sup> See Statement of Faith of Daniel J. Arkell, attached.

---

Discrimination in an organization supported in part by my funds and supported by a public university is doubly wrong. No self-respecting Mormon would participate in the CLS with a requirement to sign away our beliefs.

The CLS should stop requiring its members to sign the Statement of Faith in order to run for office or even be a member.

The only reason that I was excluded from the CLS was because I am a member of The Church of Jesus Christ of Latter-day Saints. I believe that because Albert Thom's church believes my church is a cult, he instigated the proceedings to force me out. Although my church is the 4<sup>th</sup> largest in the United States and has over 12,000,000 members worldwide, people like Albert Thom still believe that we are teetotaling polygamous zealots with horns on our heads, who worship Satan in the halls of our secret temples. I had hoped to show to the CLS members, through my example, that this characterization is false and unfair. I am not being given the chance to do so.

Sincerely,



Daniel J. Arkell

### CLS's STATEMENT OF FAITH:

Trusting in Jesus Christ as my Savior, I believe in:

1. One God, eternally existent in three persons, Father, Son and Holy Spirit.
2. God the Father Almighty, Maker of heaven and earth.
3. The Deity of our Lord, Jesus Christ, God's only Son, conceived of the Holy Spirit, born of the virgin Mary; His vicarious death for our sins through which we receive eternal life; His bodily resurrection and personal return.
4. The presence and power of the Holy Spirit in the work of regeneration.
5. The Bible as the inspired Word of God.

SECTION 2. ACKNOWLEDGMENT. All officers, directors, regular and student members and senior staff of the corporation shall acknowledge their acceptance of, and agreement with, the corporations statement of faith.

### STATEMENT OF FAITH OF DANIEL J. ARKELL

Trusting in Jesus Christ as my Savior, I believe in:

1. God the Eternal Father and in His Son Jesus Christ and in the Holy Ghost. (I believe that the members of the Godhead are three distinct beings, one in purpose. The CLS statement of belief is somewhat vague.)
2. Jesus Christ created the earth under the direction of God the Father.
3. God the Father is the literal physical father of Jesus Christ. Christ's literal physical mother was Mary. The conception of Jesus Christ was accomplished with the aid of the Holy Ghost, not through carnal sexual relations, but through an exalted yet ordered means which humans do not understand. Speaking in genetic terms, Jesus Christ had all the genetic components of His Heavenly Father, which allowed him to be a God and conquer death, but also all the genetic components of a human, which allowed him to be a mortal and die. Mary was a virgin until after the birth of Jesus Christ, but she was married to Joseph and did have more children. Christ did die and was resurrected. He will return to the earth at the time of the Second Coming.
4. The Holy Ghost's influence is purifying and cleansing. After baptism by water comes the baptism by fire and the Holy Ghost. The Holy Ghost is a personage of Spirit whose mission it is to bring all unto Christ, to testify of Christ. When one has received the Holy Ghost by the laying on of hands by those with the proper authority, they are born again, but to remain born again, one must keep on acting righteously and doing good. The Holy Ghost will not regenerate an unrepentant soul.
5. The Bible is the word of God as far as it has been translated correctly. Because the Bible has gone through many translations over the years, there have been clerical errors, deletions, and substitutions to the text, which in some cases have changed its original clear meaning. I also believe the Book of Mormon to be the word of God and believe that there are many things that God has yet to reveal to His people.

As should be clear, I can't in good conscience sign the CLS Statement of Faith.

