

**Comments on House Bill 15-1037
Concerning Religious Freedom for Student Groups
at State Institutions of Higher Education
February 9, 2015**

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I am a Colorado attorney who practices First Amendment and religious liberties law. Unlike most of you, I was raised in a country that had neither free speech nor freedom of religion. That experience helped convince me that true pluralism is essential to a free society. Along with the Christian Legal Society, I believe that that our society prospers only when the First Amendment rights of all Americans are protected, regardless of the current popularity of either their speech or their religious beliefs.

You in the Colorado legislature are considering a bill protecting religious freedom for student groups, specifically protecting religious groups' ability to appoint leaders who will comply with the groups' sincerely held religious beliefs or standards of conduct. Why does this matter?

Are religious students in any need of protection?

In a number of cases recently, university officials have decided not to allow Christian student groups to have religious requirements for their leaders. Last year, California State University kicked a Christian organization off campus for requiring its leaders to affirm their Christian faith.¹ This issue is cropping up regularly around the country.

According to the 2014 Pew Research Center Report,² Americans who are religious experience moderate social hostility. How does this experience translate to campus life? The Institute for Jewish & Community Research did a detailed, in-depth study of higher education faculty in 2007.³ To their surprise, Tobin and Weinberg, the authors, found that faculty of higher education feel coldly towards Evangelicals and Mormons. A majority of nonEvangelical faculty have negative feelings about Evangelical Christians. A majority of faculty believes that ethnic or religious minority students are reluctant to

¹ Carla Rivera, *Christian group fights for identity against Cal State policy*, Los Angeles Times, October 24, 2014, at <http://www.latimes.com/local/education/la-me-calstate-clubs-20141024-story.html#page=1>.

² Religious Hostilities Reach Six-Year High, *Pew Research Center*, Jan. 14, 2014.

³ Gary Tobin and Aryeh Weinberg, Vol. II: Religious Beliefs and Behavior of College Faculty, Institute for Jewish & Community Research, 2007.

express their views. Tobin and Weinberg conclude that their study “raises serious concerns about how Evangelical Christian faculty and students are treated or feel they are treated on campus.”⁴ They comment, “The prejudice against them stands out prominently in institutions dedicated to liberalism, tolerance, and academic freedom.”⁵

Perhaps because of this prejudice, a number of universities have excluded religious campus groups unless the groups are willing to subscribe to a complete nondiscrimination policy or an all-comers policy. These policies are particularly difficult for religious groups, because “their shared beliefs coincide with their shared status. They cannot otherwise define themselves and not run afoul of the nondiscrimination policy.”⁶ This means religious groups are specifically marginalized. Unsurprisingly, this has led to a number of lawsuits.

If studies indicate that the campus environment is an unfriendly place in some ways for students with strong religious faith, what are the alternatives? Should students be forced to change their beliefs and perspectives to whatever is currently acceptable? Some might believe so, but that is not the pluralism that made America great. Should they leave campus? If people of faith do not feel safe on the public university campuses; if parents believe their children will be persecuted and pressured to lose their faith; they will leave the universities. Such a departure would be undesirable in many ways. Religious people also pay taxes and should be able to participate freely in public education.

This is really an issue about whether student religious groups get to choose their religious leaders based on their religious beliefs without the state of Colorado, through government university officials, telling religious groups what their religious beliefs have to be and who their religious leaders have to be. We should all agree that government should not be involved in telling religious groups who their leaders can be.

Does it really matter if a student group is not recognized?

On a typical university campus, hundreds of student groups meet. As recognized student groups, they can reserve meeting space and communicate with other students in many ways. Without recognition, it is virtually impossible to exist on campus. But at too many colleges, religious student groups are being told that they cannot access communication channels and meet on campus if they require their leaders to agree with their religious beliefs. It is common sense and basic religious liberty—not discrimination—for religious groups to expect their leaders to share their religious beliefs.

⁴ *Id.*, p. 86.

⁵ *Id.*, p. 87.

⁶ *Alpha Delta Chi-Delta Chapter v. Reed*, 648 F.3d 790, 806 (9th Cir. 2011) (Ripple, J., concurring).

Won't allowing religious groups to discriminate on the basis of religion undermine true diversity on campus?

In other words, don't you need complete nondiscrimination to protect diversity? On the contrary, complete nondiscrimination does not protect diversity; it promotes homogeneity. The natural tendency of a human association is to rally around a particular idea, interest, or skill, and select its leaders and even members accordingly: the President of the Chess Club plays chess well, the Asian-American Association has ethnic or experiential roots in Asia; the Young Democrats voted for Governor Hickenlooper; and so on. If we enforce a particular way of thinking, if we say that all positions in all organizations are open to everyone, we get a bland ideological mush—or worse yet, the thought police. And minorities, whether homosexual, religious, or ethnic, will not fare well. True liberalism and diversity will suffer—with a reduced exchange of ideas on campus and a restricted marketplace of ideas.

Will this bill affect the civil rights of the LGBT groups?

Last year, the opposition to this bill seemed to focus on LGBT rights, and we understand that our LGBT brothers and sisters speak up strongly for civil rights. Christian Legal Society has always affirmed the civil rights of other minorities. For instance, the federal Equal Access Act, which CLS helped to pass, protects the right of both Christian groups and LGBT groups to meet in public high schools. Certainly, our LGBT brothers and sisters should be treated respectfully.

We had a LGBTQ conference last week in Denver that discussed LGBTQ religious beliefs, and the fact that they are heavily involved in some religious circles. Other religious groups and churches affirm traditional marriage and do not affirm the gay lifestyle, so they are less involved there. This is a point of disagreement in our culture.

The genius of American pluralism is that we can live with points of disagreement. In fact, right now in America, about 35% of people favor same-sex marriage, and about 31% oppose. But a majority also favors religious exemptions for those who do not wish to participate in same-sex marriages.⁷ LGBT student groups should be permitted to meet and choose leaders sympathetic to their beliefs. Religious student groups should be permitted to do the same, whether or not they have identical beliefs with other groups or strong disagreement. Our public square is broad enough for civil rights for everyone—that is what the First Amendment and true diversity is all about.

⁷ See *AP-GfK Poll: Support of gay marriage comes with caveats*, Feb. 5, 2015, at <http://ap-gfkipoll.com/featured/findings-from-our-latest-poll-13>.

Is it constitutional to allow religious groups to set their own standards for leaders?

The Supreme Court acknowledged the importance of recognition for student groups in its landmark 1972 decision, *Healy v. James*.⁸ The Court ruled that the First Amendment required a public college to recognize the Students for a Democratic Society. The Court rejected the college's argument that it would be endorsing the SDS's sometimes violent political agenda if it recognized the group. Recognition, the Court said, is not endorsement. The Court pointed out that students do not shed their constitutional rights at the schoolhouse gate, and that in fact, a college should be a "marketplace of ideas."⁹

In 1981, in *Widmar v. Vincent*,¹⁰ the Court ruled that the First Amendment protects religious student groups' right to be recognized, and the Establishment Clause does not prohibit religious groups' meetings. Again the Court ruled that recognition is not endorsement.

In 2012, a unanimous Supreme Court decided *Hosanna-Tabor v. EEOC*,¹¹ and held that nondiscrimination laws cannot be used to prohibit religious organizations from deciding who their leaders will be. The Court acknowledged that nondiscrimination laws are "undoubtedly important. But so too is the interest of religious groups in choosing who will preach their beliefs, teach their faith, and carry out their mission." The Court spoke at some length about the right to freedom of expressive association, shared by both religious and secular groups, as a way of promoting their viewpoint.¹² This holding would apply equally to student groups, such as the Catholic Newman Center, so it seems likely that student religious groups have an absolute constitutional right to choose their leaders.

Another recent Supreme Court case is also relevant: *Agency for International Development v. Alliance for Open Society, Int'l, Inc.*¹³ This case, about the unconstitutional conditions doctrine, examined what conditions the government could impose as a requirement for receiving government funds. The Court held that the government could not require grant recipients to adopt a particular belief as a condition of funding.

How do nondiscrimination policies work well?

After the Court removed the Establishment Clause as a justification for denying religious groups recognition, university nondiscrimination policies became the new justification for denying recognition. Nondiscrimination policies are good and essential. But, at some

⁸ 408 U.S. 169 (1972).

⁹ 408 U.S. at 180.

¹⁰ 454 U.S. 263 (1981).

¹¹ 132 S.Ct. 694 (2012).

¹² 132 S.Ct. at 712 (Alito, J., concurring).

¹³ 133 S. Ct. 2321 (2013).

colleges, although by no means most colleges, nondiscrimination policies are being misinterpreted and misused to exclude religious student groups.

Nondiscrimination policies are intended to protect religious students as well as other minority groups, not prohibit them from campus. Many prominent universities—including the University of Florida, University of Texas, and University of Minnesota—have strong nondiscrimination policies that simultaneously respect the religious groups' religious liberty.¹⁴

The Supreme Court heard a case about one particular kind of policy in *Christian Legal Society v. Martinez*,¹⁵ in 2009. This “all-comers” policy took the very odd and unworkable position that no group could discriminate in its membership on any basis at all—each group must accept all comers. This meant that there could be no women’s chorale, no ethnic societies, no selection of any kind. The Court upheld this all-comers policy, but hinted strongly that a nondiscrimination policy cannot be constitutionally applied to religious groups’ choice of leaders and members.¹⁶

Should we change anything about HB 15-1037?

I do have one change in the language to recommend. The bill provides that a religious student group shall not be denied a benefit “solely” because of its leadership requirement. Based on that single word, a university administrator might try to circumvent the statute by arguing that a religious group could be denied protection if the administrator came up with a second reason to deny a religious group a benefit. I request that the word “solely” be removed.

Why does HB 15-1037 make sense?

HB 15-1037 makes sense in the context of current law. It states that a religious student group may not be denied benefits if it chooses to require that its leaders adhere to the group’s sincerely held religious beliefs or standards of conduct. The bill doesn’t even say that all members can be required to hold certain beliefs—only the leaders. Just as a Republican group’s leaders can be Republican, and an environmental group’s leaders should be committed to recycling, so a Christian group’s leaders can be required to adhere to the group’s religious beliefs.

The government should not force religious groups to surrender their beliefs or religious autonomy rights in exchange for funding or benefits. By making litigation of this issue in

¹⁴ These model policies are attached to this testimony.

¹⁵ 130 S.Ct. 1971 (2010).

¹⁶ 130 S.Ct. at 3009-13 (2010) (Alito, J., dissenting, joined by Roberts, C.J., Scalia, J., and Thomas, J.).

Colorado unnecessary, this law will save taxpayer money and conserve public universities' scarce financial resources.

Religious students already are somewhat ostracized as a disfavored minority, so religious student groups are important. Without these groups, students may feel forced to lose their identity or may leave campus. These options are detrimental to religious students, and also harm diversity and pluralism on our campuses.

Religious student groups may not always be popular, such as when they have a different definition of sexual morality than the majority of students. The genius of the First Amendment is that it protects everyone's speech, no matter how unpopular, and everyone's religious beliefs, no matter how unfashionable. When that is no longer true, and when nondiscrimination policies are misused as instruments for the intolerant suppression of traditional religious beliefs, then the pluralism so vital to sustaining our political and religious freedoms will no longer exist.

About the Christian Legal Society:

The Christian Legal Society (CLS) believes that the pluralism essential to a free society prospers only when the First Amendment Rights of all Americans are protected, regardless of whether or not their speech is popular. CLS was instrumental in the passage of the Equal Access Act of 1984,¹⁷ which protects the rights of students to meet on public secondary school campuses. The EAA has protected primarily religious and homosexual student groups, both of whose speech is disfavored in different times and places. CLS was also instrumental in passing the Religious Freedom Restoration Act of 1993 and the Religious Land Use and Institutionalized Persons Act of 2000.

About Theresa Lynn Sidebotham:

Theresa grew up in a multicultural environment, and has lived in a number of countries. She attended law school at the University of Denver, and practices constitutional and religious liberties-law.

¹⁷ 20 U.S.C. 4071-4074 (2013).

Christian group fights for identity against Cal State policy

By CARLA RIVERA

OCTOBER 24, 2014, 5:00 AM

InterVarsity Christian Fellowship members say they just want to spread the word, to provide a welcoming space for believers and non-believers alike on college campuses that sometimes can seem cold and isolating.

But because it requires its leaders to hold Christian beliefs, the evangelical student group said, it now is fighting to preserve its religious soul and very existence.

Chapters of InterVarsity and some other Christian groups were stripped of recognition at California State University campuses this fall because they refused to sign a non-discrimination policy requiring clubs and organizations to open their memberships and leadership to all students. (Fraternities and sororities still can limit membership by gender.)

Under the so-called all-comers policy, a Republican could conceivably run for and win election to lead the Democratic club; a white undergraduate could lead the Chinese Student Assn.; a non-musician could be selected to lead the classical guitar club.

Groups that lose recognition can continue meeting on campus, but without free or discounted access to meeting rooms. They also are barred from participating in student fairs and can't receive funding from campus student associations.

InterVarsity students say that relegates them to second-class status, and that policies meant to protect religious thought are instead being used to silence it.

"We could easily sign off on the [non-discrimination] papers," said Long Beach music major Jasmine Kim, 22. "I don't think a non-Christian would want to be a leader in a Christian group. But it's about our integrity."

Efforts at Cal State and other universities across the country to vigorously enforce anti-bias policies have sparked a debate over how far administrators should go to ensure religious freedom — and whether religious groups on publicly financed campuses should be held to the same standards as everyone else.

There also are concerns that well-intentioned directives have had the unintended consequence of

stifling the freedom of expression and diversity of ideas that should be hallmarks in a university setting.

InterVarsity maintains that membership is open to everyone. But Scripture holds that leaders — who preside over Bible study and prayers — should affirm the faith, said Gregory L. Jao, a national field director for the campus ministry.

A leader's religious belief is as central a part of his or her identity as gender is for a fraternity or sorority member, he said, suggesting that the Cal State system itself was discriminating on religious grounds.

"It's an irony for us that, in the name of inclusion, they're eliminating religious groups because of their religious beliefs," Jao said. "My understanding of an inclusive, welcoming university is to accept people based on their own beliefs. I'm inviting Cal State to live up to its best goals."

But the nation's largest university system, with 450,000 students, is not alone in dealing with this issue.

In the wake of a 2010 U.S. Supreme Court ruling that upheld the right of a California law school to deny recognition to a Christian student group that excluded gays, InterVarsity and other Christian groups have lost official status at Vanderbilt, Tufts and other universities for refusing to amend their bylaws.

But Cal State's position is especially vexing for InterVarsity because it has hundreds of members on nearly all 23 system campuses.

It appears that trouble also may be looming for its University of California chapters. UC spokeswoman Shelly Meron said the system — which now does not specify that leadership positions must be open to all — is reevaluating the language it uses to charter campus organizations.

Some legal scholars say the university actions reflect a broader move in this country to water down differences and, particularly, to delegitimize religious thought.

"Prior to the [Supreme Court] ruling, everyone would recognize that it's absurd to tell college Democrats they have to accept leaders who aren't Democrats ... and would recognize the core value of freedom of association and the ability of groups to have their own standards and leaders within broad bounds," said Edward Whelan, president of the Washington, D.C.-based Ethics and Public Policy Center, which describes itself as being "dedicated to applying the Judeo-Christian moral tradition to critical issues of public policy."

"What we're seeing more broadly is part of an assault of secular progressivism on the classical

liberal understanding of American society," Whelan said.

Other legal experts, however, said the Cal State system was on solid ground as long as it applies standards evenly.

"These groups aren't just claiming a right to discriminate when selecting leaders, they're insisting on a right to do so with government money and support. So it's not simply their right to exist on campus," said Daniel Mach, director of the American Civil Liberties Union's program on freedom of religion and belief.

Some schools such as the University of Texas and Ohio State University have been able to create exemptions for religious groups in their anti-discrimination policies because lawmakers in their states passed legislation.

Cal State officials said they were bound by long-standing university policy as well as state law, which prohibits discrimination in any program funded by the state. The Legislature could carve out an exemption but hasn't done so, said Susan Westover, an attorney for the Cal State system.

It wasn't until last fall, when groups were given a year to change their charters to comply with Cal State policy, that InterVarsity began requiring leaders to sign a statement of faith, Westover said.

"We had groups that purposely used that time to get their constitutions out of compliance," she said. Jao disputed that assertion, though he acknowledged that some chapters may have worded their charters differently.

Even with the open-leadership requirement, campus organizations can set rules that reflect their core missions: They can require a potential officer to show a deep knowledge of the Bible or, in the case of the guitar club, a certain level of musical ability.

No records exist of any kind of a "takeover attempt" of a religious club, Westover said.

Some other Cal State student groups have objected to the open-leadership policy — a few Democratic clubs wanted to keep Republicans out and vice versa, and a veterans group wanted to restrict membership to those who had served. But most of the hundreds of campus organizations have accepted the changes.

Kevin Gobuty, coordinator of student life for Hillel 818, a registered Jewish group on the Northridge campus, said it has a policy of religious pluralism and tolerance that extends to its leaders.

Bilal Zaheen, president of the Muslim Student Assn. at Cal State Long Beach, said his group was happy to accept anyone and that many who attend meetings are non-Muslims interested in

learning about the religion.

"No non-Muslim has wanted to become an officer, even though they aren't restricted from doing so; they just haven't felt they could contribute 100%," said Zaheen, 20, a political science major.

InterVarsity students said they were equally confident in their position. The national office is funding some chapters so they can continue to rent meeting space (the Long Beach chapter said it was charged \$3,500 to rent a lecture hall for five weeks) and chapters are exploring greater use of social media and other ways to promote their message.

"This group is like my family and foundation, and my faith has made me able to express myself," said Aaron Ridder, 20, a student at the Long Beach campus studying biology. "We can't compromise on this issue. We wouldn't be what we are."

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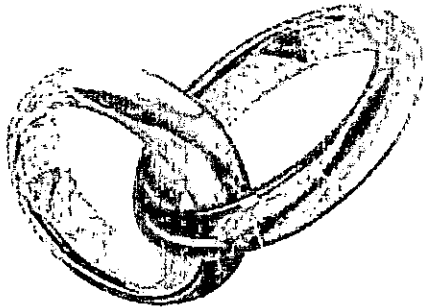
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AP-GfK Poll: Support of gay marriage comes with caveats

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By EMILY SWANSON and BRADY McCOMBS

SALT LAKE CITY (AP) – While finding that Americans narrowly favor allowing gay and lesbian couples to legally marry, a new Associated Press-GfK poll also shows most believe wedding-related businesses should be allowed to deny service to same-sex couples for religious reasons.

Roughly half the country also thinks local officials and judges with religious objections ought to be exempt from any requirement that they issue marriage licenses to gay and lesbian couples, according to the poll.

That view of the same-sex marriage issue echoes that of the Mormon church. Last week, the church called on state legislatures to pass new laws that protect gay, lesbian, bisexual and transgender people from discrimination but also to protect the rights of those who assert their religious beliefs.

David Kenney, a self-employed Catholic from Novi, Michigan, said he's fine with same-sex marriage being legal. He's among the 57 percent of Americans who said wedding-related businesses – such as florists – should be allowed to refuse service if they have an objection rooted in their religion.

"Why make an issue out of one florist when there are probably thousands of florists?" asked Kenney, 59. "The gay community wants people to understand their position, but at the same time, they don't want to understand other people's religious convictions. It's a two-way street."

Kenney isn't alone. About a quarter of those who favor legal same-sex marriage also favor religious exemptions for those who issue marriage licenses, the poll finds, and a third say wedding-related businesses should be allowed to refuse service.

Geri Rice, who lives near San Francisco and works in law firm management, strongly favors gay marriage. She's torn about whether a public official with religious objections should be exempt from issuing a license but says she believes that business owners should be allowed to tell somebody no thanks.

"I don't like it," Rice said, "but I think they have the right."

Whether a business can refuse service to someone is a matter of federal, state and local law. National gay-rights groups called the idea of trying to carve out religious exemptions in anti-discrimination statutes, such as those proposed by leaders of the Mormon church, deeply flawed.

James Esseks, who directs the LGBT project of the American Civil Liberties Union, said the First Amendment's protection of religious freedom "does not give any of us the right to harm others, and that's what it sounds like the proposal from the Mormon church would do."

The poll found that 44 percent of Americans favor and 39 percent oppose legal same-sex marriage in their own states, while 15 percent expressed no opinion. But the country is evenly divided, 48 percent to 48 percent, on which way the Supreme Court should rule when it decides the issue for the entire nation this spring.

Gay marriage is legal in 36 states because of a flurry of recent federal court decisions.

In Utah County, south of Salt Lake City, clerk Bryan Thompson says he has strong personal opinions on same-sex marriage, but he doesn't think those should influence how he performs his duties. His office initially waited to issue marriage licenses to same-sex couples in December 2013 after a federal judge in Utah struck down the state's ban on gay marriage. Thompson said he had wanted more legal guidance from the state.

"I have a responsibility as a civil servant to follow the dictates of the law, regardless of my personal feelings or preferences," Thompson said.

The AP-GfK Poll of 1,045 adults was conducted online Jan. 29-Feb. 2, using a sample drawn from GfK's probability-based KnowledgePanel, which is designed to be representative of the U.S. population. The margin of sampling error for all respondents is plus or minus 3.5 percentage points.

Respondents were first selected randomly using phone or mail survey methods, and later interviewed online. People selected for KnowledgePanel who didn't otherwise have access to the Internet were provided access at no cost to them.

Swanson reported from Washington.

Online:

AP-GfK Poll: <http://www.ap-gfkpoll.com>

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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 Governanace | <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 _____

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.