

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA
EASTERN DIVISION**

BUSINESS LEADERS IN CHRIST, an
unincorporated association,

Plaintiff,

v.

THE UNIVERSITY OF IOWA; LYN
REDINGTON, in her official capacity as
Dean of Students and in her individual
capacity; THOMAS R. BAKER, in his
official capacity as Assistant Dean of
Students and in his individual capacity; and
WILLIAM R. NELSON, in his official
capacity as Executive Director, Iowa
Memorial Union, and in his individual
capacity,

Defendants.

Civ. Action No.: _____

COMPLAINT

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**Admission pro hac vice pending*

1. This dispute arises from discrimination by the University of Iowa and the Defendant Officers (collectively, “the University”) against a small Christian student group on campus because the group requires its student leaders to embrace and follow its religious beliefs.

2. The group, Business Leaders in Christ, or “BLinC,” was founded three years ago at the University’s Tippie College of Business.



3. Its “primary mission is to create a community of followers of Christ . . . to share and gain wisdom on how to practice business that is both Biblical and founded on God’s truth.” *See Business Leaders in Christ*, <https://orgsync.com/93906/chapter>.

4. BLinC encourages its members to follow the Apostle Paul’s admonition to view all their activities—including their careers—as part of their Christian discipleship.



5. BLinC pursues its mission “by reading scripture together through devotions, hosting Christian businessmen and women from the community, serving [the] community together, and spending time with one another.” *See id.*

6. To guide its work, BLinC has adopted a Statement of Faith describing what it means to be a disciple of Christ. *See Exhibit A (current BLinC Constitution with Statement of Faith attached as Exhibit A1).*

7. The Statement of Faith embraces traditional Christian doctrines, including those concerning the supremacy of the Bible, the Unity of the Trinity, and the availability of salvation through Jesus Christ.

8. It sets forth religious teachings on how members should conduct their careers without the greed, racism, sexual immorality, and selfishness that all too often arise in business, political, and cultural institutions.

9. The Statement of Faith also calls on members to use their financial resources and personal talents to serve the community by providing for the orphaned, the needy, the abused, the aged, the helpless, and the sick.

10. To preserve and fully express its religious mission, BLinC requires all of its leaders (but not members) to affirm that they will embrace and follow the Statement of Faith.

11. In 2016, a student member of BLinC claimed that he was denied a leadership position because he is “openly gay.” Exhibit B (Student Complaint).

12. The charge was false. BLinC declined the student’s request because he expressly stated that he rejected BLinC’s religious beliefs and would not follow them.

13. Yet the University went on to de-register BLinC as a student organization.

14. Without registered status, BLinC cannot participate in on-campus recruitment fairs, access University facilities, or receive the funding and other benefits that are available to all other student groups.

15. In rendering its decision, the University singled out BLinC's Christian beliefs about sexual morality, finding that these beliefs, on their face, were discriminatory and impermissible.

16. The University concluded that if BLinC wants to be re-registered, it will have to amend its Statement of Faith and submit an "acceptable plan" for selecting its leaders.

17. The University is targeting BLinC because it dislikes BLinC's religious beliefs.

18. The University's attempt to tell BLinC how to define its faith and select its leaders constitutes religious animus and discrimination and violates clearly established federal and state law.

19. The U.S. Supreme Court has recently and unanimously affirmed over a century of precedent protecting the right of religious groups to manage their own internal religious affairs, including determining their own religious beliefs and selecting their own religious leaders.

20. Moreover, the Court has insisted that only the most compelling reasons could justify censoring a private group's expression, or punishing a private association for exercising its right to assemble with those who share its mission and beliefs. The University offers no such compelling reason here.

21. The University knows that what it is doing to BLinC is unfair, illegal, and unconstitutional. It allows other student groups to define their own mission and limit both leadership *and membership* to those who embrace that mission. And in the past, the University has conceded that it must allow other religious student to select their own leaders. But BLinC is being targeted because the University has animosity towards its religious beliefs.

22. The University's decision thus is not only illegal and unconstitutional, but contrary to the University's own policies and practices.

23. For all these reasons, the University's discrimination against BLinC must be enjoined.

JURISDICTION AND VENUE

24. This action arises under the Constitution and laws of the United States. The Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1343.

25. The Court has authority to issue the declaratory and injunctive relief sought under 28 U.S.C. §§ 2201 and 2202.

26. Venue lies in this district under 28 U.S.C. § 1391(b)(1) and (2).

IDENTIFICATION OF PARTIES

27. Plaintiff BLinC was founded in 2014 and is a student group at the Tippie College of Business at the University of Iowa.

28. Defendant The University of Iowa is a public university. Defendant Lyn Redington is the Dean of Students at the University of Iowa and is sued in her official and individual capacities.

29. Defendant Thomas R. Baker is the Associate Dean of Students at the University of Iowa and is sued in his official and individual capacities.

30. Defendant William R. Nelson is the Executive Director of the Iowa Memorial Union at the University of Iowa and is sued in his official and individual capacities.

31. All Defendants are persons acting under color of state law within the meaning of 42 U.S.C. § 1983.

FACTUAL ALLEGATIONS

BLinC's Mission and Activities

32. BLinC was founded in the Spring of 2014 by a small group of students at the Tippie College of Business at the University of Iowa.

33. BLinC was recognized by the University as an on-campus student organization in Fall of 2014.

34. The founding students sought to create opportunity to fellowship, strengthen each other's faith, develop character, and learn how to live their faith in the business world.

35. They believe that part of their calling as Christians is to conduct all aspects of their lives—including their careers—as disciples of Jesus Christ.

36. This belief includes recognizing the Bible as BLinC's ultimate authority on how Christians should live their lives, and that Christians should confess and repent of any conduct that fails to live up to the Bible's standards.

37. In accordance with that belief, the founding students adopted Colossians 3:23 from the New Testament to help define their purpose: "Whatever you do, work at it with all your heart, as working for the Lord, not for human masters." The Holy Bible: New International Version, Colossians 3:23.

38. Since its founding, BLinC has held itself out as a religious organization. Article I of its founding constitution stated that BLinC's "purpose" was to gather "seekers of Christ" and "help students learn about how to continually keep Christ first in the fast-paced business world." See Exhibit C (original constitution).

39. BLinC seeks to accomplish this religious mission by "[u]sing the Bible as a guide," engaging in religious "fellowship and small group discussion," and inviting business leaders "who walk with Christ on a day-to-day basis" to speak to and mentor students. *Id.*

40. Likewise, BLinC's public campus webpage states that its "primary mission is to create a community of followers of Christ within the Tippie College of [B]usiness in order to share and gain wisdom on how to practice business that is both Biblical and founded on God's truth." See

Business Leaders in Christ, <https://orgsync.com/93906/chapter>; see also Tippie College of Business, *Business Leaders in Christ*, <https://tippie.uiowa.edu/student-organizations/business-leaders-christ> (BLinC is “on a mission to create a community of followers of Christ within Tippie,” which it accomplishes in part by “reading scripture together”).

41. BLinC’s social media is also clear about its religious identity. Its Facebook page—which features Colossians 3:23 superimposed on a New York City skyline—is [facebook.com/TippieBelievers](https://www.facebook.com/TippieBelievers), and past leaders have used #TippieBelievers as BLinC’s Twitter handle.

42. During BLinC’s weekly meetings, its leaders—typically the president or vice president—lead the members in prayer, Bible study, and spiritual reflection.

43. The leaders are also responsible for selecting Iowa business leaders to speak to students about how they integrate their faith and careers. Speakers have come from institutions like Thrivent Financial, Rockwell Collins, and from the University itself.

44. Leaders also organize regular service projects on and around campus, such as providing childcare at a local Saturday-school program and partnering with a local non-profit’s after-school mentoring program for at-risk youth.

45. The leaders have also organized events within the business school, such as Tippie Gives Thanks, an event at which BLinC offered students and faculty a place to write down and reflect on things they are thankful for.

46. Because BLinC’s leaders are responsible to carry out BLinC’s religious mission and to provide religious ministry to BLinC’s members, BLinC takes great care in selecting the leaders in each successive year.

47. Members may nominate themselves or others for leadership positions.

48. The leadership then meets with the nominated individuals to discuss their commitment to BLinC's mission.

49. Members have a final vote on the slate of candidates approved by the current leadership.

50. This is a matter of basic institutional integrity. To remain in existence and to carry out its mission—to be “Business Leaders *in Christ*”—BLinC must have leaders who themselves embrace and follow BLinC's mission. BLinC's Bible studies, prayers, worship, and religious service would be hollow, inauthentic, and ultimately short-lived if it did not require its leaders to share its basic organizational mission and guiding purpose.

51. It is also a matter of personal integrity, both for potential leaders and members. BLinC cannot and will not ask leaders who do not share its beliefs to lead members in prayer or to convey those beliefs. Nor can BLinC ask its members to participate in insincere worship.

The Complaint against BLinC

52. In March 2016, a BLinC member approached Hannah Thompson, BLinC's president at the time, to inquire about serving as BLinC's vice president.

53. Ms. Thompson met with the student in April 2016 to determine if he could provide spiritual leadership to BLinC. She brought her Bible to the meeting and asked him questions about his faith and his relationship with Jesus Christ.

54. On his own initiative, the member disclosed to Ms. Thompson that he thought he was gay and was struggling with how that related to his Christian faith. Ms. Thompson opened her Bible and they studied what the Bible teaches about sexual conduct. They prayed together.

55. Ms. Thompson explained that the member was welcome to participate in BLinC and that she would need to discuss his leadership candidacy with other members of the executive team.

56. Through prayer and discussion of the Bible's teachings, the executive board agreed that the most important qualities for BLinC's leaders were to accept Jesus Christ as their Savior and to believe in the Bible as the ultimate authority on how to live their lives.

57. The board members further agreed that where leaders engaged in conduct that the Bible identified as sinful, they had a Christian duty to admit that the conduct was sinful (known as "confession") and choose to turn from the conduct and strive to live in a manner that was worthy of Christ's sacrifice (known as "repentance").

58. The executive board was concerned that the member did not share BLinC's view of the Bible's guiding authority and its teaching on sexual conduct, and did not seem willing to confess and repent of what the Bible taught is sinful conduct. The board thus came to the consensus that the student appeared to be in fundamental disagreement with BLinC's faith, and thus could not lead BLinC in a manner that would reliably interpret and apply the Bible's teachings.

59. When she next met with the student, Ms. Thompson asked the member if he planned to follow BLinC's Christian beliefs on sexual moral conduct. The member said he did not and that he intended to pursue same-sex relationships.

60. Ms. Thompson expressed to the member that she wanted to continue to walk closely with him as a friend and fellow Christian, and would love for him to continue to be a member of BLinC, but that he would not be eligible for a leadership position because his decision to enter into same-sex relationships was inconsistent with BLinC's religious beliefs.

61. Ms. Thompson emphasized to the member that her decision was not because he was gay, but because he did not agree with BLinC's biblically based views on sexual conduct.

62. At the beginning of the next school year, BLinC's leadership team held a "Vision Meeting" to more clearly state their leadership standards.

63. At the meeting, the leaders adopted the statement of faith used by the Christian Business Fellowship, with the addition of the following standard for its leaders:

As I hold an Executive position with Business Leaders in Christ, I commit to live a life in which I turn from my sin and actively choose the biblical principles of Godly sanctification and righteousness. If and when I misstep, I will confess my struggle to God and to a member of the Business Leaders in Christ executive board acknowledging that I choose to receive grace and forgiveness from God and from others, and turn from my sin.

Exhibit A1.

64. Toward the middle of the following semester, on February 20, 2017, the member who had sought to be BLinC's vice president filed a complaint with the University of Iowa stating that "I was denied a leadership position (Vice President) due to my being openly gay." *See* Exhibit B.

65. As relief, he asked the University to "force BLinC to . . . allow openly LGBTQ members to be leaders . . . or take away their status of being a student organization affiliated with the University of Iowa." *Id.*

66. The student subsequently founded his own University-recognized, "Jesus-Centered" student organization, Love Works, which "seek[s] to advocate for justice . . . [on] LGBT . . . issues" and "affirm[s] those in the LGBTQ+ community who have been pushed aside from many other faith communities." Exhibit D.

The University's Policies and Practices

67. The University's guidelines for student organizations recognize the right of students to organize according to common beliefs and values.

68. For example, the University's policy regarding "Registration of Student Organizations" states that it is "the policy of the University that all registered student organizations be able to exercise *free choice of members* on the basis of their merits as individuals without restriction in accordance with the University Policy on Human Rights." Exhibit E (emphasis added).

69. The policy further recognizes that students have the right to “organize and associate with like-minded students” and thus that “any individual *who subscribes to the goals and beliefs of a student organization* may participate in and become a member of the organization.” *Id.* (emphasis added).

70. Student organizations at the University frequently require their members to share the missions of the organizations they seek to join.

71. For example, The University of Iowa Feminist Union limits its membership to students who “agree[] with [its] purposes and principles,” including support for abortion, access to contraception for minors, and even certain positions on the environment. Exhibit F at 2.

72. Students for Life requires its members to “hold pro-life beliefs.” Exhibit G at 1.

73. The Korean American Student Association requires members to “exhibit an optimistic attitude towards Korean culture” and reserves the right to revoke the membership of any member who “possesses a negative attitude.” Exhibit H at 1.

74. The Association of Women Dentists requires members to support the advancement and recognition of women in dentistry. Exhibit I at 1.

75. The Islamic organization Imam Mahdi reserves certain membership benefits, including leadership roles, to members who are Shia Muslims. Exhibit J at 3. The group also requires its leaders to “refrain from major sins (*kaba'ir*) and endeavor to avoid minor sins (*saga'ir*).” *Id.* at 1.

76. Love Works, the religious organization founded by the student who filed the complaint against BLinC, requires its executive officers to “sign and agree to the Mission and Statement of Core Beliefs of Love Works” which includes a section on inclusivity declaring that: “We believe that Jesus was the ultimate example of someone who reaches out to the marginalized. We stand in full support of those who are victims of systemic oppression. We welcome full participation in our

organization, regardless of race, gender, sexual orientation, gender identity, or ability, and affirm those in the LGBTQ+ community who have been pushed aside from many other faith communities.” Exhibit D at 2-3.

77. Multiple Christian student groups condition membership on students agreeing to a “statement of belief,” *see, e.g.*, Exhibit K at 2, bearing “clear testimony of conversion to Jesus Christ,” Exhibit L at 1, or keeping religion-specific standards.

78. These requirements for members to support their organizations’ missions make sense in light of the University’s goal that student organizations bring “like-minded students” together. Exhibit E at I.

79. Thus, *preventing* BLinC from creating space for students of like-minded religious beliefs violates, not upholds, the University’s policies.

80. In addition, student fraternities and sororities explicitly select members on the basis of their sex.

81. The Bylaws of the Panhellenic Council, the student organization that governs sororities on campus, note that only “women’s fraternal organization[s]” will be recognized as members. Bylaws of the Panhellenic Council at the University of Iowa (Oct. 26, 2017), [http://iowafsl.publishpath.com/Websites/iowafsl/images/UPDATED%20PHC%20Bylaws%20\(10-26-17\).pdf](http://iowafsl.publishpath.com/Websites/iowafsl/images/UPDATED%20PHC%20Bylaws%20(10-26-17).pdf).

82. The Iowa Fraternity and Sorority Life website notes that fraternities are “for men” while sororities are “for women.” <http://iowafsl.publishpath.com/terminology>

83. The University of Iowa actively encourages students to join fraternities and sororities despite the fact that they discriminate on the basis of gender. For instance, the University’s Vice President for Student Life has written in a booklet promoting Greek life on campus that “[b]eing

a member of a fraternity or sorority provides one of the best ways to becoming an involved student at Iowa.” Tom Rocklin, *Iowa Fraternity & Sorority Life 2016-2017*, 2, <http://iowafsl.publishpath.com/Websites/iowafsl/images/1426-1 - FSL 2016-2017 Booklet Updates.pdf>.

84. The University also advertises for fraternities and sororities that affiliate on the basis of race, ethnicity, and sexual orientation. See University of Iowa, *Center for Student Involvement & Leadership*, <https://csil.uiowa.edu/pickone> (advertising that the “UI Fraternity and Sorority Community provides a welcoming social structure for many students” and “offers a verity of choices for a diversity of membership interests,” noting that the “44 Greek organizations on campus include six historically African-American fraternities and sororities, three historically Latino/a chapters, two Asian interest groups, and a fraternity and sorority for LGBT men and women and allies”; encouraging students to “investigate your interest early!” to ensure they can sign up in time).

85. Fraternities and sororities are governed by the University Policy of Human Rights just as other student organizations are. See *Registration of Student Organizations*, I.G.2 (explaining that rules and regulations of governing social fraternities must be “consistent with the University Policy on Human Rights”).

86. Further, the University’s Statement of Religious Diversity emphasizes that “[r]eligious history, religious diversity, and spiritual values have formed a part of The University of Iowa’s curricular and extracurricular programs since the founding of the University” and that “[a]s a public institution, the University neither promotes any particular form of religion nor discriminates against students, staff, or faculty on the basis of their religious viewpoints.” Dean of Students, *The*

University of Iowa, *Statement of Religious Diversity*, <https://dos.uiowa.edu/policies/statement-of-religious-diversity-and-the-university-calendar/>

87. The University's Human Rights Policy similarly forbids discrimination on the basis of "creed" or "religion," promising that "equal opportunity and access to facilities shall be available to all," including in "policies governing programs of extracurricular life and activities." The University of Iowa, *Operations Manual*, ch. 3.1 Human Rights Policy and Rationale, <https://opsmanual.uiowa.edu/community-policies/human-rights#3.1>.

88. The University's Human Rights Policy also declares that "[c]onsistent with state and federal law, reasonable accommodations will be provided . . . to accommodate religious practices." *Id.*

89. Additionally, the University's policy on Registration of Student Organizations states that "[t]he reasons for denying or withdrawing registration of a student organization shall not violate the University Policy on Human Rights," which would preclude withdrawing registration on the grounds of "creed" or "religion." Exhibit E at 1.

90. The University has previously admitted that, under these policies, "a student religious group is entitled to require a statement of faith as a pre-condition for joining the group" and that "[a]sking prospective members to sign the CLS statement of faith would not violate the UI Human Rights Policy." Exhibit M.

91. Additionally, on the University's website, it notes that "the University encourages the formation of student organizations around the areas of interests of its students" because "[t]hey play an important role in developing student leadership and providing a quality campus environment." *See* Exhibit E.

92. “Because participation in student organizations may enhance a student’s educational experience and the University deems this important to our students’ success, registered organizations are entitled to certain privileges and benefits.” *See id.* at I.

93. Those privileges and benefits include:

- (a) official status as a University organization;
- (b) establishment of a financial account and purchasing privileges;
- (c) the ability to receive school funding;
- (d) inclusion in University publications;
- (e) use of University organizational software;
- (f) use of the University’s trademarks;
- (g) use of campus facilities for meetings;
- (h) use of University fleet services vehicles;
- (i) use of University of staff and programming resources;
- (j) use, once a semester, to use Information Technology Services Mass Mail;
- (k) the ability to apply for honors and awards granted to registered organizations; and
- (l) use of office and storage space.

See Exhibit E at I (listing benefits of recognized status).

The University’s Investigation

94. In response to the member’s complaint, the University commenced an investigation of the facts alleged.

95. University Compliance Coordinator Constance Shriver Cervantes, from the University’s Office of Equal Opportunity and Diversity, was assigned to conduct the investigation.

96. As part of her investigation, Ms. Shriver Cervantes instructed Hannah Thompson and the other members of BLinC's executive board at the time that they could not discuss the member's complaint or the University's investigation with anyone else.

97. Because of this instruction, when Hannah Thompson was asked to meet with Ms. Shriver Cervantes, she did not seek legal counsel or other guidance.

98. The member on the other hand, took his story directly to the press. Exhibit N (Naomi Hofferber, *Finding a Home in Faith*, The Daily Iowan, Mar. 2, 2017).

99. At Ms. Thompson's interview, two University lawyers were present and questioned her aggressively without informing of her right to be represented by counsel.

100. As a follow-along to her interview, Ms. Thompson submitted a written statement emphasizing that BLinC "never discriminate[s] against students because of who they are. All we ask is that our leaders support and uphold our 'goals and beliefs.'" Exhibit O at 2.

101. She also reiterated that the complaining member had "expressly stated that he rejected important parts of our Christian beliefs, would not support them, and would openly oppose them in public. It was for this reason, and this reason only, that [he] was deemed ineligible to serve as our organization's vice-president." *Id.*

102. She concluded that "BLinC's entire purpose is to encourage students to live according to its understanding of Christian principles. It cannot fulfill its core mission if its leaders do not support its beliefs." *Id.*

103. After completing the investigation, Ms. Shriver Cervantes issued a report of her findings on June 30, 2017. Exhibit P.

104. In her report, Ms. Shriver Cervantes stated that the complaining member alleged that he was denied the position because he “was gay and might pursue a relationship as a gay person.” *Id.* at 2 (emphasis added).

105. The report also notes that Ms. Thompson confirmed that the complainant was denied the position “because of [his] desire to pursue a homosexual . . . relationship.” *Id.*

106. The report cites an email from Ms. Thompson to the complainant, which also confirmed that the decision not to offer him a leadership position was “because of [his] desire to pursue a homosexual . . . relationship.” *Id.* at 3

107. The report also acknowledged that BLinC welcomes all students as members, regardless of their sexual orientation. *Id.*

108. Leaders are also selected without regard to sexual orientation.

109. Leaders, however, are required to agree with and strive to abide by BLinC’s religious beliefs, which include avoiding any sexual activity outside of marriage between a man and a woman. *See Exhibit A.*

110. Despite these clear statements by both the complainant and Ms. Thompson that the complainant was denied a leadership position because of his beliefs and intended conduct, Ms. Shriver Cervantes concluded that “the basis for BLinC’s refusal to select [the complainant] for the position of vice-president was his sexual orientation.” Exhibit P at 5.

111. The report further stated that “[s]tudent organizations may state a set of beliefs with which their members or leaders must comply,” as long as the “statement of beliefs” is not “inconsistent” with the University’s policies. *Id.*

112. Ms. Shriver Cervantes then concluded that “BLinC’s action with respect to [the complainant’s] application for the position of vice-president violates the *Policy on Human Rights* because of the statements made by the president.” *Id.*

113. In a response letter dated July 14, 2017, BLinC reiterated that the complainant “participated in BLinC before asking for a leadership position, and remains welcome to participate—even as a leader, regardless of his sexual orientation,” and that he was “not eligible to be a leader of BLinC only because he stated that he disagrees with, and would not try to live by, BLinC’s Christian principles, which means he could not effectively lead our group.” *See* Exhibit Q.

Meeting between BLinC and the University

114. On September 1, 2017, BLinC met with the Defendant William Nelson, the Executive Director of the Iowa Memorial Union, and Associate Dean Thomas Baker to discuss Ms. Shriver Cervantes’s findings. BLinC was represented at the meeting by its President, Jacob Estell, its Vice-President, Brett Eikenberry, and two of its lawyers.

115. Early in the discussion, Dean Baker stated that the University recognized its obligation to respect the right of student groups, and particularly religious student groups, to select leaders who share their mission and beliefs.

116. He explained that the issue had arisen previously at the University in 2004 with the Christian Legal Society (“CLS”), which also required its leaders to share its religious beliefs, including beliefs about sexual conduct. The University allowed CLS to remain a registered student organization after it confirmed that its leadership policies were focused on student leaders’ *beliefs and conduct* (*i.e.*, affirming religious beliefs on sexual ethics and refraining from sexual intimacy outside of marriage) and not their status (*i.e.*, sexual orientation). *See* Exhibit M.

117. Dean Baker went on to analogize that a student environmental society established to promote awareness of global warming would be allowed to choose leaders based on that tenet, and that BLinC could expect the same of its leaders regarding its tenets.

118. In response to a question from Mr. Baxter, Dean Baker confirmed that BLinC could maintain a standard of religious *belief* and *conduct* for its leaders without violating the University's Human Rights Policy, as long as it did not discriminate categorically on *status*.

119. He explained that the initial finding that BLinC violated University policy was based on the understanding that the complaining student had been denied a leadership position solely because he identified as gay, and that BLinC had never asked if he shared BLinC's faith and would live according to its beliefs.

120. BLinC explained that this understanding was incorrect, was directly contradicted by the University's own findings, and—in any event—was not in accordance BLinC's leadership policy.

121. Under that policy, students who identify as gay can be members and leaders of BLinC if they affirm its beliefs and strive to live by them.

122. Dean Baker confirmed that such a policy would be permissible.

123. Dr. Nelson added that BLinC's beliefs should be more clearly stated in its constitution so that students would be aware before joining and not risk feeling offended in discovering later that they may not be eligible for a leadership position if they disagreed with those beliefs.

124. Dean Baker stated that a written articulation of BLinC's beliefs would also help avoid arbitrary application of BLinC's standards.

125. BLinC's student leaders who were present at the meeting indicated they were willing to provide a written articulation of their religious beliefs.

126. BLinC's leaders again confirmed that they do not discriminate based on status of members or leaders, but require leaders to share their beliefs and strive to abide by their standards.

127. All parties thus agreed that once BLinC updated its constitution to more clearly reflect its religious beliefs, the University's investigation would end.

128. Dr. Nelson indicated that he would send a letter to BLinC confirming the outcome of the parties' meeting.

129. As he walked out of the meeting room, Dr. Nelson stopped, turned to address the student leaders, and paid them a compliment along the lines that "some of the University's best students are sitting right here."

Dr. Nelson's Letter & BLinC's Revised Constitution

130. On September 13, 2017, Dr. Nelson issued a letter upholding Ms. Shriver Cervantes's findings and her conclusion that BLinC had violated the University's Policy on Human Rights. *See Exhibit R.*

131. Dr. Nelson also determined that BLinC could retain its status as a recognized student organization if it: (1) confirmed in writing that it complies with the University's policy; (2) submitted an updated list of qualifications in its statement of faith to avoid categorically excluding people based on their sexual orientation; and (3) submitted an "acceptable plan" for ensuring that candidates will be evaluated on BLinC's "vision statement" and not be "presumptive of candidates based upon their sexual orientation." *Id.*

132. BLinC understood Dr. Nelson's letter in light of the September 1 discussion, where he and Dean Baker had explained that the nondiscrimination provision mandated by the Policy referred only to status-based, not belief- or conduct-based, discrimination.

133. Thus, on September 27, 2017, BLinC submitted a revised constitution that it believed complied with all of Dr. Nelson's requests. *See Exhibit A.* The revised constitution (1) confirmed

that BLinC would continue to comply with the clarified understanding of the Human Rights Policy; (2) incorporated an amended Statement of Faith to further detail BLinC's beliefs and thereby avoid categorically excluding people based on their sexual orientation; and (3) confirmed in Article III of its revised constitution that leaders would be asked to sign the Statement of Faith, thus avoiding being "presumptive of candidates based upon their sexual orientation."

Dr. Nelson's Final Decision

134. In a complete about-face, on October 19, 2017, Dr. Nelson issued a final decision letter stating that BLinC's revised Constitution was not in compliance with the University's Human Rights Policy. *See* Exhibit S.

135. The basis for his decision was that BLinC's Constitution asks BLinC's leaders to affirm that they agree with its Statement of Faith and will seek to live according to its principles. *See* Exhibit A, Article III, ¶ 1 ("All Officers are required to affirm that they accept and seek to live BLinC's religious beliefs as set forth in its Statement of Faith").

136. Dr. Nelson determined that BLinC's "Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the [BLinC] Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity." *See* Exhibit S at 1.

137. Dr. Nelson accordingly determined that BLinC must "make additional revisions to [its] Statement of Faith" and submit an "acceptable plan" for interviewing officer candidates, including by developing "questions relevant to the Statement of Faith that are not presumptive of candidates based upon their sexual orientation or gender identity." *Id.*

138. Dr. Nelson concluded that if BLinC did not submit the required revisions and the "acceptable plan" by November 2, 2017, he would "find BLinC not to be in compliance with" University policy and "will revoke its registration." *Id.*

139. Dr. Nelson stated that BLinC could appeal his decision to Dean Lyn Redington, Assistant Vice President and Dean of Students, by November 2. *Id.*

Appeal to Dean Redington

140. BLinC filed its appeal to Dean Redington on November 2, 2017. Exhibit T.

141. BLinC argued that Dr. Nelson's determination that BLinC must revise its Statement of Faith and change its manner of selecting leaders should be reversed because the University could not constitutionally censor the content of BLinC's religious beliefs or control the selection of BLinC's religious leaders.

142. BLinC also argued that Dr. Nelson's determination that BLinC had engaged in impermissible discrimination was unsupported by the facts and should also be vacated.

143. On November 16, 2017, Dean Redington rejected BLinC's appeal and revoked BLinC's registration. Exhibit U.

144. Dean Redington found that BLinC's revised constitution "does not satisfy the requirements delineated in order for BLinC to remain as a registered student organization in good standing" because BLinC's "Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity." *Id.* at 1.

145. Dean Redington noted that BLinC could continue to "exist on campus whether or not the University approves its registration," because "a student organization is a voluntary special interest group organized for educational, social, recreational, and service purposes" and because "[s]tudent organizations are separate legal entities from the University of Iowa and legally are not treated the same as University departments or units." *Id.*

146. Dean Redington, however, did not deny that BLinC would be denied access to the benefits that are afforded to recognized student groups.

147. Finally, despite the University's own findings and the clear statements BLinC repeatedly made to Dean Baker and Dr. Nelson, both in person and in writing, Dean Redington ruled that BLinC was claiming "for the first time" that the complaining member "was not allowed to hold a leadership position because he 'confirmed that he intended to be sexually active in same-sex relationships.'" *Id.*

148. Dean Redington then stated that this claim "was not validated through the investigation process and finding," even while acknowledging that the reason for denying the leadership position was "because of [the complaining member's] 'desire to pursue a homosexual . . . relationship.'" *Id.*

CLAIMS

COUNT I

42 U.S.C. § 1983

Violation of the First Amendment to the U.S. Constitution Free Exercise & Establishment Clauses Ministerial Exception

149. BLinC incorporates by reference all preceding paragraphs.

150. Under the Free Exercise and Establishment Clauses of the First Amendment, religious groups have the right to select their leaders without government interference. *See Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC*, 565 U.S. 171 (2012).

151. BLinC is a religious organization created to provide Christian ministry to students and help them apply their faith to their careers.

152. BLinC's leaders provide spiritual ministry by leading BLinC's members in prayer, by leading and determining the content of religious studies, by selecting local Christian business

leaders to provide teaching and mentorship, and by selecting ways that BLinC can serve in the community and with other religious ministries as a means of expressing and developing its members' faith.

153. BLinC's leaders are selected based upon their agreement with BLinC's religious beliefs, their willingness to live according to those beliefs, and their ability to express those beliefs effectively.

154. BLinC's leaders are the primary means by which BLinC shares its religious beliefs with others and determines how it will express its faith to others.

155. By threatening to revoke BLinC's status as a registered student group, with the rights, benefits, and privileges that flow from that status, unless BLinC revises its Statement of Faith and modifies its leadership standards, the University infringes BLinC's First Amendment rights to select its own leaders.

156. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT II

42 U.S.C. § 1983

Violation of the First Amendment to the U.S. Constitution Free Exercise & Establishment Clauses Internal Autonomy

157. BLinC incorporates by reference all preceding paragraphs.

158. Under the Free Exercise and Establishment Clauses of the First Amendment, religious groups have the "power to decide for themselves, free from state interference, matters of church government as well as those of faith and doctrine." *Kedroff v. Saint Nicholas Cathedral of Russian Orthodox Church in North America*, 344 U.S. 94, 116 (1952).

159. BLinC is a religious organization created to provide Christian ministry to students and help them apply their faith to their careers.

160. The Statement of Faith adopted in BLinC's constitution sets forth BLinC's core religious beliefs that define its mission, guide its work, and help BLinC select its leadership.

161. BLinC's purpose is to share its beliefs with students to help them learn how to live out these beliefs in the business world.

162. BLinC requires its leaders to affirm the Statement of Faith to ensure that they are committed to BLinC's mission and are capable of authentically conveying its beliefs to other members.

163. BLinC's means of selecting its leadership is calibrated toward installing individuals who share and can express BLinC's faith.

164. By threatening to revoke BLinC's status as a registered student group, with the rights, benefits, and privileges that flow from that status, unless BLinC revises its Statement of Faith and changes its internal method of selecting religious leaders, the University infringes BLinC's First Amendment right to determine the content of its faith and to govern itself regarding the expression of its faith to its members.

165. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT III

42 U.S.C. § 1983

**Violation of the First Amendment to the U.S. Constitution
Free Exercise Clause
Religious Animus/Targeting of Religious Beliefs**

166. BLinC incorporates by reference all preceding paragraphs.

167. “[A] law targeting religious beliefs as such is never permissible.” *Trinity Lutheran Church of Columbia, Inc. v. Comer*, 137 S. Ct. 2012, 2024 n.4 (2017) (quoting *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 533 (1993)).

168. The government has no authority to control the content of or the expression of religious beliefs within the context of private religious associations. *Braunfeld v. Brown*, 366 U.S. 599, 603 (1961) (“The freedom to hold religious beliefs and opinions is absolute.”).

169. The University derecognized BLinC because the University claims that BLinC’s “Statement of Faith, on its face, does not comply with the University’s Human Rights policy.” Exhibit U (11/16/2017 Letter).

170. Moreover, the University informed BLinC that “[s]tudent organizations may state a set of beliefs with which their members or leaders must comply,” but only if the “statement of beliefs” is not “inconsistent” with the University’s policies. Exhibit O at 5.

171. The University told BLinC that it could maintain University recognition if it would “make additional revisions to your Statement of Faith” and “submit a version that complies with the University of Iowa Human Rights Policy.” Exhibit S.

172. Other student organizations at the University are permitted to establish tenets to advance their missions and expect their leaders and members to agree with and abide by those tenets.

173. The University knows that it is unlawful to penalize BLinC because of the content of its religious beliefs.

174. Dean Baker and Dr. Nelson both acknowledged that they have allowed other religious student groups to maintain their own religious beliefs and choose leaders who uphold them, even when challenged under the Human Rights Policy.

175. They also acknowledged that targeting BLinC because of its religious beliefs itself violates the Human Rights Policy.

176. By stripping BLinC's recognition because of its Statement of Faith, the University is targeting and seeking to control BLinC's religious beliefs as such, which violates the Free Exercise Clause of the First Amendment to the United States Constitution.

177. The University's actions reflect animus toward religion, and BLinC's religious beliefs in particular.

178. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT IV

42 U.S.C. § 1983

Violation of the First Amendment to the U.S. Constitution

Free Exercise Clause

Not Generally Applicable

179. BLinC incorporates by reference all preceding paragraphs.

180. “[L]aws burdening religious practice must be of general applicability.” *Lukumi*, 508 U.S. at 542.

181. The University's Human Rights Policy is not applied to or enforced equally against all student organizations.

182. The Human Rights Policy requires that membership and participation in student organizations must be “open to all students without regard to race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual” and that “equal

opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.” Exhibit E.

183. Many student organizations on campus, including fraternities and sororities, explicitly restrict membership and/or leadership on the basis of one or more of the categories identified in the Human Rights Policy.

184. Many student organizations on campus have an uninterrupted pattern of restricting membership and/or leadership on the basis of one or more of the categories identified in the Human Rights Policy.

185. The University has failed to consistently enforce the Human Rights Policy against student organizations that restrict membership and leadership on the basis of one or more of the categories identified in the Human Rights Policy.

186. BLinC does not restrict membership or leadership on the basis of any of the categories identified in the Human Rights Policy, other than on the basis of religion.

187. Although BLinC requires its leaders to accept and abide by its Statement of Faith, which includes religious beliefs about sexual orientation and gender identity, BLinC does not restrict membership or leadership on the basis of sexual orientation or gender identity or any other of the categories identified in the Human Rights Policy, other than on the basis of religion.

188. By stripping BLinC’s recognition because of its alleged noncompliance with the University’s Human Rights Policy, the University is applying a standard to BLinC that is not generally applicable to other student organizations on campus.

189. The University’s enforcement of its Human Rights Policy is under-inclusive in that it fails to restrict nonreligious conduct that endangers the Policy’s principles in a similar or greater degree than does BLinC’s conduct.

190. The University does not have a compelling government interest pursued by the least restrictive means to justify this unequal application of its Human Rights Policy against BLinC.

191. The University's unequal application of its Human Rights Policy violates the Free Exercise Clause of the First Amendment to the United States Constitution.

192. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT V

42 U.S.C. §1983

Violation of the First Amendment to the U.S. Constitution Establishment Clause Denominational Discrimination

193. BLinC incorporates by reference all preceding paragraphs.

194. "The clearest command of the Establishment Clause is that one religious denomination cannot be officially preferred over another." *Larson v. Valente*, 456 U.S. 228, 244 (1982).

195. The University seeks to apply its Human Rights Policy to penalize BLinC because of its religious beliefs concerning sexual morality.

196. The University applies its Human Rights Policy in a manner that privileges groups that have countervailing religious beliefs concerning sexual morality.

197. The University's preference for one set of religious beliefs about sexual morality and against BLinC's religious beliefs about sexual morality violates the Establishment Clause of the First Amendment to the United States Constitution.

198. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT VI

42 U.S.C. §1983

**Violation of the First Amendment to the U.S. Constitution
Free Speech Clause
Expressive Association**

199. BLinC incorporates by reference all preceding paragraphs.

200. Applying the University's Human Rights Policy to BLinC would compel it to select leaders who believe and live in contradiction to BLinC's religious beliefs.

201. BLinC is an association of like-minded Christians who seek to express their Christian faith through word and deed.

202. BLinC believes that its activities and organization are a witness of its members' faith and thus inherently expressive, having inescapable religious significance.

203. Causing BLinC to accept leaders who do not believe and act in accordance with BLinC's religious beliefs would force the group to associate with and promote a message with which it disagrees and which runs contrary to the expressive purposes for which BLinC was created and operates.

204. Compelling BLinC to associate with and promote a message with which it disagrees and which runs contrary to the expressive purposes for which it was created and operates is not narrowly tailored to a compelling governmental interest.

205. Defendants' actions thus violate BLinC's right of expressive association as secured to it by the First Amendment of the United States Constitution.

206. Absent injunctive and declaratory relief against the University's Human Rights Policy, BLinC and its members have been and will continue to be irreparably harmed.

COUNT VII

42 U.S.C. § 1983

**Violation of the First Amendment to the U.S. Constitution
Free Speech Clause
Compelled Speech**

207. BLinC incorporates by reference all preceding paragraphs.

208. Applying the University's Human Rights Policy to BLinC would force it to allow leaders who believe and act in direct contradiction to BLinC's religious beliefs.

209. This forced inclusion of leaders hostile to BLinC's religious beliefs and mission would communicate both to BLinC's own members as well as to the community as large that BLinC's views are different than what BLinC actually espouses.

210. Defendants' actions would thus violate BLinC's right to be free from compelled speech as secured to them by the First Amendment of the United States Constitution.

211. Compelling BLinC to convey messages that it disagrees with is not narrowly tailored to a compelling governmental interest.

212. Absent injunctive and declaratory relief against such compelled speech, BLinC and its members have been and will continue to be irreparably harmed.

COUNT VIII

42 U.S.C. §1983

**Violation of the First Amendment to the U.S. Constitution
Free Speech Clause
Viewpoint Discrimination**

213. BLinC incorporates by reference all preceding paragraphs.

214. Governmental efforts to regulate speech based on the "specific motivating ideology or the opinion or perspective of the speaker" is a "blatant" and "egregious" form of impermissible

speech restriction. *Rosenberger v. Rector and Visitors of the Univ. of Va.*, 515 U.S. 819, 829 (1995).

215. The University seeks to apply its Human Rights Policy to penalize BLinC because of its religious opinions and perspectives concerning sexual morality.

216. The University applies its Human Rights Policy in a manner that privileges the expression and views of groups that have countervailing religious beliefs concerning sexual morality.

217. The University's preference for one set of opinions and perspectives about sexual morality and against BLinC's religious beliefs about sexual morality violates the Free Speech Clause of the First Amendment to the United States Constitution.

218. Discriminating against BLinC's expressed religious opinions and perspectives on sexual morality is not narrowly tailored to a compelling governmental interest.

219. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT IX

42 U.S.C. § 1983

Violation of the First Amendment to the U.S. Constitution Assembly Clause

220. BLinC incorporates by reference all preceding paragraphs.

221. By denying BLinC registered student group status because of its Statement of Faith, the University infringes BLinC's First Amendment right "peaceably to assemble" to engage in otherwise lawful religious worship and speech activities with persons of their choosing. *See Thomas v. Collins*, 323 U.S. 516, 532-40 (1945).

222. The University allows other student groups with a wide variety of ideological tenets and a wide variety of restrictions on membership and leadership to use University resources to assemble on campus.

223. Without registered student group status, BLinC is denied important University resources to meet, share its message, and grow its membership that are available to all other student groups.

224. Absent injunctive and declaratory relief, BLinC and its members have been and will continue to be irreparably harmed.

COUNT X

42 U.S.C. § 1983

**Violation of the Fourteenth Amendment to the U.S. Constitution
Equal Protection**

225. BLinC incorporates by reference all preceding paragraphs.

226. The Equal Protection Clause prohibits discrimination on the basis of religion.

227. The University's application of its Human Rights Policy penalizes BLinC because of its religious beliefs concerning human sexuality by denying BLinC registered status.

228. Organizations that espouse religious beliefs concerning human sexuality that are contrary to those espoused by BLinC are allowed to maintain registered status.

229. The University's preference for one set of religious beliefs about human sexuality and against BLinC's religious beliefs about human sexuality violates the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

230. Absent injunctive and declaratory relief, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XI

Violation of the federal Higher Education Act

231. BLinC incorporates by reference all preceding paragraphs.

232. According to section 1011a of the Higher Education Act, “no student attending an institution of higher education . . . should, on the basis of participation in protected speech or protected association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division of the institution . . . whether or not such program, activity, or division is sponsored or officially sanctioned by the institution.”

233. BLinC’s members are students attending an institution of higher education, and as such are members of the class for whose especial benefit this Act was enacted.

234. There is evidence of legislative intent to create a private right to enforce this section of the Higher Education Act.

235. Forcing BLinC to either comply with the University’s Human Rights Policy as to BLinC’s requirements for leadership in its group, or to lose registered student group status, violates section 1011a of the Higher Education Act.

236. Absent injunctive and declaratory relief against the University’s Human Rights Policy, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XII

Violation of the Iowa Human Rights Act

237. BLinC incorporates by reference all preceding paragraphs.

238. Section 216.9 of the Iowa Human Rights Act declares that “[i]t is an unfair or discriminatory practice for any educational institution to discriminate on the basis of . . . religion.”

239. Such discrimination includes “[e]xclusion of a person or persons from participation in, denial of the benefits of, or subjection to discrimination in any . . . extracurricular . . . or other program or activity.” *Id.* at § 216.9(a).

240. The University has discriminated against BLinC, its leadership, and its members on account of their Statement of Faith, their religious beliefs, and their religious practices.

241. Further, by de-recognizing BLinC, the University is denying BLinC the ability to fully participate in University life on equal grounds with all other student groups.

242. Such denials constitute a violation of the Iowa Human Rights Act.

243. Absent injunctive and declaratory relief on the grounds that the University has violated the Iowa Human Rights Act, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XIII

Violation of the Iowa Constitution Article I, § 3 Free Exercise Clause

244. BLinC incorporates by reference all preceding paragraphs.

245. Article I, § 3 of the Iowa Constitution provides that “[t]he General Assembly shall make no law . . . prohibiting the free exercise” of religion.

246. BLinC’s selection of leaders who embrace and follow its beliefs is an exercise of religion.

247. Denying BLinC registered group status for selecting leaders who embrace and follow its religious beliefs would substantially burden BLinC’s free exercise of religion.

248. A decree forcing BLinC to have leaders who believe and act in direct contradiction to its religious beliefs, or lose registered student group status, would not be narrowly tailored to accomplishing a compelling government interest.

249. Forcing BLinC to have leaders who believe and act in direct contradiction to its religious beliefs, or lose registered student group status, would violate the rights secured to them by Article I, § 3 of the Iowa Constitution.

250. Absent injunctive and declaratory relief against Defendants' threatened enforcement of the University Human Rights Policy, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XIV

Violation of the Iowa Constitution Article I, § 3 No Punishment for Religious Beliefs

251. BLinC incorporates by reference all preceding paragraphs.

252. Article I, § 4 of the Iowa Constitution provides that “no person shall be deprived of any of his rights, privileges, or capacities, or disqualified from the performance of any of his public or private duties . . . in consequence of his opinions on the subject of religion[.]”

253. Applying the University's Human Rights Policy against BLinC for selecting leaders who endorse and abide by its religious beliefs would punish BLinC and its members for their religious beliefs in violation of the rights secured to them by Article I, § 4 of the Iowa Constitution.

254. Absent injunctive and declaratory relief against Defendants' threatened enforcement of the University's Human Rights Policy, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XV

Violation of the Iowa Constitution Article I, § 3 Establishment Clause

255. BLinC incorporates by reference all preceding paragraphs.

256. Iowa's constitution "does not permit any branch of government to resolve . . . religious debates" over issues such as the proper role of human sexuality, but rather "entrusts to courts the task of ensuring government *avoids* them." *Varnum v. Brien*, 763 N.W.2d 862, 905 (Iowa 2009).

257. The University, however, seeks to apply its Human Rights Policy to penalize BLinC because of its religious beliefs concerning human sexuality, while at the same time protecting countervailing religious beliefs.

258. The University's preference for one set of religious beliefs about human sexuality and against BLinC's religious beliefs about human sexuality violates Article I, § 3 of the Iowa Constitution.

259. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XVI

Violation of the Iowa Constitution Article I, § 7 Compelled Speech

260. BLinC incorporates by reference all preceding paragraphs.

261. Applying the University's Human Rights Policy to BLinC would force it to allow leaders who believe and act in direct contradiction to BLinC's religious beliefs.

262. This forced inclusion of leaders hostile to BLinC's religious beliefs and mission would communicate both to BLinC's own members as well as to the community at large that BLinC's views on sexual morality are different than what BLinC actually espouses.

263. Defendants' actions would thus violate BLinC's right to be free from compelled speech as secured to them by the First Amendment of the United States Constitution.

264. Compelling BLinC to convey messages that it disagrees with is not narrowly tailored to a compelling governmental interest.

265. Absent injunctive and declaratory relief against such compelled speech, BLinC and its members have been and will continue to be harmed.

COUNT XVII

**Violation of the Iowa Constitution Article I, § 7
Viewpoint Discrimination**

266. BLinC incorporates by reference all preceding paragraphs.

267. Governmental efforts to regulate speech based on the viewpoint of the speaker are impermissible viewpoint discrimination.

268. The University seeks to apply its Human Rights Policy to penalize BLinC because of its religious opinions and perspectives concerning sexual morality.

269. The University applies its Human Rights Policy in a manner that privileges the expression and views of groups that have countervailing religious beliefs concerning sexual morality.

270. The University's preference for one set of opinions and perspectives about sexual morality and against BLinC's religious beliefs about sexual morality violates Article I, § 7 of the Iowa Constitution.

271. Discriminating against BLinC's expressed religious opinions and perspectives on sexual morality is not narrowly tailored to a compelling governmental interest.

272. Absent injunctive and declaratory relief against the University, BLinC and its members have been and will continue to be irreparably harmed.

COUNT XVIII

**Violation of the Iowa Constitution Article I, § 7
Expressive Association**

273. BLinC incorporates by reference all preceding paragraphs.

274. Applying the University's Human Rights Policy to BLinC would compel it to select leaders who believe and live in contradiction to BLinC's religious beliefs.

275. BLinC is an association of like-minded Christians who seek to express their Christian faith through word and deed.

276. BLinC believes that its activities and organization are a witness of its members' faith and thus inherently expressive, having inescapable religious significance.

277. Causing BLinC to accept leaders who do not believe and act in accordance with BLinC's religious beliefs would force the group to associate with and promote a message with which it disagrees and which runs contrary to the expressive purposes for which BLinC was created and operates.

278. Defendants' actions thus would violate BLinC's right of expressive association as secured to it by Article I, Section 7 of the Iowa Constitution.

279. Absent injunctive and declaratory relief against the University's Human Rights Policy, BLinC and its members have been and will continue to be harmed.

COUNT XIX

Violation of Article I, § 20 of the Iowa Constitution Assembly Clause

280. BLinC incorporates by reference all preceding paragraphs.

281. By denying BLinC registered student group status because of BLinC's adherence to only allowing individuals to be leaders who are in accord with BLinC's religious beliefs and practices regarding sexual morality, but allowing other groups to determine their own members in harmony with their group's views, much less their own leaders, the University infringes BLinC's right of assembly in Article I, Section 20 of the Iowa Constitution.

282. Without registered student group status, BLinC is not eligible to use University resources to meet, share its message, or grow its membership numbers.

283. Absent injunctive and declaratory relief against such compelled speech, BLinC and its members have been and will continue to be harmed.

COUNT XX

42 U.S.C. § 1983

**Violation of the First Amendment to the U.S. Constitution
Free Speech Clause**

284. BLinC incorporates by reference all preceding paragraphs.

285. After the University opened the investigation against BLinC, it told BLinC's executive officers that they could not talk to anyone about the complaint that had been filed against BLinC or about the investigation.

286. BLinC's executive officers were told that if they did talk to anyone about the complaint or investigation, they could found to have engaged in retaliation against the complaining student in violation of University policy.

287. Because of the University's warning, BLinC's officers thought they were not allowed even to seek legal advice concerning their rights.

288. The University's warning was an unlawful attempt to suppress the students' freedom of speech.

289. Absent injunctive and declaratory relief against such compelled speech, BLinC and its members have been and will continue to be harmed.

PRAYER FOR RELIEF

Wherefore, BLinC requests that the Court:

- a. Declare that the First and Fourteenth Amendments to the United States Constitution, the Higher Education Act, the Iowa Constitution, and the Iowa Human Rights Act require Defendants to cease discriminating against BLinC and to cease withholding registered status on the basis of BLinC's Statement of Faith and leadership selection policies.
- b. Issue a permanent injunction prohibiting enforcement of the University's Human Rights Policy against BLinC based on the content of BLinC's Statement of Faith and leadership selection policies.
- c. Award BLinC nominal damages for the loss of their rights as protected by the United States and Iowa Constitutions.
- d. Award BLinC the costs of this action and reasonable attorney's fees; and
- e. Award such other and further relief as the Court deems equitable and just.

JURY REQUEST/DEMAND

Plaintiff requests a trial by jury on all issues so triable.

Respectfully submitted,

/s/ Matt M. Dummermuth

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**Admission pro hac vice pending*

EXHIBIT A

Title: THE CONSTITUTION OF BUSINESS LEADERS IN CHRIST (“BLINC”)

Date: September, 27, 2017

Article I

Purpose:

As seekers of Christ, Business Leaders in Christ is a student organization within the Tippie College of Business meant to help students learn about how to continually keep Christ first in the fast-paced business world. Using the Bible as a guide and through prayer, fellowship, group discussions, and service, students will network within the College and with business leaders who walk with Christ on a day-to-day basis.

Article II

Membership:

Section 1) **Membership in BLinC shall be open to all students without regard to race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.**

Section 2) There will be no limitations as far as the minimum or maximum number of participants within the student organization.

Section 3) Because BLinC is seeking certification within the Tippie College of Business to become a recognized student organization, its target audience includes students already admitted into the Tippie College of Business, pre-business students, and students strongly considering business as a major/minor. A Member’s role or affiliation will not be different based on their class within, or ties to, the Tippie College of Business.

Section 4) A student will be considered a Member after signing in and attending 2 or more meetings in a given academic year. However, the President and/or the Faculty Advisor has the right to withdraw membership at any time for misconduct or other extreme circumstances.

Article III

Officers and Duties:

1) All Officers are required to affirm that they accept and seek to live BLinC’s religious beliefs as set forth in its Statement of Faith attached as Exhibit A. They must be prepared

to provide spiritual leadership for the organization, including leading prayer and Bible study, explaining the content of BLinC's religious beliefs, and ministering to others. They should have knowledge of, and agreement with, BLinC's mission and an understanding of how to model the values of the organization for the rest of the membership. All Officers are expected to uphold BLinC's religious beliefs and help ensure that the organization remains true to its religious mission, as described in this paragraph.

2) There will be 4 Executive Officer positions within BLinC:

a) President: The role of the President is to schedule, organize, and lead executive and large group meetings weekly. It is also the President's responsibility to manage all administrative issues, such as amending the constitution, overseeing the work of the other executives, making any final decisions regarding the well-being of the student organization, and reaching out to form meaningful relationships with members of the organization. To fulfill these responsibilities, the President must work closely with the Faculty advisor, providing updates on a weekly basis, as well as working closely with the other executives of the organization. It is the President's duty to work with the other officers to make sure all administrative work is successfully completed. In order to become President, a candidate should possess strong leadership skills (prior leadership experience is preferred), strong communication skills, and a strong work ethic to be able to complete all of the required duties as President.

b) Vice President: The primary role of the Vice President is to schedule guest speakers to come in and present on how they use their faith on a day-to-day basis in the workforce. Ideally, they will start planning and scheduling guest speakers for the following fall semester, as soon as they are elected. Besides engaging in outreach for speakers, the Vice President will assist the President with administrative issues and will assume the role of President whenever the President cannot attend a meeting or fulfill his/her duties. In order to be a successful Vice President, a candidate should possess strong community outreach skills. They should feel comfortable reaching out to potential speakers and asking if they would like to come present to the organization. The Vice President should also have strong administrative and leadership skills as well because they will work hand in hand with the President completing various administrative tasks.

c) Treasurer: The primary role of the Treasurer is to manage the funds, money, and make a budget for the organization. They will work with the other executives and the faculty advisor to decide where to allocate all of the funds. Candidates should have a knowledge of managing money, and someone that is majoring in accounting or finance will be prioritized.

d) Secretary: The main role of the secretary is to market the student organization. They should send out emails to members reminding them of upcoming events, post on the Facebook page, and tweet about what is going on within BLinC. Also, during meetings, the secretary should record minutes. Candidates considering the position of secretary should be organized and good communicators.

Article IV

Staff/Faculty Advisor

The responsibility of the Staff/Faculty Advisor is to be a voice for the students with the University and to help the Executive Officers with whatever needs they may have. The advisor should be made aware of everything that is going on within the organization by the Executive Officers. The Advisor is invited to attend leadership and group meetings in order to again lend input for the well-being of the organization.

To select a Staff/Faculty Advisor, the Executive Officers will search first in the Tippie College of Business by sending out emails or scheduling meetings with faculty members to see if anyone would be interested. The Staff/Faculty advisor may serve only by unanimous vote of the Executive Officers. If there is no one interested within the Tippie College of Business, the search may expand outside of the college, but the same process of unanimous vote by the Executive Officers must be followed.

Article V

Meetings

Section 1) Meetings will be held once a week. Meetings will not be held during finals week or on University breaks and holidays.

Section 2) Members will be notified by email 48 hours in advance of special meetings.

Section 4) The President or Staff/Faculty Advisor has the authority to call and schedule a meeting.

Article VI

Election & Removal of Officers

Section 1) Elections for the Executive Officers will be held once a year in March to elect Officers for the following school year.

Section 2) BLinC Members who are regularly enrolled as students at the University of Iowa, in good standing with the organization, and have attended 75% or more of the group meetings may be nominated by themselves or others to run for an executive office. Nominations should be submitted by email or other writing to the Executive Officers before March 1 of each year.

Section 3) All nominees must be interviewed by the President or, at the President's discretion, by another Executive Officer. Nominees must affirm that they accept and seek

to live BLinC's religious beliefs as set forth in Article III, Paragraph 1 of this constitution. If elected, a nominee must sign a copy of BLinC's Statement of Faith.

Section 4) At minimum, members will be notified of the upcoming election and the opportunity to submit nominations in a meeting and by email at least two weeks before March 1 and again by email at least two weeks before the election if held after March 1.

Section 5) Executive Officers will be selected by a majority vote of the Members present at the duly noticed election meeting.

Section 6) The process for removal of any officer shall be commenced by a written request for removal signed by at least two Members and delivered to the Executive Officers. The challenged officer shall have one week to prepare a written response to the request and shall have the opportunity to meet with the remaining Executive Officers to speak with them about the request and response. Should the other Executive Officers find grounds for the challenged officer's removal, the matter will be referred to a vote by the Members. No officer shall be removed without the vote of the majority of the Members present at a duly noticed meeting.

Section 6) Notwithstanding the procedures outlined in the previous paragraph, any misrepresentation in an Executive Officer's leadership application or change in an Executive Officer's representations regarding the beliefs and mission of BLinC (and, hence, their ability to communicate the messages of the organization accurately) shall be grounds for the immediate review of the Executive Officer's position by the remaining Executive Officers. If, after review, the remaining Executive Officers decide that the Executive Officer in question can no longer effectively represent BLinC or further its mission, the remaining Executive Officers may remove the Officer by a majority vote of the remaining Executive Officers.

Article VII

Finances

Section 1) There will be no dues required for membership within BLinC.

Section 2) All financial decisions must be made by joint agreement between the President and the Treasurer. The President and Treasurer must seek consensus from the other Executive Officers for financial decisions involving more than \$200.

Section 3) All checks must be signed by both the President and the Treasurer. If the President is unavailable, the Vice-President may sign, but only with the President's permission.

Section 4) BLinC shall give back to the Tippie community at a minimum rate of 10 percent of any grants or gifts received by the organization.

Section 5) At the beginning of each fall semester a budget shall be made by the Treasurer to thoughtfully allocate all funds expected through the end of the spring semester. The budget shall be presented to the Executive Officers and be ratified by a $\frac{3}{4}$ vote.

Section 6) It is the duty of the Executive Officers, especially the Treasurer, to thoughtfully pray that whatever financing BLinC might receive would be used as God desires.

Section 7) BLinC is required to deposit all receipts in, and make disbursements through, the Student Organization Business Office, Fraternity Business Services, or Recreational Services. Upon dissolution, state money and mandatory student fees revert back to the granting organization. Inactive organizations will be considered dissolved after five years of no account activity. Revenue generated dollars or "00 funds" must be divided as stated in this Constitution and carried out by our leadership. Our organization's remaining revenue generated dollars or "00 funds" will be divided or disbursed to The University of Iowa Student Government. If this organization has dissolved and revenue generated dollars or "00 funds" have not been divided as stated in this Constitution by five (5) years from last account activity, funds in our "00 account" will revert to an account specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in accordance with University of Iowa policy.

Article VIII

Amendments

Section 1) In order to amend this document, both a $\frac{3}{4}$ vote from the Executive Officers and a $\frac{2}{3}$ vote by current Members at a duly noticed meeting is required to overturn or create changes to amendments.

Section 2) If an Executive Officer or a Member wishes to amend this constitution, the Executive Officers and Members should be notified at least two weeks in advance by email and by reading the proposed change(s) at one meeting to all Members present.

Article IX

Section 1) This Constitution shall take immediate effect upon a majority vote of all Executive Officers of the organization. The organization shall have all authority necessary to implement this constitution.

EXHIBIT A1

BLINC STATEMENT OF FAITH

- **DOCTRINE OF SCRIPTURE:** The Bible is God's unique revelation to mankind, the inspired, infallible Word of God. As such, it is the supreme and final authority and without error in what it teaches and affirms. No other writings are vested with such divine authority.
- **DOCTRINE OF GOD:** There is only one true God. He exists eternally as three persons — Father, Son, and Holy Spirit — each fully God yet each personally distinct from the other. God is the creator of everything.
- **DOCTRINE OF SIN:** Everyone, regardless of race, gender, social class, or intellectual ability, is created in God's image and for communion with God. But because of sin, that communion was broken and all of humanity was separated from God, the source of all life. Because of the fall, everyone deserves God's judgment.
- **DOCTRINE OF SALVATION:** Jesus Christ is the Way, the Truth, and the Life, and God gives salvation and eternal life to those who trust in him. Salvation cannot be earned through personal goodness or human effort. It is a gift that is received by repentance, faith in Christ, his death on the cross, resurrection from the grave and testified through baptism.
- **DOCTRINE OF JUDGMENT:** At the final judgment, unbelievers will be separated from God into condemnation. Believers will be received into God's loving presence.
- **DOCTRINE OF CHRIST:** Jesus Christ, the second Person of the Trinity, was conceived by the Holy Spirit, born of the Virgin Mary — he was God in human flesh. He lived a sinless human life, yet willingly took upon himself our sins by dying in our place and on our behalf. He rose bodily, victorious over death. He ascended to Heaven and is at the right hand of the Father as the believer's advocate and mediator. Someday, he will return to consummate history and to fulfill the eternal plan of God.
- **DOCTRINE OF THE HOLY SPIRIT:** The Holy Spirit, the third Person of the Trinity, convicts the world of sin and gives new life to those who trust in Jesus. He indwells all believers and is available to empower them to lead Christ-like lives. The Spirit gives them spiritual gifts with which to serve fellow believers and reach out to a lost and needy world.
- **DOCTRINE OF THE CHURCH:** All believers are members of the body of Christ, the one true church universal. Spiritual unity is to be expressed among Christians by acceptance and love of one another across ethnic, cultural, socio-economic, national, generational, gender, and denominational lines. The local church is a group of believers who gather for worship, prayer, instruction, encouragement, mutual accountability, community with each other, and as a witness to the world.
- **DOCTRINE OF PERSONAL INTEGRITY:** All Christians are under obligation to seek to follow the example of Christ in their own lives and in human society. In the spirit of Christ, Christians should oppose racism, every form of greed, selfishness, and vice, and all forms of sexual immorality, including pornography. We believe God's intention for a sexual relationship is to be between a husband and a wife in the lifelong covenant of marriage. Every other sexual relationship beyond this is outside of God's design and is not in keeping with God's original plan for humanity. We believe that every person should embrace, not reject, their God-given sex. We should work to provide for the orphaned, the needy, the abused, the aged, the helpless, and the sick. We should speak on behalf of the unborn and contend for the sanctity of all human life from conception to natural death.

- **As I hold an Executive position with Business Leaders in Christ, I commit to live a life in which I turn from my sin and actively choose the biblical principles of Godly sanctification and righteousness. If and when I misstep, I will confess my struggle to God and to a member of the Business Leaders in Christ executive board acknowledging that I choose to receive grace and forgiveness from God and from others, and turn from my sin.**

Name

Executive Office

Date

EXHIBIT B



Chief Diversity Office
Equal Opportunity & Diversity

CONFIDENTIAL Inquiry/Complaint Form

Complainant: Marcus Miller

Respondent: Business Leaders in Christ
(Person/Unit/Department against whom the concern is made)

Action Requested:

- Inquiry
- Informal Resolution
- Formal Investigation

Basis of Concern:

- University's Policy on Human Rights (discrimination on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity or associational preferences)
[Please circle appropriate classification.]
- University's Policy on Sexual Harassment;
- University's Policy on Consensual Relationships Involving Students;
- University's Policy on Violence;
- University's Anti-Harassment Policy;
- University's Anti-Retaliation Policy;
- Unfair hiring practices;
- Other (Please specify: _____)

Please provide a detailed description of the basis of your concern (attach pages if necessary):

I was denied a leadership position (Vice President) due to ~~the~~ my being openly gay.

Remedy or Resolution Requested:

Either force BLinC to comply with the non-discrimination policy (allow openly LGBT members to be leaders) or take away their status of being a student organization affiliated with the University of Iowa.

By my signature below, I authorize the Director of the Office of Equal Opportunity and Diversity or his/her designee to investigate and/or seek resolution of my concern. It is my intent and understanding that this authorization includes the collection and examination of any and all records and documentation relevant to my concern, as well as authorization to discuss any matter regarding my concern with any persons having relevant knowledge of the events and circumstances involved including, but not limited to, the Respondent. If I am filing a formal complaint, I understand that a copy of this form will be provided to the Respondent.

Signature (Complainant or University Agent) Marcus Miller Date 2/20/17

University of Iowa; Office of Equal Opportunity & Diversity
202 Jessup Hall; Iowa City, Iowa 52242-1316
(319) 335-0705 - voice; (319) 335-0697 - TDD
<http://diversity.uiowa.edu/eod/>

EXHIBIT C

Title: The Constitution of Business Leaders in Christ

Preamble: Business Leaders in Christ (BLINC)

Date: April 1, 2014

Article I

Purpose:

As seekers of Christ, Business Leaders in Christ is a student organization within the Tippie College of Business meant to help students learn about how to continually keep Christ first in the fast-paced business world. Using the Bible as a guide, through fellowship and small group discussion, students will network within the College and with business leaders, who walk with Christ on a day-to-day basis.

Article II

Membership:

Section 1) **In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.**

Section 2) There will be no limitations as far as the minimum or maximum number of participants within the student organization.

Section 3) Because Business Leaders in Christ is seeking certification within the Tippie College of Business to become a recognized student organization, the target audience for this organization would be for students already admitted into the Tippie College of Business, pre-business students, or students strongly considering business as a major/minor. However, each member's role or affiliation will not be different based on their class or ties within the Tippie College of Business.

Section 4) A student will be considered a member after signing in and attending 2 or more meetings. However, the President and/or the Faculty Advisor has the right to withdraw membership at any time for extreme circumstances or misconduct.

Article III

Officers and Duties:

There will be 4 executive officer positions within Business Leaders in Christ:

1) President: The role of the President of Business Leaders in Christ will be to schedule, organize, and lead executive and large group meetings weekly. It is also their responsibility to manage all administrative issues, such as: amending the constitution, overseeing the work of the other executives, making any final decisions regarding the well-being of the student organization, and reaching out to form meaningful relationships with members of the

organization. To fulfill their responsibility, they must work closely with the Faculty advisor, emailing them updates on a weekly basis, as well as working closely with the other executives of the organization. It is the President's duty to work with the other officers to make sure all administrative work is successfully completed. In order to become President, a candidate should possess strong leadership skills (prior leadership experience is preferred), strong communication skills, and strong ethic to be able to complete all of the required duties as President.

2) Vice President: The primary role of the Vice President will be to schedule guest speakers to come in and present on how they use their faith on a day to day basis in the workforce. Ideally, they will start planning and scheduling guest speakers for the following fall semester, as soon as they are elected. Besides their outreach for speakers, they will assist the President with administrative issues and will assume the role of President whenever the President cannot attend a meeting or fulfill his/her duties. In order to be a successful Vice President, a candidate should possess strong community outreach skills. They should feel comfortable reaching out to potential speakers and asking if they would like to come present to the organization. The Vice President should also have strong administrative and leadership skills as well because they will work hand in hand with the President completing various administrative tasks.

3) Treasurer: The primary role of the Treasurer is to manage the funds, money, and make a budget for the organization. They will work with the other executives and the faculty advisor to decide where to allocate all of the funds. Candidates should have a knowledge of managing money, and someone that is majoring in accounting or finance will be prioritized.

4) Secretary: The main role of the secretary would be to market the student organization. They should send out emails to members reminding them of upcoming events, post on the Facebook page, and tweet about what is going on within Business Leaders in Christ. Also, during meetings, the secretary should record minutes. Candidates considering the position of secretary should be organized and good communicators.

Article IV

Advisor

The first advisor of Business Leaders in Christ will be Rachael Thompson, a student advisor in the Tippie College of Business (rachael-thompson@uiowa.edu). Her responsibility and the responsibility of future advisors is to be a faculty voice for the students and attempt to help the executives of Business Leaders in Christ with whatever problems they may have. The advisor should be made aware of everything that is going on within the organization by the executives, and it is recommended that they attend meetings in order to again lend their voice and input for the well-being of the organization.

In the case that Rachael Thompson will not be able to continue as an advisor in the future, a new advisor will be selected. To go through this process, the executives of that time will scour the Tippie College of Business first by sending out emails or scheduling meetings with faculty members to see if anyone would be interested. If there is more than one person interested, executives must vote for their favorite candidate; however, the vote must be unanimous. If there is no one interested within the College of Business, the search may expand outside of the college, but the same process must be followed if there is interest by more than one individual.

Article V

Meetings

Section 1) Meetings will be held once a week on Fridays from 3:30-4:30pm. Meetings will not be held during finals week or on University breaks and holidays.

Section 2) Members will be notified by email 48 hours in advance of special meetings.

Section 3) A quorum will be constituted by 1/2 of members present.

Section 4) The President or Faculty Advisor has the authority to call and schedule a meeting.

Article VI

Elections

Section 1) Elections for the Executive Board will be held once a year in March to elect for the following school year.

Section 2) Members will be notified in meeting and by email at least two weeks in advance of any upcoming election.

Article VII

Finances

Section 1) There will be no dues required for membership within Business Leaders in Christ.

Section 2) All financial decisions will be made by a joint decision between, at the very least, the Treasurer and the President. Some decisions may require an executive consensus.

Clause 1) All checks must be signed by both the treasurer and the president. If the president is not present, the vice-president may sign, but only with the president's permission.

Clause 2) However much money we receive in grants or gifts should be given back to the Tippie community at a minimum rate of 10 percent.

Clause 3) At the beginning of each fall semester a budget shall be made by the treasurer to thoughtfully allocate all funds expected throughout the end of the spring semester. The budget shall be brought forth to the executive committee and be ratified by a $\frac{3}{4}$ vote.

Clause 4) It is the duty of the executive committee, especially the treasurer, to thoughtfully pray that whatever financing we might receive would be used as God desires.

Section 3) Business Leaders in Christ is required to deposit all receipts in and make disbursements through the Student Organization Business Office, Fraternity Business Services, or Recreational Services. Upon dissolution, state money and mandatory student fees revert back to the granting organization. Inactive organizations will be considered dissolved after five years of no account activity. Revenue generated dollars or "00 funds" must be divided as stated in this Constitution and carried out by our leadership. Our organization's remaining revenue generated dollars or "00 funds" will be divided or disbursed to The University of Iowa Student Government. If this organization has dissolved and revenue generated dollars or "00 funds" have not been divided as stated in this Constitution by five (5) years from last account activity, funds in our "00 account" will revert to an account specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in accordance with University of Iowa policy.

Article VIII

Amendments

Section 1) In order to amend this document, both a $\frac{3}{4}$ vote from officers and a $\frac{2}{3}$ vote by current members at the desired meeting is required to overturn or create changes to amendments.

Section 2) If an officer or a member wishes to amend this constitution, officers and members should be notified at least a week in advance by reading the proposed change(s) at one meeting to all members, as well as via email.

Article IX

Section 1) This Constitution shall take immediate effect upon a majority vote of all officers of the organization. The organization shall have all authority necessary to implement this constitution.

EXHIBIT D

Title: The Constitution of Love Works

Preamble: Love Works

Date: INSERT

Article I

Name: The name of our organization is "Love Works." It is an affiliated student group of Sanctuary Community Church, located at [REDACTED]

Purpose:

Love Works purpose is to foster a safe, inclusive environment for all that is conducive to people experiencing God in real ways. Love Works will be anchored in the Gospel, and will meet every other week on a regular basis for Bible studies, as well as twice a month to volunteer and serve our community. Using Jesus as our model, we seek to advocate for justice in all aspects of society, including but not limited to racial, LGBT, and socioeconomic issues.

Article II

Membership:

Section 1) *In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons. Eighty percent (80%) of this organization's membership must be composed of UI students.*

Section 2) There will be no limitations as far as the minimum or maximum number of participants within the student organization.

Section 3) Membership of Love Works is open to all students at the University of Iowa.

Article III

Officers and Duties:

There will be 4 executive officer positions within Love Works. In order to be an executive, they must sign and agree to the Mission and Statement of Core Beliefs of Love Works as outlined in article IV. The 4 executive officer positions are as follows:

1) President: The role of the President of Love Works will be to schedule, organize, and lead executive and large group meetings weekly. It is also their responsibility to manage all administrative issues, such as: amending the constitution, overseeing the work of the other executives, making any final decisions regarding the well-being of the student organization, and reaching out to form meaningful relationships with members of the organization. To fulfill their responsibility, they must work closely with the College Pastor, emailing them updates on a

weekly basis, as well as working closely with the other executives of the organization. It is the President's duty to work with the other officers to make sure all administrative work is successfully completed. In order to become President, a candidate should possess strong leadership skills (prior leadership experience is preferred), strong communication skills, and strong ethic to be able to complete all of the required duties as President.

2) Vice President: The primary role of the Vice President will be to organize, plan, and promote two volunteer/ service projects a month. The Vice President must work closely with the rest of the executive board to ensure consensus as to where Love Works is volunteering. The Vice President should be comfortable reaching out to leaders in the community to learn about the different opportunities Love Works has to serve.

3) Secretary: The primary role of the Secretary is to manage our 00 account, as well as work closely with the college Pastor to ensure all finances are going well. The treasurer is also responsible for applying for grants, or funding from the UISG whenever Love Works needs funding. The Secretary is also responsible for keeping track of attendance, and managing the excel spreadsheet of its members.

4) Public Relations Director: The main role of the secretary would be to market Love Works. They should send out emails to members reminding them of upcoming events, post on the Facebook page, and tweet about what is going on within Love Works. Also, during meetings, the public relations director should record minutes. Lastly, the public relations director is responsible for spearheading the student org fairs and promoting the group. Candidates considering the position of secretary should be organized and good communicators.

Article IV

Mission & Statement of Core Beliefs

Mission

To provide a space where people of all backgrounds can come to experience God in real ways and to share the good news of Jesus with not only everyone at the University of Iowa, but also those in our local communities.

Core Beliefs

1. **Jesus-Centered:** Jesus will be at the center of everything we do. His life and teachings provide a model worthy of imitation, and we believe through the life, death, and resurrection of Jesus, we can experience great joy and freedom.
2. **Inclusivity:** We believe that Jesus was the ultimate example of someone who reaches out to the marginalized. We stand in full support of those who are victims of

systemic oppression. We welcome full participation in our organization, regardless of race, gender, sexual orientation, gender identity, or ability, and affirm those in the LGBTQ+ community who have been pushed aside from many other faith communities.

3. Service: Jesus came to serve rather than be served. Thus, we place a high emphasis on volunteering. We will seek to share Christ's love with those in our community in tangible ways.
4. Life together: We believe God instilled in us the desire to be in community with others. We want to do life together, and foster an environment where sharing our fears, our successes and our struggles honestly is normalized and encouraged.

Article V

Meetings

Section 1) Meetings will be held every other week. Meetings will not be held during finals week or on University breaks and holidays.

Section 2) Volunteer opportunities will be throughout the semester, as outlined in the Vice President description under Article III.

Article VI

Elections

Section 1) Elections for the Executive Board will be held once a year during the Spring Semester to elect for the following school year.

Section 2) Eligible voters are those who have attended at least 50% of meetings. This will be documented and verified by Secretary.

Section 3) The winner of the elections shall be the candidate who receives a plurality of votes. Should there be a tie, there shall be a re-vote, considering only those who are tied. Should that not solve things, the executive board shall interview the candidates and come to a consensus of who shall be granted the position.

Section 4) Members will be notified in meeting and by email at least two weeks in advance of any upcoming election.

Article VII

Finances

8.1 General. Love Works may raise revenues through contributions, fundraising activities, or by applying for school funds available to student groups. At a minimum, Love Works shall: maintain its funds in an “00 account” set up and maintained for Love Works by obligations only when there is sufficient funding to honor the obligations; pay all debts in a prompt manner; and maintain accurate financial records showing all receipts and expenditures and all assets and liabilities of Love Works.

8.2 Distribution of Money Upon Love Works Dissolution. Upon Dissolution of Love Works, all state money and mandatory student fees revert back to the granting organization.

8.3 Distribution of All Funds Other Than State Money and Mandatory Student Fees Upon Love Works Dissolution. Upon dissolution of Love Works, all funds other than state money and mandatory student fees should be divided as stated in paragraph 8.4 and carried out by all Love Works’ officers. If Love Works has dissolved and group fees have not been divided as stated in Paragraph 8.4 by 5 years from last account activity, monies in Love Works’ 00 account will revert to an account specified for this purpose within UISG. These funds will then be available for distribution from SABAC guidelines in compliance with University of Iowa policy.

8.4 Methods for Distribution of All Funds Other Than State Money and Mandatory Student Fees Upon Love Works Dissolution. Upon dissolution of Love Works, all funds other than state money and mandatory student fees shall as far as practicable be returned to the granting organization, institution, or individual. Any funds that cannot be returned to their source shall be given to a charity selected by 75% of Love Works members. The University of Iowa or UISG is not responsible for the division of student fees outlined above. Love Works shall submit a copy of minutes which has record that Love Works agrees this is what is to be done with the money, along with filling out the appropriate approval forms, vouchers, and tax information in the Student Organization Business Office.

Article VIII

Amendments

Section 1) In order to amend this document, both a $\frac{3}{4}$ vote from officers and a $\frac{2}{3}$ vote by current members at the desired meeting is required to overturn or create changes to amendments.

Section 2) If an officer or a member wishes to amend this constitution, officers and members should be notified at least a week in advance by reading the proposed change(s) at one meeting to all members, as well as via email.

Article IX

Removal/ Appeals

Section 1) The removal of an executive board member will happen only if an egregious behavior transpires, as determined by the other executive board members. Should the executive board members be in disagreement, it shall be handled by the College Pastor.

Section 2) Should an executive board member feel wrongfully removed, he/she/they have the opportunity to appeal. That person must appeal within a week of being removed, and an appeal

will occur at the next general meeting. Those who are eligible to vote (as outlined in Article VI, section 2) will vote to either confirm the executive board's decision, or reverse the decision. Should there be a tie, the College Pastor will make the final decision.

Article X

Section 1) This Constitution shall take immediate effect upon a majority vote of all officers of the organization. The organization shall have all authority necessary to implement this constitution.

EXHIBIT E

DEAN OF STUDENTS

[Home](#) ▸ [Policies](#) ▸ Registration of Student Organi...

Registration of Student Organizations

A student organization is a **voluntary special interest group organized for educational, social, recreational, and service purposes and comprised of its members.** Student organizations are **separate legal entities from the University of Iowa and legally are not treated the same as University departments or units.** Student organizations can exist whether or not the University endorses **them pursuant to this policy.** Unless otherwise denoted hereafter, the use of the term “student organization” shall include sports clubs registered by Recreational Services.

Student organizations are an important link in the co-curricular activities of the University of Iowa. They play an important role in developing student leadership and providing a quality campus environment. As such, the University encourages the formation of student organizations around the areas of interests of its students, within the limits necessary to accommodate academic needs and ensure public safety.

I. Registration of Student Organizations

The University of Iowa, through the Vice President for Student Life (hereinafter, "vice president"), has delegated the responsibilities and obligations of registering student organizations to the Student Organization Review Committee (i.e., on behalf of the Center for Student Involvement & Leadership and Recreational Services) (SORC) and to deans of academic colleges. The SORC is a team of students and staff that determines the approval or denial of the application for registration. **Registration of a student organization by the University does not constitute an endorsement of its program or its purposes, but is merely a charter to exist. The reasons for denying or withdrawing registration of a student organization shall not violate the University Policy on Human Rights.**

It is the responsibility of each registered student organization to adhere to the mission of this University, its supporting **strategic plan, policies,** and **procedures.** Organizations must abide by all local, state, and federal laws. An organization’s goals, objectives, and activities must not deviate from established University policies and procedures. Because participation in student organizations may enhance a student’s educational experience and the University deems this important to our students’ success, registered organizations are entitled to certain privileges and benefits.

A. **Benefits of Registration:**

1. Registration as a University organization;
2. Establishment of an account in the Student Organization Business Office (SOBO), Fraternity Business Service, or Recreational Services and appropriate purchasing privileges in accordance with University policies;
3. Eligibility to apply_ for funds from mandatory Student Activity fees (i.e., for student organizations) or Recreational Services fees (i.e., for sports clubs);
4. Inclusion in appropriate University publications;
5. Utilization of the Center for Student Involvement & Leadership’s (CSIL) OrgSync software (funded by UISG & GPSG)
6. Utilization of the University’s trademarks in accordance with the UI Trademark Licensing Department’s program and policies;
7. Eligibility for use of campus meeting facilities and outdoor spaces;
8. Eligibility, but not the right, to utilize UI Fleet Services vehicles in accordance with state and University policies, procedures, guidelines, and insurance requirements;
9. Eligibility, but not the right, to utilize University staff and programming resources;
10. Eligibility, but not the right, to utilize Information Technology Services Mass Mail once each semester;
11. Eligibility to apply for awards and honors presented to University registered organizations and members; and
12. Eligibility to apply for Student Organization Office Suite (SOOS) or Student Activity Center (SAC) office space and/or storage space.

1. In order to exercise the privileges accorded to registered student organizations, students interested in starting a new registered student organization **must first write a constitution** for the potential student organization and hold a Pre-registration meeting with the appropriate CSIL staff, BEFORE filing the New Organization Registration Form online through OrgSync. This form includes organizational information and the organization's Constitution and Bylaws. Upon receiving this information, the CSIL staff will review it and submit it to the Student Organization Review Committee (SORC) for consideration. If approved for registration, the SORC will assign the appropriate registration tier (see below).

2. Eligibility/Registration Requirements

- a. **Any group or organization which consists of and maintains at least 80 percent University students, whose purposes are consistent with the educational objectives of the University, and do not violate local, state or federal law, is eligible for registration by the University.** To start a new registered student organization, the organization must consist of and maintain at least five (5) individuals as members, of which four (4) must be currently enrolled UI students.
- b. Membership. **It is the policy of the University that all registered student organizations be able to exercise free choice of members on the basis of their merits as individuals without restriction in accordance with the University Policy on Human Rights. The University acknowledges the interests of students to organize and associate with like-minded students, therefore any individual who subscribes to the goals and beliefs of a student organization may participate in and become a member of the organization.**

Membership and participation in the organization must be open to all students without regard to race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.

Membership in a student organization must be composed primarily of UI students (minimum 80% student membership) and be controlled and directed by UI students. Members are individuals who self-select to join an organization; "membership" is different from the audience a student organization targets, serves, or represents. The "audience" is not automatically considered a part of the organization's membership. Only UI student members shall have voting rights in a student organization. Membership is not open to persons under the age of 18 who are not enrolled UI students. Non-university community members who are at least 18 years of age may participate in the activities of student organizations but may not be voting members. If the student organization desires to allow persons under the age of 18 who are not UI students to participate in the activities of the student organization, the student organization must follow the requirements contained in the Youth Programs Policy Manual for RSOs, including that the youth participant must have permission to participate from a parent or guardian.

As some University services and benefits require knowledge of a student's membership in the student organization requesting the service or benefit, all organizations are encouraged to have a full membership roster on file with the Center for Student Involvement & Leadership via OrgSync. For example, if a member of a student organization wants to request approval to drive or ride in a university vehicle for an organization event or activity, that member must be listed on the organization's full membership roster located on OrgSync.

The student organization must be nonprofit in nature; student organizations affiliated with for-profit businesses are not eligible for registration. Student Representatives and student organization members must not profit or benefit financially from student organization membership.

A. Primary and Secondary Student Representatives. Student Representatives are individuals who are authorized by the organization to speak for or represent the organization in its relations with the University and who are authorized to receive for the organization official notices, directives, or information from the University. **Every student organization or potential student organization, registered with the Center for Student Involvement & Leadership/Recreational Services/academic deans via OrgSync must include the names of two student representatives in its Org Profile. Both Representatives must be currently enrolled UI students, and in academic and non-academic good-standing. One name will be designated as the Primary Representative and the other as the Secondary Representative.** It is the responsibility of each student organization to update the Org Profile with the current names of Student Representatives. A student organization no longer under the direction of currently enrolled students may lose its registration.

B. Access to University Resources. Registered student organizations are guaranteed an **equal opportunity to apply for funds from mandatory Student Activity fees** (i.e., for student organizations) or Recreational Services fees (i.e., for sports clubs) or for any other benefit conferred by the University of Iowa Student Government (UISG) or Graduate and Professional Student Government (GPSG) or their constituent bodies, **without differentiation for reasons that violate the University Policy on Human Rights or inhibit the group's exercise of First Amendment rights of free expression and association.** Nothing in this

section shall be restricted to the receipt or the obtaining of the benefit from UISG and/or GPSG and/or Recreational Services by any student organization or to prohibit the individual consideration of the program merits of funding or other proposals submitted by such student organizations.

- C. Registration Procedure. Throughout the year on an ongoing basis, the University will consider applications from student organizations that request to be registered. Registration of student organizations is granted by the Student Organization Review Committee (i.e., on behalf of the Center for Student Involvement & Leadership and Recreational Services) or an academic dean. Registration granted for sports clubs, and fraternities and sororities are subject to additional policies administered by their respective department or student governance organization(s). In order to receive funds from mandatory Student Activity fees (i.e., for student organizations) or Recreational Services fees (i.e., for sports clubs), a student organization must be confirmed by the UISG and/or GPSG or Recreational Services. Greek-letter social organizations are registered by the University of Iowa Interfraternity Council, Panhellenic Council, Multicultural Greek Council, or the National Pan-Hellenic Council.

1. To start an organization one must follow the step-by-step process listed on the "[Starting an Organization](#)" website.

Registration of student organizations that are residential living units (i.e., residence hall organizations, fraternities, and sororities) is granted by their respective student governance organization (i.e., Associated Residence Halls [ARH], Interfraternity Council [IFC], Multicultural Greek Council [MGC], National Pan-Hellenic Council [NPHC], and Panhellenic Council [PHC]) with the concurrence of the vice president.

The Student Organization Review Committee (SORC) shall review all student organization registration applications. Upon its evaluation, the Committee will register the student organization and forward the organization's application to the appropriate student governance organization or college/department/unit for confirmation; 2) register the organization subject to specific conditions on activities the organization is permitted to sponsor; or 3) reject the application. If an application is rejected the organization may appeal the decision of the SORC within 30 calendar days upon the receipt of their denial of registration letter. Appeals must be submitted in writing to either the Director of the Center for Student Involvement & Leadership (i.e., for student organizations) or the Director of Recreational Services (i.e., for sport clubs). If an organization appeals and is not satisfied with the decision rendered by the Director of the Center for Student Involvement & Leadership or the Director of Recreational Services they may then submit a final appeal in writing to the Dean of Students. There is no further appeal after the Dean of Students.

- D. Constitution and Bylaws. In order to complete the registration process, all student organizations must have an approved constitution and bylaws. Sponsored and affiliated student organizations (see Section 8, Registration Tiers) must also provide a copy of the charter, constitution, and/or bylaws of any organization external to the University with which such organization may be affiliated. Student organizations are required to include mandatory clauses within their organization constitutions.
- E. Registration of Inter/National Chartered Organizations. In addition to observing all University rules, an organization that is chartered by an inter/national organization, such as a Greek-letter social fraternity or sorority, must maintain its affiliation with the inter/national organization in order to retain its University registration. University registration will cease when the inter/national organization no longer recognizes or sponsors the student organization as an active organization. In this situation, the organization is no longer eligible to affiliate with their respective student governance organization, to participate in activities sponsored by the governance organization or its member organizations, or to access the privileges granted to registered student organizations. Once the inter/national organization has officially returned the student organization to affiliation status, the student organization representatives may apply to the University and the respective student governance organization for registration, although re-registration is not guaranteed. When the University removes registration of a student organization for violating University rules but the organization remains affiliated with the inter/national organization, the student organization will not regain their University registration by virtue of their relationship with the inter/national organization.
- F. Housing Organizations. Student organizations that provide off-campus housing to their student members are considered Housing Organizations. These include Professional Residence Groups, fraternal organizations with a professional focus that are recognized by an academic college, and Undergraduate Residence Groups, which includes Greek-letter organizations that are affiliated with their respective student governance organization.
1. In addition to all other student organization policies, Housing Organizations must fulfill the following expectations due to the level of responsibility and complexity involved in the service they provide:
 - a. Manage their housing unit;
 - b. Enforce internal organization rules;
 - c. Ensure that relevant national, state, and local laws and regulations are observed;
 - d. Provide safe and healthful lodging and cooperate with city or state agencies responsible for enforcing applicable health and safety laws; and

- Student Organization Office Suite (SOOS) or Student Activity Center (SAC) office or storage space; and
- Reservable space for University-wide annual events at the Iowa Memorial Union, other University facilities, and outdoor venues through the IMU event services process and other University scheduling processes.

Affiliated student organizations will need to follow appropriate criteria and guidelines from each University department or unit to receive these services and benefits.

- C. **Sponsored Student Organizations: Sponsored student organizations are those considered critical to the mission and culture of the University and work in partnership with a University department or unit.** These organizations are linked to the University because of their role representing the University or in presenting events of broad appeal that are considered an integral part of the institution and its activities. Sponsored students organizations routinely present events for the campus and broader community, and typically work in a collaborative relationship with a University department or unit. The student organization's purpose and effect are to serve a broad segment of the campus community, not just its membership.

Once registered, the events and activities presented by the student organization should accurately and positively reflect the mission, vision, goals and culture of the University, as well as the rules and standards of the institution and its activities. The registration process requires action by both student leaders and University officials. As such, this process creates a mutually beneficial relationship between sponsored student organizations and the University.

In addition to the University resources available to all registered student organizations, sponsored student organizations shall have:

- A full-time professional staff or faculty member whose job description designates them as the primary adviser to the sponsored student organization in accordance with student organization registration requirements. These advisers are considered experts within the respective student organization's area of interest;
- A University department or unit that provides oversight and direct responsibility for the student organization and its activities; and
- Routinely presented events of broad appeal for the campus and community. Student organization operations and event planning are complex, and the majority of the events/programs are University-wide. Sponsored student organizations routinely present events for the campus and broader community, and are expected to work closely with the appropriate University department or unit in the planning of these events.

Because of high complexity, sponsored student organizations may receive first priority consideration for:

- Student Organization Office Suite (SOOS) or Student Activity Center (SAC) office or storage space; and
- Reservable space for University-wide annual events at the Iowa Memorial Union, other University facilities, and outdoor venues through the IMU event services process and other University scheduling processes.

Sponsored student organizations must follow appropriate criteria and guidelines from each respective University department or unit to receive these services and benefits.

III. Tier Appeals

An appeals process exists for those organizations desiring a registration tier different than that into which they were initially placed. Based on additional information, an organization's registration tier or may be modified also by the Student Organization Review Committee (SORC).

1. Appeals – Recognition Tier Decision. A student organization has the right to appeal a tier designation decision of the SORC or the determination by the Center for Student Involvement & Leadership to change or modify a student organization's recognition tier. An appeal provides a limited review of the original decision. It is not an opportunity to present the evidence again or to re-evaluate credibility. If an error has been made, in most cases the matter will be returned to the SORC so that the error may be corrected.

One of the following two conditions must be used as a basis for appeal:

- Discovery of new information that was not available at the time of the decision; and/or
- The appropriate processes for registering student organizations were not followed.

The Director of the Center for Student Involvement & Leadership or Recreational Services will act as the appeal administrator. The Associate Director of the Center for Student Involvement & Leadership or Recreational Services will act as the appeal administrator if the Director is unable to serve due to conflict of interest or absence.

Written documentation stating the grounds for appeal must be filed with the appeal administrator within ten (10) business days of receipt of the original SORC decision.

The appeal administrator will decide one of the following:

- o Uphold the original decision;
- o Remand the case back to the SORC for reconsideration consistent with the findings of the appeal administrator;
- o Remand for a new registration process review of the student organization; or
- o Modify the registration tier assigned by the SORC.

The appeal administrator will provide a written decision to the SORC Chair within ten (10) business days of the appeal review. An appeal may be taken within ten (10) business days to the Dean of Students.

IV. Registration Renewal

- A. Each student organization must renew its Profile on OrgSync at or near the beginning of the fall (between Aug. 1-Sept. 15) and spring (Jan. 1-Feb. 15) semesters, even if there are no changes from the previous semester in primary and/or secondary representative and contact information. A student organization that does not update and renew its profile will lose its registration automatically for one semester. Any changes in primary or secondary representative or changes in contact information must be reflected in the profile. Registered student organizations must provide complete and accurate information as requested in the profile. If additional information is needed, student organization representatives must provide information upon request to the Center for Student Involvement & Leadership or Recreational Services. For those student organizations that are registered by an academic college as well as by a student government, student leaders are advised to check with the college/department/unit regarding registration deadlines.
- B. From time to time, the Student Organization Review Committee reviews the status of student organizations to ensure the safety and welfare of students who participate in activities sponsored by the organization. Depending upon the results of its evaluation, the Committee will 1) register the student organization; 2) register the student organization subject to specific conditions on activities the organization is permitted to sponsor; or 3) recommend to the Director of the Center for Student Involvement & Leadership or Director of Recreational Services that registration be denied.

V. Organizational Registration Changes

- A. During the year, registered student organizations must report to the Center for Student Involvement & Leadership or Recreational Services any amendments to or changes in its student organization name, constitution, by-laws, student representatives, and/or advisers within two weeks of the changes becoming effective. Registered student organizations also must submit any additional information requested from time to time by their respective registering body.

VI. Advisers

- A. Student organization advisers are strongly encouraged for all registered student organizations. Advisers shall be faculty members whenever possible in order to promote student-faculty interaction beyond the classroom. Professional & Scientific staff with advising experience and/or relevant expertise also may serve as student organization advisers. Merit staff, with advising experience and/or relevant expertise also may serve as student organization advisers upon approval from the Center for Student Involvement & Leadership, Recreational Services, or academic dean. A non-University affiliated individual may serve as an adviser to a student organization only if they serve as a liaison to a local/regional/national organization with which the registered student organization has an official affiliation.
- B. Student organization advisers must be employed at the University on at least a .5 FTE basis. The Division of Student Life shall have the right not to approve advisers of student organizations who are on disciplinary status as determined by the

- C. All student organization advisers are strongly encouraged to participate in the adviser training programs sponsored by the Center for Student Involvement & Leadership. The Center for Student Involvement & Leadership and Recreational Services will provide specific information to student organizations about these requirements.
- D. Graduate assistants, with at least 50% appointments, may serve as additional advisers in conjunction with student organization advisers who meet the requirements stated above; however, they will not have signatory authority (e.g., financial transactions, contracts, vouchers).

VII. Space Allocation for Registered Student Organizations

- A. Limited office or storage space is available to registered student organizations in the Student Organization Office Suite (SOOS) or Student Activity Center (SAC) in the Iowa Memorial Union. Student organizations allocated space in the SOOS or SAC must abide by the policies in regard to use of office or storage space. Application forms for the office and storage space are available online through the Center for Student Involvement & Leadership website (<http://csil.uiowa.edu/>). Office and storage space requests are reviewed annually by the CSIL Space Allocation Committee and recommendations for assignment of space are made to the Director of the Iowa Memorial Union and Center for Student Involvement & Leadership. Sport Clubs are required to follow all policies in regard to storage space established by Recreational Services.

Engaging students, supporting positive community behavior, and enriching the college experience through educationally-purposeful activities, service, and community building.

Office of the Dean of Students

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EXHIBIT F

Constitution (Bylaws) of
The University of Iowa Feminist Majority Leadership Alliance

Preamble

We, the members of The University of Iowa Feminist Majority Leadership Alliance, establish this Constitution on April 12, 2001.

ARTICLE I. Name

1. The name of this organization will be The University of Iowa Feminist Majority Leadership Alliance, henceforth referred to as the local campus unit.
2. This organization will be a non-profit, non-sectarian, non-partisan, voluntary organization associated with the Feminist Majority Foundation.
3. The name Feminist Majority Leadership Alliance may be used only with the approval of the Feminist Majority Foundation. The Feminist Majority Foundation shall have the power to withdraw permission for use of the name Feminist Majority Leadership Alliance at any time that the local campus unit or its officers or members fail to conduct themselves within the purpose and principles of the Feminist Majority Foundation or fail to adhere to the standards set by the Feminist Majority Foundation for local campus units.

ARTICLE II. Purpose

The purposes of the Feminist Majority Leadership Alliance of The University of Iowa will be:

1. To establish a broad constituency to work in pursuit of feminist ideals00social, political, and economic equality for all.
2. To study and take action on national, campus, and local feminist issues and concerns.
3. To provide leadership and career building opportunities for feminist students.
4. To educate the college/university community about feminist issues.
5. To enhance feminist community on campus.

ARTICLE III. Principles

1. The Feminist majority Foundation promotes equality between women and men and boys and girls, and supports constitutional and statutory measures to gain full equality locally, statewide, nationally, and globally.
2. The Feminist Majority Foundation supports safe, legal and accessible abortion, contraception, and family planning, including Medicaid funding and access for minors.

3. The Feminist Majority Foundation is dedicated to achieving civil rights for all people, including affirmative action programs for women and people of color.
4. The Feminist Majority Foundation supports lesbian and gay rights.
5. The Feminist Majority Foundation does not permit discrimination on the basis of sex, race, sexual orientation, socioeconomic status, religion, ethnicity, age, marital status, national origin, or disability.
6. The Feminist Majority Foundation promotes non-violence and works to eliminate violence against women.
7. The Feminist Majority Foundation encourages programs directed at the preservation of the environment, clean air and water, the elimination of smog, toxic and hazardous wastes, chemical and nuclear weaponry.
8. The Feminist Majority Foundation supports the Feminist Agenda as enunciated in Unit 1 of the Study and Action Manual.

ARTICLE IV. Local Campus Unit Standards

1. Any student of The University of Iowa who agrees with the Feminist Majority Foundation's purposes and principles as stated above may apply for membership in the local campus unit. Criteria for admission to the unit include written agreement with the organization's principles, commitment to participate in unit activities, and leadership/activist experience or potential.
2. The local campus unit may not discriminate on the basis of sex, race, sexual orientation, national origin, age, religion, ethnicity, or disability, and affirmatively seeks to achieve diversity among participants.
3. Within two years of its formation, the campus unit shall maintain a membership of at least forty people.
4. The campus unit shall have a minimum of one and preferably multiple faculty and staff advisors.
5. The campus unit shall hold at least one meeting per week during the school year.
6. The campus shall interrelate with the Feminist Majority Foundation Community Council once the community council is established.

ARTICLE V. Members

1. In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.

ARTICLE VI. Executive Committee

1. The Executive Committee of the campus unit shall be comprised of the President/Campus Unit Coordinator, Vice President/Campus Campaign

Coordinator, Equality Chair, Community Outreach Chair, Public Relations Chair, Events Chair, Finance Chair, Communications Chair and Class Representatives..

2. Duties and responsibilities of Executive Committee:

President/Campus Unit Coordinator: The President presides over general campus unit meetings; acts as a spokesperson for the group; chairs the executive committee; acts as a liaison to faculty, administration, faculty advisor(s), student government, and the East and West Coast offices of the Feminist Majority Foundation; and is ultimately accountable for the recruitment of new membership.

Vice President/Campus Campaign Coordinator: The Vice President chairs the Campus Campaign; communicates with Feminist Majority Foundation Field Representatives and the East and West Coast offices of the Feminist Majority Foundation; is responsible for coordinating Field Representative campus visits; and works with the President as a trainee for the position the following year (optional). The Vice President is also responsible for keeping the minutes for each meeting and submitting them to the Field Representative; recruit faculty and staff for the Faculty/Staff Team.

Community Outreach Chair/Coordinator: The Community Outreach Chair acts as a liaison to the Leadership Alliance Community Council in the local community; oversees projects involving local clinics, i.e. Adopt a Clinic, and other community organizations.

Equality Chair: The Equality Chair is responsible for ensuring that the Feminist Majority Leadership Alliance is representative of the school's student body in terms of sex, race, sexual orientation, socioeconomic status, religion, ethnicity, age, marital status, national origin, disability and academic year. The Equality Chair coordinates programs that focus on issues of diversity and the elimination of discrimination on campus and the greater community. She or he is in charge of on-going coalition building with progressive groups of campus; organizing an alliance of all progressive groups on campus (if one does not exist on campus) and actively participating in the progressive alliance.

Public Relations Chair/Coordinator: The Public Relations Chair acts as a liaison to both campus and community press, garnering press coverage for the group whenever there is an opportunity. The PR chair coordinates the advertisement and publicity of events and is responsible for ensuring the development of visuals.

Events Chair/Coordinator: The Events Chair is responsible for planning social events, a leadership retreat, and providing short community building activities for each general meeting. The Events Chair is also working with the Recruitment Chair in planning events for the purpose of recruitment; maintain constant communication with Field Representative during all event planning.

Finance Chair/Coordinator: The Finance Chair is responsible for handling all accounting for the group and planning at least two fund-raisers a year, including one Rock-for-Choice Concert. The Finance Chair reports on the status of the accounts at each meeting.

Communications Chair/Coordinator: The Communications Chair submits quarterly reports to the Feminist Majority Foundation detailing the Leadership Alliance's activities; and submits information pictures for the quarterly Feminist Majority Report detailing events and projects the Leadership Alliance has undertaken. The Communications Chair is also responsible for submitting information to Feminist Majority Foundation On-line and working with the Feminist Majority Foundation's Cyberspace Representative; keeping the local campus unit membership informed via e-mail; and contacting the other campus unit Communications Chairs nationwide.

Recruitment Chair/Coordinator: The Recruitment Chair is a leadership position recommended for a sophomore/second year student. She/he is responsible for consistent recruitment; planning events to increase membership throughout the year; working with Faculty and Staff on strategies to improve recruitment. The Recruitment Chair plans events with the Equality Chair to ensure a diverse membership and sets on going recruitment goals.

Class Representatives/Officers: Each class will be represented on the Executive Committee by one or more Class Representatives. Each Representative is responsible for attending Executive Committee meetings and voicing concerns of their class. The Class Representatives will share responsibility for maintaining a Feminist Majority archives, including press clippings and photographs of the Leadership Alliance members and events. The Class Representatives will also share responsibility for updating the Leadership Alliance on global, national, and/or local feminist news at weekly meetings.

3. Officers and members must be currently registered students at The University of Iowa in good academic standing. Officers must be members for at least one term prior to election, except for the first year that the local campus unit is established.

ARTICLE VII. Meetings and Procedures

1. Member in Good Standing/Voting Eligibility
 - A. Members who attend at least 50 percent of the regularly scheduled meetings during the academic year and have been members for at least 30 days are considered members in good standing and are eligible to vote on organizational matters and in local campus unit elections.
 - B. Non-members and non-students are welcome to observe open campus unit meetings, but may not hold offices or vote on organizational issues or in elections

2. Election of Officers

- A. Officers shall be elected by a majority vote of the eligible voting members of the local campus unit. Elections will be held on an annual basis during the Spring term, at a meeting comprised of a quorum (40%) of the organization's members. Special elections may also be held as needed to fill executive committee vacancies.
- B. All voting shall be done by secret ballot.
- C. Officers shall serve for the academic year following their election.
- D. Results of all elections and officer contact information must be submitted to the Feminist Majority Foundation.
- E. Elections will be held annually during March, Women's History Month.

3. Removal of Officers

Any Officer of the local campus unit who violates the organization's purpose or Constitution, injures the organization, or fails grievously to fulfill duties as stated may be removed from office by the following process:

- A. Written notification to the officer of the request, asking the officer to be present at the next meeting prepared to speak in her/his own defense;
 - B. Written notification to the membership; and
 - C. Seventy-five percent of the voting membership must be in attendance to vote on the removal of an officer. A two-thirds majority vote of members present is necessary to remove the officer.
 - D. Robert's rules of Order will govern the removal or dismissal of officers or members.
4. Replacement

Should an officer resign or be removed, a special election will be held one week after written notification of all voting members.

5. Meetings

Regular group meetings will occur on a weekly basis at a time to be selected at the beginning of each academic year.

ARTICLE VIII. Finances

- 1. There are no dues.
- 2. The Finances Coordinator is in charge of all actions required by the Student Organization Business Office
- 3. Upon dissolution, state money and mandatory student fees revert back to the granting organization. Group fees should be divided as stated in the Constitution and carried out by the dissolving group's members and officers. If the group has dissolved and group fees have not been divided as stated in Constitution by five years from last account activity, monies in the group's 00 account will revert to an account specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in compliance with University of Iowa policy.

ARTICLE IX. Amendments

Amendments to the constitution must be approved first by a two-thirds majority of members voting and second by the Feminist Majority Foundation.

ARTICLE X. Parliamentary Authority

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the campus unit in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the campus unit may adopt.

EXHIBIT G

Title: CONSTITUTION OF Students For Life

Preamble: Students For Life at the University of Iowa

Date: January 25, 2013

Article I

Purpose: Students For Life at the University of Iowa will strive to protect the sanctity of human life from conception until natural death. This organization aims to bring the importance of this right into the lives of our fellow students. The function of this organization is to provide representation for members of the student body who hold pro-life views and to be a voice for the voiceless.

Article II

Membership: In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.

- a) We ask that members of this organization hold pro-life beliefs.
- b) Anyone is welcome to be a member of this organization. General elections of the group's members will elect their leaders.
- c) In order to be a part of this organization, please attend a meeting. Anyone who instigates trouble and/or disrespectful debating will be asked to leave.

Article III

Officers and Duties

President: creator(s) of the organization.

Duties: lead meetings of the organization, plan any activities, schedule meeting space, handle any types of disrespect or disturbance, etc.

Vice-President: any member of the population of the organization that wishes to run for election

Duties: chief contact person for members, shall act as the president should the president be absent, etc.

Secretary: any member of the population of the organization that wishes to run for election

Duties: keep minutes for each meeting, collect contact information from all members and give to the VP, assist in the creation of all advertisements and signage, etc.

Treasurer: any member of the population of the organization that wishes to run for election

Duties: manage any and all funds received by the organization

A person may be considered for a position if they place their name for election. Any person seeking election must be voted in with a popular majority of member votes.

Should someone vacate their position before their term is up, a special election will be held.

Should someone need to be removed from office, all other members of the governing body must agree. The other members of the governing body will then ask the members at large to take a vote to remove said person from office.

Article IV

Meetings

- a) Meetings will be held every Tuesday from 3pm to 4pm.
- b) Members will be notified by email, at least 4 days in advance in the event of a special meeting.
- c) A quorum must consist of at least 5 members and at least two members of the governing body.
- d) The president and vice president have the authority to call meetings.

Article V

Elections

- a) Elections will take place once a year, at the beginning of each fall semester.
- b) Members will be notified by email at least four weeks before elections take place.
- c) In any case where all positions are not filled an impromptu election may be held at any meeting in order to vote an official member into said executive position. This will be passed only with 100% votes in agreement of the election.

Article VI

Finances

- a) Yes, dues will be collected. Five dollars from each member will be collected at the beginning of every semester.
- b) The treasurer will be responsible for the handling of all matters relating to money.
- c) Upon dissolution, state money and mandatory student fees revert back to the granting organization.

Group fees should be divided as stated in the Constitution and carried out by the dissolving group's members and officers.

If the group has dissolved and group fees have not been divided as stated in Constitution by five years from last account activity, monies in the group's 00 account will revert to an account specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in compliance with University of Iowa policy.

In the event of the group's dissolution, the group fees will be divided at the final meeting. All remaining monies will be returned to the organization of individuals who have provided them.

Article VII

Amendments

An amendment is a formal alteration of any kind. This alteration may take many forms, not only the addition of material but also the removal of excess, invalid, or outdated text.

- a) Voters will be informed of any and all amendments by email.
- b) $\frac{3}{4}$ of the present members must vote in agreement of the amendment, otherwise it will not pass.
- c) All amendments or changes to your Constitution must be submitted to the Student Organization Coordinator for approval.

Article VIII

Ratification

Ratification of this constitution will take place on the first meeting date. Each member will be asked to sign a copy of the constitution and their approval will be kept on file.

EXHIBIT H

CONSTITUTION OF KOREAN AMERICAN STUDENT ASSOCIATION

Preamble: Korean American Student Association

Revised Date: March 2015

Article I

Purpose: the purpose of the Korea American Student Association (KASA) at the University of Iowa is to introduce and offer students an opportunity to see the different facets of the Korea American culture. Through educational, community and social activities, KASA will provide a place where students will learn about the Korean American heritage and form friendships through their interest in the Korean American culture.

Article II

Membership

- Section 1: In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.
- Section 2: Members must exhibit an optimistic attitude towards Korean culture.
- Section 3: KASA is composed of members, executives, and University faculty/staff. Members in executive positions must be present at meetings, proactively engage in events and be responsible for their assigned duties. All members have the right to make suggestions or voice objections.
- Section 4: Membership is non-selective and open to all students that portray a positive interest in the Korean and Korean American culture. If any member possesses a negative attitude or represents the organization in a damaging manner, his/her membership will be revoked.

Article III

Officers and Duties

- a. President
 - b. Vice President
 - c. Secretary
 - d. Treasurer
 - e. Public Relation/Marketing Chair
- Section 1: President leads the organization and acts as the advocate for KASA as a whole
 - The duties of the President shall be to preside at all meetings, to call special meetings, to help out other executive board members when they need help, and to appoint any committees necessary to carry out the objectives of the organization.
 - Section 2: Vice President assists the president in decision-making and execution of events
 - The duties of the Vice-President shall be to perform all the duties of the President in his/her absence, to send executive board meeting minutes out within 48 hours after the meeting, to help treasurer with forms, letters, and requests, to contact Korean professor and inform Korean classes about KASA every beginning of the school year, and to help president overall and organize events as need.
 - Section 3: Secretary acts as the liaison for the organization and shall records meeting minutes for general meetings and sends to all KASA members.
 - The duties of the secretary shall be to keep and accurate, permanent record of the proceeding of the organization, to send general meeting minutes out within 48 hours after the general meeting, to remind members about events/meetings by emails, and to take care of social networking web pages.
 - Section 4: Treasurer allocated and designated funds to appropriate events and needs of the organization
 - The duties of the treasurer shall be to take care of monetary transactions, to file budget requests on OrgSync, to organize fundraising scheduling, request letters/emails, and funding forms, and to write letter for donations for all the Korean Professors on the campus

- Section 5: When the executive members need to make decisions, they have to get an agreement with the president first then discuss with other executive members.

Article IV

Voting

- Section 1: A member desiring to obtain an executive position is free to run for that position by making know to the organization during a meeting. Elections will be held towards the end of each academic year and all members present will vote. The candidate with the majority of votes will obtain that position. Each position will be separately voted upon
- Section 2: Only members who have been involved in KASA for more than half a year have rights to run for executive positions.
- Section 3: Only members who have been participated at least 3 meetings and 3 events per semester can run for the positions.
- Section 4: If an executive needs to be added, the KASA executive members will take a vote. Once majority rules of the person to be added, the rest of the executive members will equally share the responsibility of the executive added.
- Section 5: Any executive board member may be impeached by the executive board. Any executive board member facing impeachment may have the change to defend him/herself in front of the executive board. Any executive board member may be impeached if the majority of the executive board votes in favor of impeachment
- Section 6: Executive members meetings will be held weekly. Executive members are expected to attend these meetings unless given notice to the president two weeks in advance.
- Section 7: Any executive board member who wishes to resign from his or her position must notify the rest of the executive board and a written statement

Article V

Faculty Advisor

- There shall be one official Faculty Advisor
 - The duties of the Faculty Advisor shall be to sign off required approval forms and provide advising when needed

Article VI

Meetings

- Section 1: Meetings will be held bi-weekly. The president in office will arrange times and locations for the meetings.
- Section 2: Within the first week of the academic school year the executive board will come to a decision regarding the weekly meetings and the board is expected to attend these meetings.
- Section 3: Any three executive members must be present in order for a quorum to take place.
- Section 4: Any executive members have the authority to call meetings when it is needed.
- Section 5: Any executive members have the right to speak during the meetings and suggest the ideas.

Article VII

- Section 1: There will be no dues for members to join, but a small amount of money will be collected for special events. If so, executive members will mention about it before hands. Members are welcome to donate money.
- Section 2: The Treasurer will be in charge of financial affairs. The Treasurer will allocate and designate funds to appropriate events and needs of the organization. The president will oversee the authoritative responsibilities
- Section 3: Upon dissolution, state money and mandatory students fees revert back to the granting organization. Group fees should be divided as stated in the Constitution and carried out by the dissolving group's members and officers. If the group has dissolved and group fees have not been divided as stated in Constitution by five years from last account activity, monies in the group's 00 account will revert to an account specified for this purpose within UISG. These funds will then be available for distribution through SABAC guidelines in compliance with University of Iowa policy, Article VIII

Article VIII

Amendments

- Section 1: Members will be informed at the meetings, by phone/emails and it will be posted on the KASA website
- Section 2: At least 2/3 of the members present must agree with the amendment before it gets ratified
- Section 3: All amendments or change in the constitution will be submitted to the Student Recognition Board.

Article IX

Ratification

- Section 1: If the executive board is in agreement regarding the constitution it will be ratified

EXHIBIT I

AAWD Constitution

**CONSTITUTION OF THE
AMERICAN ASSOCIATION OF WOMEN DENTISTS**

Preamble: Official name of the organization: American Association of Women Dentists (AAWD)

Date: Revised September, 2002

ARTICLE I

Purpose

The purpose of this Association shall be to promote good fellowship and cooperation among its members and to aid in the advancement and recognition of women in dentistry. It will allow the opportunity to further knowledge by providing programs of interest as well as providing a communication link with the faculty, staff, and administration of the College of Dentistry. It will serve as a local student branch of the American Association of Women Dentists.

ARTICLE II

Membership

Section I: In no aspect of its programs shall there be any difference in the treatment of persons because of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.

Section II: The membership of this organization shall consist of any dental student, faculty, or staff interested in supporting the above objectives.

Section III: Active membership is dependent upon payment of annual dues.

ARTICLE III

Officers, Elections and Duties

Section I: The officers of this organization shall consist of an executive council containing co-presidents, a secretary, a treasurer (the governing council), and one representative from each dental class: freshman, sophomore, junior, and senior. The senior representative will be a position shared by two people, one serving each semester. The co-presidents shall plan, schedule, and run the meetings, draft correspondence, and organize programs and activities. The secretary shall take minutes at the meetings, copy, post, and/or distribute information to the representatives, and type drafted correspondence. The treasurer shall collect dues, distribute funds, prepare, present, and monitor the budget. The representatives shall distribute and obtain information to and from their respective class.

AAWD Constitution

Section II: The governing council shall be elected by all current members. The governing council shall be elected by ballot in April for the following academic year. Each representative shall be elected by respective classmates who are members. All representatives shall be elected by ballot in the fall and serve for that academic year. Each officer of the executive council shall have one vote.

Section III: Any current member is qualified to hold office. Vacant offices may be filled by volunteering current members.

ARTICLE IV

Advisor

The advisor of this organization will be someone within the College of Dentistry that is willing to spend time as an advisor. Their role will be to advise the chapter on National issues. There is no compensation for this position.

ARTICLE V

Meetings

Meetings will be held at the discretion of the co-presidents, with a recommended minimum of once per month general meeting and twice per month executive council meeting. Meetings will be announced via posters and emails at least one week in advance. Quorum is determined as a simple majority of those persons in attendance at the meeting. Any member of the executive council may call meetings.

ARTICLE VI

Elections

Elections will occur during April of each school year for the following school year. Elections will be announced via posters and email at least one week in advance.

ARTICLE VII

Finances

Section I: Dues are determined by and may be paid directly to the National Organization.

Section II: The treasurer is in charge of financial affairs including, but not limited to, the following: collection of dues, disbursement of funds, and authoritative responsibilities.

Section III: Upon dissolution state money and mandatory students fees revert back to the granting organization.

Group fees should be divided as stated in the constitution and carried out by the dissolving group's members and officers.

AAWD Constitution

If group has dissolved and group fees have not been divided as stated in constitution by 5 years from last account activity monies in group's 00 account will revert to an account specified for this purpose within UISG. These funds will then be available for distribution through SABAC guidelines in compliance with University of Iowa policy.

ARTICLE VIII
Amendments

This constitution may be amended at any meeting by a two-thirds vote of current membership. Eligible members will be notified through their class representatives.

ARTICLE IX
Ratification

Ratification of this Constitution must occur if changes to the Constitution are to be made.

EXHIBIT J

CONSTITUTION
of
Imam Mahdi Organization
Iowa City, IOWA

February 10, 2015

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THE CONSTITUTION OF IMAM MAHDI ORGANIZATION

University of Iowa, Iowa City, IA.

BISMILLAH-IR-RAHMAN-IR-RAHIM

IN THE NAME OF ALLAH, THE BENEFICENT, THE MERCIFUL

ARTICLE 1. NAME

1.1 The name of the organization is the "Imam Mahdi organization ", hereinafter known as "the organization".

ARTICLE 2. NATURE

2.1 In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons. Eighty percent (80%) of this organization's membership must be composed of UI students.

2.2 The source of guidance for the organization is and shall remain the religion of Islam, as described in the Holy Quran and the *Sunnah*^{*} of Prophet Muhammad (peace and blessings of God be upon Him and his Family), as explained by the 12 Imams of the family of the Holy Prophet (*AhlulBayt*) and as interpreted by the accepted *Maraja-e-Taqlaed* of the Ja'fari Ithna'ashari school of thought, hereinafter referred to as "The Faith".

2.3 The organization is and shall remain a non-profit religious organization, in addition, it shall not at any time, at any place, or in any manner, facilitate, provide, perform, indulge in, promote, support or encourage any activity, service or function which is in conflict or inconsistent with The Faith.

2.5 Officials of the organization shall be student Members and shall refrain from major sins (*kaba'ir*) and endeavor to avoid minor sins (*saga'ir*).

* All words in italics are defined in the Glossary.

2.6 This organization is an inclusive organization, and shall endeavor to invite and encourage the participation of people from different religious backgrounds who are willing to respect The Faith.

2.7 Activities of the organization shall be performed in an atmosphere of respect and tolerance towards the religious sensitivities of all participants, with special attention to those of fellow Muslims.

ARTICLE 3. PURPOSE

3.1 The organization shall encourage, promote and propagate The Faith and provide facilities for the Members and their families to observe the same.

3.2 The organization shall perform functions such as, but not limited to, the following:

3.2.1 Facilitate religious education.

3.2.2 Disseminate religious knowledge through various means such as: Newsletters, Quranic Studies, Seminars, Discourses and rulings by the accepted Maraja-e-Taqleed.

3.2.3 Facilitate the observation of religious activities such as: Daily Congregational (Jama'at) Prayers, Eid Prayers, Eid Reunions, Celebrations, Commemorations and Recommended Prayers.

3.3 The organization shall work to strengthen fraternal relations among Muslims, work for universal brotherhood, social justice and peace and cooperate with other organizations having similar aims and objectives.

3.4 The organization shall endeavor to perform functions such as, but not limited to, the following:

3.4.1 Perform charitable and benevolent community services.

3.4.2 Provide Islamic information to individuals, groups or other organizations.

3.4.3 Provide an appropriate venue for family activities.

ARTICLE 4. MEMBERSHIP

The organization will guarantee that equal opportunity and equal access to membership, programing facilities, and benefits shall be open to all persons. Membership will be granted in one of two categories: Full Membership or General Membership.

4.1 Qualifications

4.1.1 For Full Membership

Any individual, aged 18 years or above, who believes in and endeavors to practice The Faith, shall qualify to become a Full Member of the organization by fulfilling the following conditions:

4.1.1.1 Be Muslim, Shiea and obtain the recommendation of two Members. The reason behind the recommendation is to be sure that the person who desires to join this organization as a full membership is Muslim, Shiea, who respects the religion rules, and willing to practice the faith.

4.1.1.2 After such a recommendation, attend no fewer than six (6) official meetings (as designated by the Executive Committee, pursuant to Section 6.1.1) over a period of no less than six (6) months.

4.1.2 For General membership

All University of Iowa students are entitled to general membership in the organization, as well as, all faculty, staff, and interested community members.

4.2 Rights of Members

4.2.1 Only Full memberships have the right of vote in official elections (as defined herein) to choose the organization representatives, and recommend others for Full Membership.

4.2.2 Only Full memberships have the right of making ceremonies, hold elected office, create any activity, or contacting any other organizations, university's departments, or any other agencies by using the name of the organization.

4.2.3 All members have the right to serve on official committees and have equal access to the services, activities, and facilities of the organization.

4.3 Duties and Responsibilities of Members

4.3.1 Full membership should stay well acquainted with the organization and not work or act contrary to the tenets, or objectives of the organization, and display good moral character.

4.3.2 Full membership should participate in the organization activities.

4.3.3 All members should support and cooperate in efforts towards the improvement and stability of the organization.

4.4 Membership in the organization may be revoked. Revocation shall be based only on:

4.4.1 Any matter that constitutes a violation of the Nature (Article 2) of the organization by the Member.

4.4.2 Such other matter that constitutes a serious violation of the Purpose (Article 3) of the organization by the Member.

4.4.3 Declaration of the desire to be removed from the membership list.

4.5 The procedure to revoke a Membership must be initiated by two Full Members filing a written report to the Membership Committee. Unless the Membership Committee decides that a hearing is justified, the report and the identity of the reporter shall remain undisclosed. Should the Membership Committee vote to revoke the Member, the Member shall have the right to appeal to the Executive Committee. The Executive Committee, by a majority vote, may vote to override the Membership Committee vote.

ARTICLE 5. ORGANIZATIONAL FRAMEWORK

5.1 Executive Committee

5.1.1 The Executive Committee which consist of five (5) Full Memberships of the organization elected by the Full Membership each year in September) is responsible for the administration of the organization

5.1.2 The President shall be elected directly by the Full Memberships.

5.1.3 A candidate running for the position of Executive Committee Member shall:

5.1.3.1 Be at least 21 years of age.

5.1.3.2 Be a Member of the organization for at least 1 semester, except for the first election.

5.1.3.3 Take oath of office as prescribed in Article 9.

5.1.4 Powers and responsibilities of the Executive Committee.

5.1.4.1 Appoint a Treasurer and a Secretary.

5.1.4.2 Establish and implement policies and guidelines for the efficient operation of the organization.

5.1.4.3 Develop, disseminate, coordinate and implement short-range and long-range plans.

5.1.4.4 Decide and announce timings of official meetings and General Body meetings.

5.1.4.5 Appoint the Religious Committee, Membership Committee and any other committees as needed.

5.1.5 Imam Mahdi organization is required to deposit all receipts in and make disbursements through the Student Organization Business Office, Fraternity Business Services, or Recreational Services. Upon dissolution, state money and mandatory student fees revert back to the granting organization. Inactive organizations will be considered dissolved after five years of no account activity. Revenue generated dollars or “00 funds” must be divided as stated in this Constitution and carried out by our leadership. Our organization’s remaining revenue generated dollars or “00 funds” will be divided or disbursed to (AhluBayt Islamic Center which is a nonprofit organization in Iowa City, IA). If this organization has dissolved and revenue generated dollars or “00 funds” have not been divided as stated in this Constitution by five years from last account activity, funds in our “00 account” will revert to an account specified for this purpose within student government(s). These funds will then be available for distribution through student government(s) guidelines in accordance with University of Iowa policy.

5.2 Removal or Suspension of an Executive Committee Member

5.2.1 Any Member of the Executive Committee will be removed if:

5.2.1.1 They fail to retain Membership.

5.2.1.2 Loses a recall election called to determine their status on the

Committee. The recall election can be called by a majority vote of the Executive Committee.

5.3 Replacement of Executive Committee Member

5.3.1 Vacancies in the Executive Committee can exist because of any one or more of the following:

5.3.1.1 Insufficient number of Executive Committee Members are elected in the organization's election.

5.3.1.2 Removal of an Executive Committee Member as explained in Section 5.2 of this Article.

5.3.1.3 Loss of one or more Executive Committee Members due to death or resignation.

5.3.2 The remaining Executive Committee Members shall be empowered to select the next runner-up of the organization to fill the vacancy only for the remaining term.

5.3.3 In the event that a runner-up is not available, the vacancy will be filled by an election at a General body meeting to be held within two (2) months of the vacancy.

5.4 President

5.4.1 The President shall be the executive and administrative officer of the organization.

They shall be responsible for the efficient conduct of the affairs of the organization and represent the organization in matters related to its activities.

Without restricting the generality of the aforesaid, the President shall specifically be responsible for:

5.4.1.1 Presiding all meetings of Members of the organization and of the Executive Committee when present

5.4.1.2 The general management and supervision of the affairs and operations of the organization.

5.5 General Body

5.5.1 The General Body shall consist of the Membership.

ARTICLE 6. MEETINGS

6.1 Official Meetings

6.1.1 An Official meeting shall be held at least once a month for the purpose of fulfilling membership requirement, but prefer each week (Saturday)

6.2 General Body Meetings

6.2.1 General Body meetings shall be held at least twice a year. The purpose of these meetings will be to:

6.2.1.1 Review past performances including, but not limited to, Membership records and books of accounts.

6.2.1.2 Discuss current issues and future plans.

6.2.1.3 Transact such other business as may properly be brought before the Executive Committee

6.2.1.4 Hold elections as necessary.

6.2.2 General announcements through a newsletter, telephone recording, or bulletin board, shall be considered sufficient notice for the General Body meeting.

6.3 Executive Committee Meetings

6.3.1 There shall be a regular monthly Executive Committee meeting on the day designated in the Bylaws, with the agenda provided to the Members in advance. Members of the organization are welcome to attend as observers. Minutes of the meeting will be kept and made available to the Members upon request. Any change to the schedule shall be communicated sufficiently in advance to all Members.

6.4 Special Meetings

6.4.1 Special meetings of the Executive Committee with any other committee maybe requested by the Committee at any time.

6.4.2 Special meetings of the organization may be called by the Executive Committee or by two thirds (2/3) of the organization's Members upon at least three (3) and not more than thirty (30) days' notice along with the stated agenda. However, a special meeting called for the purpose of elections, shall require at least two (2) weeks written notice.

6.4.3 Special Executive Committee meetings may be called at any time by any Executive Committee Member upon three (3) days' notice by stating the purpose of the meeting to the other Members of the Executive Committee.

6.5 Quorum

6.5.1 At all the General Body meetings, forty percent (40%) of the Members shall form a quorum. If a quorum is not complete, the meeting shall stand adjourned and postponed to another day at which only twenty-five percent (25%) of the Members shall form a quorum. A simple majority of the Members in attendance (provided a quorum is achieved) shall rule on all matters, unless otherwise stated herein.

6.5.2 At all Executive Committee meetings, the presence of at least four (4) Committee Members shall constitute a quorum. A simple majority shall rule on all matters as described in the Bylaws, unless otherwise stated herein.

ARTICLE 7. AMENDMENT OR REPEAL OF THE CONSTITUTION

7.1 Amendments shall be proposed, in writing to the Executive Committee by one or more Members of the organization. Approval of the amendments shall be authorized by the Executive Committee before ratification by the General Body.

7.2 A quorum of 60% of the total Membership be required for this vote. An 85% vote of the Members present shall constitute ratification to the amendments as described in the Bylaws, except for Article 2 and Article 7 which cannot be changed.

ARTICLE 8. DISSOLUTION

8.1 If the Executive Committee unanimously conclude that the continuation of the organization has become impossible or undesirable due to financial, political, religious or any other reason, the organization shall be dissolved in the following manner:

8.1.1 The situation shall be announced to the General Body.

8.1.2 There shall be no refunds of any contributions or donations whatsoever.

8.1.3 Thirty (30) days after the announcement, if in the opinion of the Executive Committee, there are no promising efforts by the Members of the community to save the organization from dissolution, then the Executive Committee shall start proceedings for dissolving the organization.

8.1.4 The proceedings for dissolving the organization shall consist of:

8.1.4.1 Closing all normal activities.

8.1.4.2 Fulfilling all financial obligations of the organization.

8.1.4.3 Filing all necessary papers with all concerned agencies of the university

ARTICLE 9. DECLARATION UPON OATH (AFFIDAVIT) FOR EXECUTIVE COMMITTEE MEMBERS OF THE ORGANIZATION

9.1 I, _____ son/daughter of,

_____ While accepting Membership of the Executive Committee of the organization do swear (as in Section 9.2 of this Article) in the name of Allah, that I, during my term of office,

9.1.1 Shall fulfill all my duties and responsibilities to the best of my abilities.

9.1.2 Shall consider it my duty to do the utmost to achieve the mission and successfully fulfill the activities of the organization.

9.1.3 Shall abide by the Constitution, any other Rules, Bylaws, Regulations and Policies of the organization, and shall help implement the same.

9.1.4 Shall not be absent from any of the Executive Committee meetings and the organization's programs without reasonable excuse.

9.1.5 Shall frankly present my sincere and correct opinion at the meetings relating to the organization's activities without any fear, hindrance, or prejudice (i.e. without affinity, connection, love, enmity, grudge, approach, plot, competition, rivalry, or ill-will).

9.1.6 Shall guard the organization's rules, regulations, policies and activities; and if any error or deficiency is noted, I shall try to correct it or get it corrected.

9.1.7 Shall endeavor to lead an Islamic way of life, according to the Marja-e-Taqlid.

9.2 Oh Allah! grant me the Divine Guidance, ability and capacity in the name of Mohammed (S.A.W) and Ale- Mohammed (A.S) to faithfully satisfy this oath only to please You; and include me among those who lay their foundation on the fear of Allah and His good pleasure.

9.3 "Ouq se mu Billa-hill Adheem, Wa be Haaz-ul-Quran-el-Kareem, An Akuna Multazeemen be Qullei Ma-fi-Haaz-ul-Dustoor wa un Uma-resa-hoo be Qullei Amanah Le Khidma-til Islam wal Muslimeen, Qurbatan Illallah Ta'ala.

Translation:

I swear by the name of the Almighty Allah and the Holy Quran to abide by all what is in the Constitution during my term of office and to sincerely practice them to serve Islam, only for the sake of the Almighty Allah.

9.4 Signature of the Executive Committee Member:

Full Name and Designation: _____

Address: _____

ARTICLE 10. ADOPTION OF THE CONSTITUTION

This Constitution, adopted at the Association's General Body meeting on _____ 199_, will be put into effect immediately and will supersede any previous Constitutions of the Association. Agreements within the limit and provisions of the previous constitution will be binding and shall be honored by the organization.

Members of the Constitution Committee:

First & Last Name

GLOSSARY

All terminology defined herein is as understood and interpreted by the Shia Ithna'shari school of thought.

AhlulBayt: Members of the household of the Holy Prophet Muhammed (Peace be upon him and his family)", namely the Holy Prophet, Fatima Al-Zahra, Imam Ali ibn Abi Talib, Imam Hasan ibn Ali, Imam Husein ibn Ali, Imam Ali ibn Husein, Imam Muhammad ibn Ali, Imam Jaffer ibn Muhammed, Imam Musa ibn Jaffer, Imam Ali ibn Musa, Imam Muhammad ibn Ali, Imam Ali ibn Muhammad, Imam Hasan ibn Ali, Imam Mehdi ibn Hasan.

Furu-e-Deen: "Branches of The Faith", namely: Salat (Prayers), Sawm (Fasting), Hajj (Pilgrimage), Zakat (Poor rate), Khums (Tax on savings), Jihad (Holy War), Amr-bil-Marooif (Enjoining the good), Nahi-anil-munkar (Forbidding the Evil), Tawalla (Loving the Friends of the AhlulBayt), Tabarra (Hating the enemies of the AhlulBayt).

Kaba'ir: Major Sins

Marja-e-Taqlid: A Mujtahid who is A'lam (the most learned)

Mujtahid: A learned person who is male, Shia Ithna'ashari, adult, sane, of legitimate birth, living and just.

Saga'ir: Minor Sins

Sunnah: The actions and sayings of the AhlulBayt.

Usul-e-Deen: "Roots of The Faith", namely: Tawheed (Oneness of Allah), Adl (Justice of Allah), Nubuwaat (Prophethood), Imamat (Vicegerency of the Prophet), Qiyamat (Judgment Day)

AMENDMENTS

EXHIBIT K

The Constitution of Cru at The University of Iowa

ARTICLE I—NAME

The name of this student group is Cru.

This student group is a student chapter (hereafter Chapter) recognized by Cru, a California nonprofit corporation with its principal offices in Orlando, Florida.

This student group has applied for and been granted Chartered status as a Chapter of Cru. As long as the student group fulfills the mission set for in the Charter, and otherwise remains in compliance with its obligations under the Charter, the student group has the right to use the name and materials of Cru that are designated for the use of Chapters within the Campus Ministry.

ARTICLE II—PURPOSE

The purpose of the Chapter is to build movements of people who are transformed by Jesus Christ. The student-led movement seeks to introduce students to Christ, help them to grow in faith, encourage them to passionately live life in a manner consistent with belief in the God of the Bible, and inspire commitment to advancing the purposes of God in the world.

ARTICLE III—STATEMENT OF BELIEF

The Statement of Belief for this organization can be found at http://www.cci.org/statement_of_faith.html.

ARTICLE IV—MEMBERSHIP

Section 1.

Membership in this Chapter is open to anyone officially connected to The University of Iowa as students, faculty or staff as well as those from the community, such as alumni and staff members of Cru, as long as 2/3 of active members are currently enrolled undergraduate or graduate students.

Section 2.

In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, national origin, color, creed, religion, sex, age, disability, veteran status, sexual orientation, gender identity, or associational preference, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.

Section 3.

A member may be removed from membership and lose the privileges of membership, including the right to attend meetings and events sponsored by Cru, under the following circumstances:

1. If the individual is causing overall disruption to the group, causing an obvious negative effect on the group as a whole.
2. If the individual poses a danger to other students.
3. If the individual's conduct rises to the level of harassment of another member of the group.

Under such circumstances, two or more members of the leadership team will meet with the individual, share the concerns, and ask him or her to leave the group. The accused member may then request a hearing before the full leadership team. An Officer will then call a special leadership meeting; they will hear from the accused member as well as other witnesses, confer, and make a decision regarding the accused member's membership rights.

ARTICLE V – OFFICERS

Section 1.

The officers of this organization, forming part of the leadership team (described in Art. VI), will serve as liaisons with the University. All officers must exemplify the application of Scriptural life principles, in accordance with the national standards of Cru. The offices of this organization shall be the following:

- A. Primary Principal Rep
- B. Secondary Principal Rep
- C. Spokesperson

Section 2.

Officers are selected from the general membership and must be enrolled students at The University of Iowa. Officers serve as representatives of the Chapter and organization of Cru, and, as members of the leadership team, must subscribe to the Statement of Belief.

They must agree that an important part of such belief is taking action and making decisions that are consistent with and based upon those beliefs. They must acknowledge that being a leader requires one to set an example for others on how to live a holy and Biblically-based life. They must also be committed to advancing the purpose and mission of Cru.

Section 3.

Term of office: An officer shall serve for one year from the start of his term or until his/her successor is appointed.

Section 4.

Officers may be removed from their positions based upon general consensus of the core leadership. Any member of the group may make a complaint against an officer. The leadership team will meet, confer with the Cru staff members for advice and counsel, hear from the accused officer (sometimes in a private one-on-one setting), and make a decision.

Misrepresentation of initial agreement with or a change in an individual's ability to subscribe to the Statement of Belief and the Purpose Statement of this organization shall be grounds for immediate removal of the officer by the leadership team.

ARTICLE VI—LEADERSHIP

Section 1.

The leadership of the Chapter is made up of individuals selected, as set forth below, from the Membership.

Section 2.

All leadership team members and small group leaders must subscribe to the Statement of Belief. They must agree that an important part of such belief is taking action and making decisions that are consistent with and based upon those beliefs. They must acknowledge that being a leader requires one to set an example for others on how to live a holy and Biblically-based life.

They must also be committed to advancing the purpose and mission of Cru.

Section 3.

The leadership of the Chapter will consist of a leadership team, the size of which may vary from year to year based upon the size, needs and desires of the group. The leadership team may consist of both a small group of core student leaders and additional groups of leaders that provide direction for different aspects of the Chapter's purpose.

In addition, small group leaders will head discussion groups or Bible studies in a variety of locations and for various affinity groups on campus.

Organizational details of the leadership team are subject to change without amendment to this constitution. *The University of Iowa* students must constitute at least 2/3 of the leadership team.

Section 4.

The current leadership team selects new leadership each year, usually occurring in the Spring. Individual leaders may also be added to the leadership team throughout the year. All prospective leaders must subscribe to the Statement of Belief and Purpose Statement as stated in Articles II and III.

The staff members of Cru serve an advisory role in the selection process, working with the current leadership team to consider and evaluate recommendations for new leaders. The leadership team will then select individuals, inviting them to take the new leadership roles. The leadership team will be responsible to see that all prospective leaders subscribe to the Statement of Belief and Purpose Statement as stated in Articles II and III.

Section 5.

Leaders may be removed from their positions based upon general consensus of the core leadership. Any member of the group may make a complaint against any leader, including a member of the leadership team. The leadership team will meet, confer with the Cru staff members for advice and counsel, hear from the accused leader (sometimes in a private one-on-one setting), and make a decision.

Misrepresentation of initial agreement with or a change in an individual's ability to subscribe to the Statement of Belief and the Purpose Statement of this organization shall be grounds for immediate removal of the leader by the leadership team.

ARTICLE VII—MEETINGS

Meetings shall be held to further the purposes of the Chapter. The leadership team, in consultation with Cru staff, shall determine the frequency, time and place, and agenda of the various meetings.

Large group meetings typically occur weekly during the school year, breaking when instruction ends and during school vacation periods. Small group meetings (Bible Studies, Discussion Groups) also meet weekly within the same parameters. Other meetings necessary to advance the purposes of the Chapter will be held as occasion warrants.

ARTICLE VIII—ADVISOR

Each year, members of the Leadership team will select a member of the UI faculty to be the Chapter's faculty advisor. The advisor will fill out any forms as required by the University to assist the Chapter in meeting those requirements. The advisor is also welcome to be involved as much or as little as he/she would like, and the Chapter will periodically update him/her on how the Chapter is doing.

ARTICLE VIII—FINANCES

Section 1.

The Chapter may raise revenues through contributions, fundraising activities or by applying for school funds available to student groups. Dues shall not be charged to members for participation. Students, however, may be charged for such services as special social gatherings, retreats and conferences. The Chapter will hold to high standards of financial integrity. A member or several members of the leadership team will be responsible to carefully administer any school funds granted to the Chapter.

Section 2.

Should this Chapter dissolve, any funds raised by and for Cru will revert to the National organization of Cru. As this Chapter does not charge dues, no student fees will need to be returned to the students.

Section 3.

Upon dissolution, state money and mandatory student fees revert back to the granting organization. Group fees should be divided as stated in the Constitution and carried out by the dissolving group's members and officers.

If the group has dissolved and group fees have not been divided as stated in Constitution by five years from last account activity, monies in the group's 00 account will revert to an account

specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in compliance with University of Iowa policy.

ARTICLE IX—CONSTITUTIONAL AMENDMENTS

Section 1.

This constitution may be amended by a general consensus of the leadership team.

Section 2.

Articles II and III may not be amended without express written permission of Cru.

Section 3.

All amendments, additions or deletions must be filed with the office of [Center for Student Involvement & Leadership](#) and will become valid at the time of filing.

Created: *03/30/2012*

Amended: *03/30/2012*

EXHIBIT L

CONSTITUTION OF CAMPUS BIBLE FELLOWSHIP

ARTICLE I... STATEMENT OF NEED:

Recognizing: (1) the genuine interest of students for answers and counseling in the realm of spiritual matters, (2) the desire among Christians on campus for fellowship, prayer, and Bible study (3) that many existing religious organizations on campus fail to provide the link with the local church commanded in the New Testament, this constitutes the need for an on-campus organization such as Campus Bible Fellowship.

ARTICLE II... PURPOSE:

This organization is a fellowship organized by students on various campuses and directed by Baptist leaders of Campus Bible Fellowship to encourage the understanding of the historic Christian faith through Bible, study, discussion, & and counseling. Examples, similar in nature, are the positions and practices of Armed Forces chaplains.

ARTICLE III... PREAMBLE

Believing in the first amendment of the United States Constitution which states: "Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof," Campus Bible Fellowship shall not discriminate on the basis of race, creed, color, national origin, religion, disability, age, gender any consideration based on affectional, sexual, or associational preference, or any other classification or sexual orientation in the selection of its members or in its programs unless federal or state laws allow for such exceptions.

ARTICLE IV... NAME

The name of this organization shall be Campus Bible Fellowship at the University of Iowa.

ARTICLE V... MEMBERSHIP

Section A: General Membership

"In no aspect of Campus Bible Fellowship's programs shall there be any difference in the treatment of persons because of race, creed, color, national origin, religion, sex, disability, age, veteran status, sexual orientation, gender identity or associational preference, or any other classification which would deprive the person of consideration as an individual." The organization will guarantee that equal opportunity & access to membership, programming, facilities, and benefits shall be open to all persons.

The membership of this organization shall be those who have been in attendance at six regular meetings.

Section B: Voting Membership

Voting membership of this organization is open to all qualified members under Section A, who bear clear testimony of conversion to Jesus Christ.

Section C: Revoking Membership

Members who have been absent from six consecutive meetings shall be dropped from the membership.

Section D: Quorum

A quorum for a committee or group business meeting shall be a majority of the existing qualified membership.

ARTICLE VI... COMMITTEES

Section A: EXECUTIVE COMMITTEE

This committee shall consist of a President, Vice-President, Secretary- Treasurer (or Secretary and Treasurer), and a Historian. The aforementioned students are required to be in sincere agreement with the Articles of Faith and shall serve as members of the Campus Bible Fellowship Area Liaison Committee.

1. President: The President shall be the official representative of the Campus Bible Fellowship student group on the campus. Duties include presiding over regular meetings and appointing special committees (after consultation with the executive committee).
2. Vice-President: The Vice-President shall act as President in his absence and shall also be in charge of organization activities and promotion.
3. Secretary-Treasurer (or Secretary and Treasurer): The Secretary-Treasurer shall keep a record of the minutes of all regular meetings, all executive meetings, and all special committee meetings. The officer (or officers) shall also be in charge of all organization funds and shall handle all organization correspondence.
4. Historian: The Historian shall be in charge of attendance and membership rolls, keeping a journal-scrapbook of organizational activities (articles, photographs, etc.).

Section B: NOMINATING COMMITTEE

This committee shall consist of the existing executive committee, a Campus Bible Fellowship staff member, and a member of the Campus Bible Fellowship Area Liaison Committee. This committee shall make a list of candidates qualified for election to the Executive Committee. A majority vote is required for election. The term of office shall be one semester. Elections will be held near the end of the preceding semester, at a meeting to be announced two weeks in advance.

Section C: SPECIAL COMMITTEES

Special committees may be appointed when needed, by the President, after consultation with the Executive committee.

Section D: AREA LIAISON COMMITTEE

This committee shall consist of a group of interested Christians designated by area independent Baptist churches who shall assist in the spiritual development of the group.

ARTICLE VII... MEETINGS

Section A: REGULAR MEETINGS

The regular meetings of Campus Bible Fellowship will be held weekly during the academic year at a time & place to be announced.

Meetings are open to all students, faculty, staff, and their spouses.

Section B: SPECIAL MEETINGS

Special meetings of the Executive Committee or the Campus Bible Fellowship student group may be scheduled as deemed necessary by the President, a member of the Campus Bible Fellowship staff, or the Campus Bible Fellowship Area Liaison Committee Chairman, providing the purpose of the meeting is well within the stated objectives indicated in the Purpose and Preamble.

ARTICLE VIII... FINANCES

Section A: Free will offerings will be taken for expenses & projects. (No funds are received from the University). (Per the "Constitutional Guidelines" of the U.I.), "Upon dissolution state money & mandatory student fees revert back to the granting organization. Group fees should be divided as stated in the constitution and carried out by the dissolving group's members and officers.

If a group has dissolved and group fees have not been divided as stated in the constitution by 5 years from the last account monies in group's 00 account will revert to an account specified for this purpose within UISG. These funds will then be available for distribution through SABAC guidelines in compliance with University of Iowa policy"

Section B: There will be no special assessments of dues in the group.

Section C: The ministry of Campus Bible Fellowship is maintained at no expense to the students of the University of Iowa.

ARTICLE IX... ADOPTION

This constitution shall be adopted upon receiving a two-thirds vote of the existing qualified membership.

ARTICLE X... AMENDMENTS

Amendments may be made to this constitution providing the amendments are approved by the Campus Bible Fellowship staff member and the Area Liaison Committee, and subsequently receive a two-thirds vote of the qualified membership. A notice of such vote shall be posted two weeks in advance. By-laws may be added by the same procedure.

ARTICLE XI... APPROVAL

Date Approved by: Sept. 2011

CBF Staff	- _____
CBF National	- _____
CBF Student Group	- _____
U of I Office of Student Affairs	- _____

EXHIBIT M



Office of the Vice President for Student Services and Dean of Students

February 20, 2004

RECEIVED
BY: _____

Mr. L. Craig Nierman
Attorney at Law

[redacted]

Dear Craig:

RE: CHRISTIAN LEGAL SOCIETY

This letter is in response to your January 30 letter regarding your clients, the student members of the Christian Legal Society (CLS). During the fall semester of 2003, CLS student leaders declined to include the University of Iowa Human Rights Policy in their proposed group constitution. Because the proposed constitution did not include the Human Rights Policy, the CLS application for recognition was rejected by the University of Iowa Student Government (UISG).

You object to the actions of UISG and asked that the First Amendment rights of the CLS students be protected. I have reviewed the First Amendment case law and the two law review articles cited in your letter. I have discussed the legal issues you raised in your January 30 letter with Vice President Phillip Jones.

Your letter states, in essence, that the CLS has a constitutional right to refuse to include in its constitution the Human Rights Policy in its entirety. As you know, the Human Rights Policy explicitly prohibits the University from engaging in race and sex discrimination as well as other forms of discrimination prohibited by the Policy. Under the Human Rights Policy, University officials may not treat persons differently based upon any classification "that deprives a person of consideration as an individual." Creed and sexual orientation are specifically listed as examples of categories that deprive a person from consideration as an individual. Religion and religious affiliation are not specifically identified in the Policy, although in some instances discrimination on the basis of religion would violate the Policy, such as a practice of not permitting Christians to join a student political group.

With respect to student organizations, the University applies the Human Rights Policy to prohibit certain forms of discrimination when organizational leaders decide to accept or exclude students interested in becoming members of the group. Federal law generally *requires* that the University of Iowa (and all post-secondary institutions which receive federal funds) prohibit recognized student organizations from discriminating on the basis of race and sex in the selection of new members. By requiring that groups observe the Human Rights Policy, University officials responsible for reviewing applications for group recognition ensure that Title VI and Title IX are observed. The Human Rights Policy was enacted in 1963, and ever since then it has been the University's practice to apply the Policy to student organization membership selection decisions.

249 Iowa Memorial Union
Iowa City, Iowa 52242-1317
319-335-3557 fax 319-335-3559
vp-student-services@uiowa.edu
www.uiowa/~vpss

Contrary to your letter, the Human Rights policy does not prohibit student groups from establishing membership criteria. A student religious group is entitled to require a statement of faith as a pre-condition for joining the group. *Asking prospective members to sign the CLS statement of faith would not violate the UI Human Rights Policy.* While student groups have a right to establish membership rules and require prospective members to adhere to group rules, that right does not extend to permit CLS or any other student group to reject prospective student members solely on the basis of race, gender, or sexual orientation.

You specifically cited sexual orientation as one category of discrimination prohibited by the Human Rights Policy that your clients find objectionable. Your letter did not, however, cite any judicial ruling on point that would nullify a viewpoint-neutral application of the Human Rights Policy to student religious groups with respect to membership discrimination on the basis of sexual orientation. The Supreme Court cases on student organizations mentioned in your letter address other issues beside membership rules, namely equal access to funding and meeting space, for instance. The case law you cited supports, in fact, the Vice President's position that viewpoint neutrality must be the guiding principle in the application of the Human Rights Policy. A decision to treat religious groups differently would invite a constitutional challenge by non-religious groups, who have the same right as religious groups to equal treatment.

Implicit in the Human Rights Policy is the distinction between class characteristics such as race and gender, on the one hand, and on the other hand the personal conduct of those who seek to join student organizations. The CLS would not be required, and will not be required, to condone the behavior of student members -- after they join your group -- that is contrary to the purpose of your organization and its statement of faith. Individuals who fail to observe the CLS statement of faith may be dismissed as members. Your group may not, however, refuse to accept as a member a homosexual law student who professes to be a Christian and is prepared to sign your organization's statement of faith and observe the CLS group rules for member behavior.

With regard to the distinction between class characteristics and personal conduct, it is apparent that we may be in agreement. You acknowledge in your letter that your group is not opposed to accepting into its membership law students who have homosexual inclinations or who have engaged in homosexual behavior. I respect the fact that the CLS welcomes all students, including homosexuals, to attend CLS meetings. This practice is entirely consistent with the spirit of the Human Rights Policy.

To my knowledge, religious students groups have operated for many years on the UI campus using statements of faith as a basis for membership. No threat has ever been directed to a student religious group by the student government, by the Dean of Students, or by the Office of Student Life regarding the use of statements of faith as a basis for membership. Moreover, no complaint from the community has ever been filed with the UI Committee on Human Rights against a religious student organization alleging a violation of the Human Rights Policy.

Your January 30 letter specifically asks that the Human Rights Policy be amended to exempt student religious groups "from the religion, creed, sexual orientation, and gender identity language of the University's required Membership Clause." Since the Human Rights Policy protects groups such as your CLS student clients from discrimination on the basis of creed, it is not necessary to formally exempt religious groups from the Human Rights Policy in order to ensure that the rights of CLS members are protected. Once recognized, the University is obliged to protect the right of CLS members to espouse the group's basic tenets.

The Supreme Court long ago in Healy v. James concluded that it is not inconsistent with the Constitution for tax-supported universities to deny or withdraw recognition to groups that refuse to follow reasonable rules. Observing the Human Rights Policy during new member selection is a reasonable requirement for group recognition. If the students you represent choose to re-submit a revised group constitution with an unmodified Human Rights Policy statement included, the CLS would then become eligible to use University resources, as would any other recognized student organization, once the CLS has been recognized by UISG.

In conclusion, it is apparent that the UISG did not violate the University Policy on Human Rights or the First Amendment of the U.S. Constitution. The UISG decided not to grant recognition to the Christian Legal Society because the UI Human Rights Policy was entirely left out of the proposed CLS constitution. UISG is prepared to grant recognition once the Human Rights Policy is included in the proposed CLS constitution. Every University of Iowa student organization is required to include in its group constitution the Human Rights Policy in its entirety in order to be eligible for University recognition, and your clients were treated the same as every other religious group has been treated.

I understand that you may feel compelled to pursue formal legal avenues in response to this letter. Please be informed that the standard appeal process for recognition disputes has not been exhausted. As stated in sub-section III.A.9 of "Recognition of Student Organizations," a group may appeal an adverse decision of the governing body to the president of the University or designated representative (refer to page 18 of "Policies and Regulations affecting Students, 2003-2004," a copy of which is enclosed). To my knowledge, no appeal has been filed with President Skorton. If the group of students you represent elects to exercise its appeal opportunity, please copy me on your letter to President Skorton.

Sincerely,



Thomas R. Baker, J.D., M.A.
Associate Dean of Students

Enclosure

cc: Phil Jones
Bill Hines
Linda McGuire
Bill Nelson
Mark Schantz
Charlotte Wcsterhaus

EXHIBIT N

The Daily Iowan



> News

DI Editor -Mar 2, 2017

Finding a home in faith



By Naomi Hofferber

naomi-hofferber@uiowa.edu

For some Christian LGBTQ individuals on campus, finding a ministry that is fully accepting can be a long and painful process.

University of Iowa sophomore Marcus Miller has seen the effects that this conflict between ideology and identity can have.

“When I was a freshman here at Iowa last year — before I was fully accepting of myself and accepting of my identity — I was still very much involved with Christian organizations,” Miller said. “Those organizations were where all my friends were, where my support system was, and as I continued to try to figure things out on my own and figure out my identities, I think things got really tough

for me, because it came increasingly clear that if I were to be proud of my identity of being gay, that would not be OK.”

Miller applied for two different leadership positions with Business Leaders in Christ and 24/7 and was officially offered a position with the first group, and 24/7 had allegedly implied to Miller he would get a position. After revealing to them that he was gay, both offers were rescinded.

In response, Business Leaders in Christ declined to give a statement to *The Daily Iowan*, and 24/7 released the statement, “24/7 welcomes all members of the university community to its meetings and is confident that the complaint is without merit.”

“That really hurt,” Miller said about the withdrawn offers. “I felt rejected, I felt isolated and alone. What once used to be a home for me and a place where all my friends were, where I got all my support, quickly became the place I dreaded the most. It was so hard for me to be rejected by the people I thought would accept me. There was a lot of nights where I wouldn’t be able to sleep, there were a lot of nights where I contemplated suicide. I felt stuck between two different worlds.”

Miller said he felt conflicted between his traditional conservative Christian community and the LGBTQ community. He said he hadn’t fully accepted himself and he wasn’t sure he could be understood with his intersectionality of faith and sexuality.

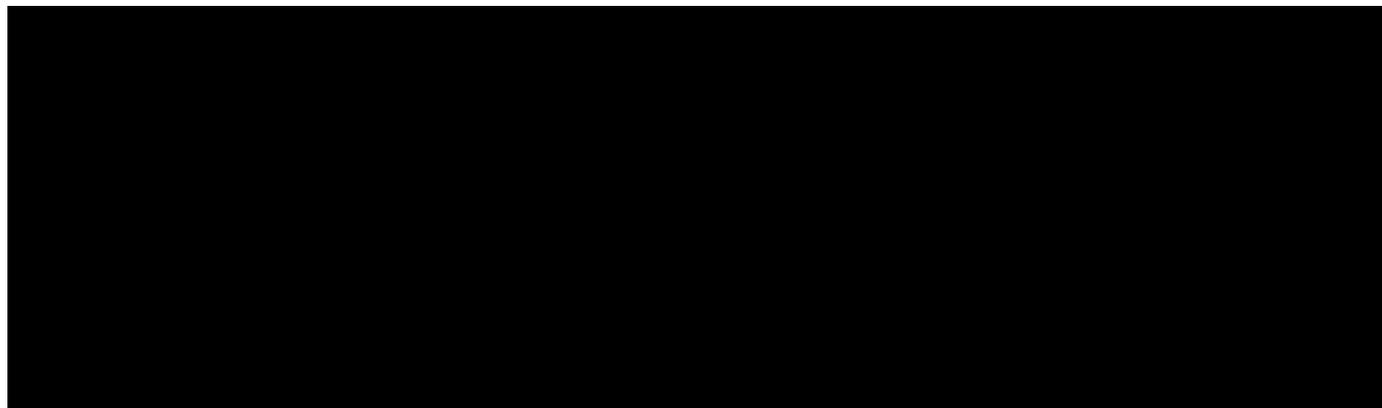
“It was definitely the hardest time period of my life,” Miller said. “Faith is a very sacred thing; a lot of people cling to it. My faith is still very important to me. I feel like for a lot people, that’s the case, and a lot of people are trying to hold on to their faith, but it makes it extremely difficult when the spaces that they’re in are not accepting and not inclusive.”

Miller said he has placed a formal discrimination complaint with the UI Office of Equal Opportunity and Diversity on Feb. 20. The Office of Equal Opportunity and Diversity told *The Daily Iowan* that it can neither confirm nor deny whether a complaint has been filed.

“The investigation begins when the Office provides written notice to the respondent of the filing of the complaint, the identity of the complainant, and the general allegations of the complaint,” Kyra Seay, the communications coordinator for the Chief Diversity Office said in a statement to *The Daily Iowan*. “The respondent is then interviewed regarding the specifics of the allegations and given an opportunity to respond fully to the allegations. The Office may also interview other persons believed to have factual knowledge relevant to the allegations.”

The written finding of the investigation will typically be issued within 60 days of the complaint being launched.

After being denied leadership roles with other organizations, Miller founded Love Works, an LGBTQ-inclusive campus ministry.





While there are numerous interpretations of Bible scripture, some Christian interpretations classify homosexuality as a sin. This can create challenges for LGBTQ individuals who seek involvement in Christian communities.

“From my understanding, it is God loves all human beings, and He created them in His image,” said Nana Owusu, the president for Campus Bible Fellowship. “But from our understanding, sin has marred that image, and the way that it’s been marred has manifested itself in various different ways. What the Bible clearly states in both the Old and the New Testament is that homosexuality is an abomination. So it is not what He intended that relationship to be like.”

Despite any ideology, LGBTQ individuals are welcome to attend meetings and be involved with Campus Bible Fellowship.

“But according to our stance, if people say that they have belief in Christ, there’s bound to be an understanding that there is sin there, because if they truly do believe this, then they do understand that there is sin, and they are fighting that sin in their life, just as I would have to fight urges of lust, just as I would have to fight anger or hatred,” Owusu said. “You can come to the meetings, we can have that conversation, and we can’t force you to live a life that exemplifies a Christian, but we would like to see that growth in each member.”

To be a leader, individuals must profess a belief in Christ and attend meetings regularly, he said. Leaders are approved by leaders in the affiliated church, Faith Baptist Church.

Campus Christian Fellowship, another Christian organization, holds a similar view on homosexuality.

John Johnson, a campus minister for Campus Christian Fellowship, said the organization’s interpretation of scripture is that homosexuality is a sin, which he said is plainly stated in the Bible.

“I do know that there are people who have different interpretations, but that’s how I read the Bible, so that’s something that we do preach, but we don’t tell people to go away, because it’s one of those things that we believe in preaching and talking about Jesus first, and Jesus is the most important thing,” he said. “So if we prevent people from coming, or make people feel as if they can’t come and be a part of it, how are they ever going to hear about Jesus?”

The ministry has had LGBTQ members in the past, and they are welcome to come to meetings, Johnson said. While choosing leaders for the organization, he said, the group has moral and ethical recommendations and wants leaders to be good role models.

“We ask for them, for their sexual activity, to follow what the Bible prescribes,” Johnson said. “I wouldn’t say that we would ever just outright [reject] any person who wanted to become a leader who was part of that community; we wouldn’t just say, ‘No, you can’t because you’re a part of that community.’ We would talk to them about what

does your life look like, and where are you with all these things, and what do you believe scripture says about these things. It's a lot of just seeing where they're coming from with what scripture says, because we do want to have a unified teaching we're presenting.”

The issue becomes complicated, as ideology and religious freedoms could potentially conflict with an anti-discrimination clause that all UI student organizations are required to include in their constitutions, which states, “In no aspect of its programs shall there be any difference in the treatment of persons on the basis of ... sexual orientation, gender identity ... which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.”

The 2010 Supreme Court case of *Christian Legal Society v. Martinez* dealt with a similar incident regarding campus ministries and the LGBTQ community.

Christian Legal Society required members and officers to sign a statement of faith, in which they agreed to live by certain principles, one of which was the belief that sex was between a man and a woman. It was because the organization restricted based on sexuality that Hastings Law School denied it registered student organization status, as it conflicted with their non-discrimination policy.

Within the case, the society contended that it doesn't exclude individuals based on sexual orientation, but rather on conduct and the belief that the conduct is not wrong; in this case, the group excludes LGBTQ individuals with partners.

The court denied to distinguish between status and conduct in the case, and referenced the 2003 case of *Lawrence v. Texas* in which Justice Anthony Kennedy stated in the opinion of the court, “When homosexual conduct is made criminal by the law of the State, that declaration in and of itself is an invitation to subject homosexual persons to discrimination in both the public and in the private spheres.”

In the opinion of the Court in *Christian Legal Society v. Martinez*, Justice Ruth Bader Ginsburg said, “[Christian Legal Society] notes that its ‘activities — its Bible studies, speakers, and dinners — are open to all students,’ even if attendees are barred from membership and leadership. ... Welcoming all comers as guests or auditors, however, is hardly equivalent to accepting all comers as full-fledged participants.”

The court ruled that while it isn't unconstitutional for a student organization to require leaders to hold particular religious beliefs, universities do not have to recognize those organizations.

In 2014, California State University revoked official club status of InterVarsity Christian Fellowship, in accordance with the Supreme Court decision.

Revoking the acknowledgement of an organization does not ban the organization from campus nor does it disband the organization, but organizations could lose university resources and support.

Currently UISG has allocated funds in fiscal 2017 for Business Leaders in Christ and 24/7.\

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EXHIBIT O

MEMORANDUM

TO: Student A, Complainant
Business Leaders in Christ, Respondent

FROM: Constance Schriver Cervantes 
Compliance Coordinator
Office of Equal Opportunity and Diversity

DATE: June 30, 2017

SUBJECT: Finding on formal complaint of discrimination

I. SUMMARY

On February 20, 2017, Complainant filed a formal complaint with the Office of Equal Opportunity and Diversity against Respondent alleging that Respondent engaged in actions in violation of the University of Iowa's *Policy on Human Rights*.

This finding is issued in conjunction with the Office of Equal Opportunity and Diversity's investigation of Complainant's complaint.

II. FINDING

The evidence produced during the investigation does provide a reasonable basis to believe the *Policy on Human Rights* was violated.

III. BACKGROUND

Complainant is a student at the University of Iowa, and a former member of Business Leaders in Christ (BLinC)

Respondent is a registered student organization at the University of Iowa.

In addition to Complainant, the following witness was interviewed:

- Student B, President, BLinC

The following documents were reviewed:

- Copy of Facebook Messenger notes of meeting dates between Complainant and B
- May 17, 2016 e-mail from Complainant to Student B
- June 22, 2017 e-mail from Student B to Complainant
- Constitution of Business Leaders in Christ

- Center of Student Involvement & Leadership Registered Student Organization Constitutional Standards and Guidelines
- “Nature of Complaints,” notes from Complainant
- “Chronology,” prepared by Student B
- “Vision Meeting August 26, 2016,” notes from Student B

IV. SUMMARY OF REMEDY REQUESTED, ALLEGATIONS AND RESPONSES

Remedy Requested

Complainant requests that BLinC be required to comply with the university’s non-discrimination policy, or no longer be a recognized student organization, affiliated with the University of Iowa.

Allegations

Complainant states that he was denied a leadership position with BLinC because of his sexual orientation.

Complainant indicated that at the end of the 2016 spring semester, he expressed an interest in becoming the vice-president of BLinC for 2016-17 academic year. On April 7, 2016, Student B, the current President of BLinC, met with Complainant and offered him the position. She then asked if he had any questions. Complainant told Student B he was gay. He asked how that would affect his becoming vice-president. Student B indicated she would have to get back to him.

On April 27, 2016, Student B again met with Complainant and informed him she was withdrawing the offer to him for the position of vice-president. Student B stated that because Complainant was gay and might pursue a relationship as a gay person, he could not be a leader in BLinC.

Responses

Student B admits that because of Complainant’s “desire to pursue a homosexual lifestyle/relationship” he was denied a leadership position in BLinC.

Student B is a co-founder of BLinC. It was founded three years ago, and was recognized by the university as a student organization in 2014. Student B was the secretary for the organization in its first year and has been the president since.

Student B states that the officers share duties. There is no vice president for the 2016-17 academic year. Currently BLinC has approximately 10-12 members. No minutes of meetings are kept.

In a meeting in March 2016, Student B announced they were looking for officers for BLinC for the 2016-17 academic year. Complainant reached out to Student B to express his interest in a leadership position, that of vice-president.

On April 7, 2016, Student B met with Complainant to discuss the position of vice-president. At the end of that meeting Complainant informed Student B he was gay. Student B then advised Complainant she would have to get back to him with respect to the position.

Student B then met with other BLinC officers to discuss the question of allowing Complainant to become vice-president. Student B determined Complainant would have been eligible for the position of vice-president but for being gay. Student B met further with Complainant on April 27, 2016, and told Complainant that he would not be allowed to be vice-president. In her interview in this investigation, Student B stated Complainant would have become vice-president at the April 27, 2016, meeting if he had not told her he was gay.

On May 17, 2016, Complainant e-mailed Student B to express further concerns with respect to the decision that he not to be allowed to be on the executive board of BLinC. Student B replied by e-mail on June 22, 2016, indicating in part:

First and foremost, the reason why I made the decision that I could not allow you to be in a leadership position within BLinC is because of your desire to pursue a homosexual lifestyle/relationship.

Student B confirmed that this e-mail correctly states her, and the organization's position on homosexuality and leadership in the organization. Pursuing a relationship with the opposite sex is acceptable within the organization.

Complainant has not attended any meetings since his rejection as vice-president and is no longer a member of the organization. BLinC has no self-identified gay members. Student B states individuals who are gay are welcome to be student members of BLinC, but not leaders of the organization.

BLinC's Constitution, adopted April 1, 2014, provides in part:

Article II

Membership:

Section 1) In no aspect of its programs shall there be any difference in the treatment of persons on the basis of ...sexual orientation...or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities and benefits shall be open to all persons.¹

Article III

Officers and Duties:

There will be 4 executive officer positions within Business Leaders in Christ:

- 1) President...
- 2) Vice President...
- 3) Treasurer...
- 4) Secretary...

Article VI

Elections

Section 1) Elections for the Executive Board will be held once a year in March to elect for the following school year.²

V. APPLICABLE POLICIES

Policy on Human Rights:

The University is guided by the precepts that in no aspect of its programs shall there be differences in the treatment of persons because of ... sexual orientation ... These principles are expected to be observed in the internal policies and practices of the University; specifically... in policies governing programs of extracurricular life and activities...

<http://opsmanual.uiowa.edu/community-policies/human-rights>

¹ All university registered student organizations are required to follow the Registered Student Organization Constitutional Standards and Guidelines, <http://csil.uiowa.edu/manage/new-organization-constitutional-guidelines/>.

Under those guidelines, the university's Human Rights Clause must be included and must be written in a student organization's Constitution exactly as follows: *In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons. Eighty percent (80%) of this organization's membership must be composed of UI students.*

The clause in BLinC's Constitution does not meet the present language requirements, which were updated in October 2014.

² For the 2016-17 election, BLinC had approximately 5-6 members. Officer positions were discussed but no formal vote was taken. The members agreed on the candidates according to Student B.

VI. ANALYSIS AND CONCLUSION

The purpose of a formal investigation is to determine, based on sufficient evidence, whether there is a reasonable basis to believe that a violation of the policy has occurred. The standard for evaluating evidence gathered in the investigation is by a preponderance of evidence which requires the investigator to determine whether it is more likely than not that a given fact is true, or a given event occurred.

For a violation of the *Policy on Human Rights* here, the evidence must show that an individual was treated differently than others were treated in a university program, and that the differential treatment was based on a protected class, including sexual orientation.

The preponderance of the evidence in this case establishes that Complainant was applied for and was interviewed for the position of vice-president of BLinC for the 2016-17 academic year. However, upon learning that Complainant was gay, Student B, the president of the organization, after consultation with other officers, denied Complainant a position of leadership within BLinC because of his sexual orientation.

The refusal by an officer of a recognized student organization to allow Complainant to be an officer of BLinC, and the decision to treat him differently than other members due to his sexual orientation violates the university's *Policy on Human Rights*.

The University of Iowa has a categorical non-discrimination policy. The *Policy on Human Rights* prohibits institutional discrimination in its programs based on protected classifications, including sexual orientation. There is no distinction within the *Policy on Human Rights* for membership as opposed to leadership positions. The policy provides: *in no aspect of its programs shall there be differences in the treatment of persons because of ... sexual orientation ... These principles are expected to be observed in the internal policies and practices of the University; specifically in the ... in policies governing programs of extracurricular life and activities...*

Here, the basis for BLinC's refusal to select Complainant for the position of vice-president was his sexual orientation.

Student organizations may state a set of beliefs with which their members or leaders must comply. BLinC has no such statement in its Constitution. However, an organization may not adopt a statement of beliefs that is inconsistent with the *Policy on Human Rights*, and base exclusion on a protected classification. BLinC's action with respect to this Complainant's application for the position of vice-president violates the *Policy on Human Rights* because of the statements made by the president.

VII. APPEAL PROCEDURES

If the Office of Equal Opportunity and Diversity concludes that the complaint is unfounded, the Complainant may appeal the finding on the grounds that the decision was arbitrary and capricious or that the investigating office did not follow procedures resulting in prejudice to the

Complainant. Appeals must be made electronically or in writing³ and submitted together with all supporting documentation to the Office of Equal Opportunity and Diversity within ten (10) university business days of the receipt of the finding. Generally within two (2) university business days, the Office of Equal Opportunity and Diversity will transmit the notice of appeal and the case record to the appropriate appeal officer, as described on the Office of Equal Opportunity and Diversity website: <http://diversity.uiowa.edu/policies/discrimination-complaint-procedures>.

The appeal officer, or the appeal officer's designee, will issue a written decision on the appeal to the Complainant and the Office of Equal Opportunity and Diversity within 20 university business days of the receipt of the appeal, although this time frame may be extended due to the complexity of the case or the severity of the allegations.

In cases where the appeal is denied, such action constitutes final university action on the matter, subject to appeal to the Iowa Board of Regents. In cases where the appeal is successful, in whole or in part, the appeal officer/designee will advise the Office of Equal Opportunity and Diversity regarding appropriate measures to address the issues of concern raised in the appeal.

For complaints that conclude in a finding that there is a reasonable basis to believe that a policy violation has occurred and sanctions have been imposed, Respondents may appeal such findings through the grievance procedures applicable to them. The Respondent may challenge any sanctions imposed as a result of a finding through available grievance procedures.

VIII. NOTE ON CONFIDENTIALITY AND RETALIATION

The Office of Equal Opportunity and Diversity considers all information received in connection with the filing, investigation, and resolution of complaints to be confidential. Disclosure of information in connection with this complaint is limited to those individuals necessary to its investigation and resolution, and it is expected that the parties will observe the same standard of confidentiality. The individuals copied on this finding are administrators who have authority and responsibility for the University of Iowa student organizations, or for the Respondent and would be critical to any sanction that might be imposed. This practice of maintaining confidentiality is in the best interests of all the parties to the complaint and failure to respect confidentiality may be regarded as retaliation. University policy prohibits retaliation against individuals who file complaints and against those who participate in complaint investigations as witnesses.

³ The address to submit such an appeal is: diversity@uiowa.edu or Office of Equal Opportunity and Diversity, 202 Jessup Hall, 5 West Jefferson St., Iowa City, IA, 52242-1316.

cc: Georgina Dodge, Chief Diversity Officer and Associate Vice President, Title IX
Coordinator
Jennifer Modestou, Director, Office of Equal Opportunity and Diversity, Deputy Title IX
Coordinator
Thomas Rocklin, Vice President for Student Life
Lyn Redington, Assistant Vice-President, Dean of Students
William Nelson, Executive Director, IMU
Anita Cory, Associate Director, Student Organization and Leadership Program, Center
for Student Involvement and Leadership
Susan Sager, Administrator, HR Services, Advisor, Business Leaders in Christ

EXHIBIT P

April 12, 2017

VIA EMAIL

Constance A. Schriver Cervantes, JD
Compliance Coordinator
Equal Opportunity and Diversity
Complaint Investigations Unit
University of Iowa
202 Jessup Hall
Iowa City, IA 52242



Dear Ms. Schriver Cervantes

I write as the President of Business Leaders in Christ (“BLinC”) to urge you to dismiss your investigation into Marcus Miller’s February 20, 2017 complaint and to take no further action against BLinC. Dismissal is warranted because BLinC has not violated the University’s non-discrimination policies and is entitled to be a recognized student organization at the University of Iowa.

As you know, I founded BLinC just a few years ago. As a woman coming to the University with the goal of learning to thrive in the competitive business world, I also wanted to create a community where I could learn how to integrate my faith in the workplace. And I wanted to lead and support other women and men who wanted to do the same. In the last few years, BLinC has grown and become an important part of the University community. We’ve held regular meetings on campus. We’ve hosted Iowa business leaders to speak to us about faith and work. We have volunteered our time within the business school through creating events such as Tippie Gives Thanks, in which we offered students and faculty a place to write down and reflect on things they are thankful for. Additionally, we have served a number of local efforts, such as providing childcare at Faith Academy’s Saturday School program and partnering with Strive for Success, a local non-profit’s after-school mentoring program for at-risk youth from different socio-economic backgrounds.

Our faith was the reason we started and it has been at the center of all our service to the University and the local community. There are several reasons why the University should not punish us for our faith now.

First, the University’s guidelines for student organizations recognize the right of students to organize according to common beliefs and values. For example, the University’s policy regarding “Registration of Student Organizations” states that it is “the policy of the University that all registered student organizations be able to exercise *free choice of members* on the basis of their merits as individuals without restriction in accordance with the University Policy on Human Rights.” The policy further recognizes that students have the right to “organize and associate with like-minded students” and thus that “any individual *who subscribes to the goals and beliefs of a student organization* may participate in and become a member of the organization.”

This common-sense protection for student groups' individual missions—which is essential to any organization's existence—does not conflict with the University's non-discrimination policy. As I confirmed during our meeting and as reflected in BLinC's constitution, all students are welcome to join our organization without regard to “race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration *as an individual*.” We never discriminate against students because of who they are. All we ask is that our leaders support and uphold our “goals and beliefs.”

BLinC is a Christian organization for students who share core Christian convictions. Mr. Miller expressly stated that he rejected important parts of our Christian beliefs, would not support them, and would openly oppose them in public. It was for this reason, and this reason only, that Mr. Miller was deemed ineligible to serve as our organization's vice-president. BLinC's entire purpose is to encourage students to live according to its understanding of Christian principles. It cannot fulfill its core mission if its leaders do not support its beliefs.

Student organizations on campus frequently impose similar standards. Members—and even more so, leaders—are required share the missions of the organizations they seek to join. For example, the Feminist Union limits its membership to students who “agree[] with [its] purposes and principles,” including support for abortion, access to contraception for minors, and even certain positions on the environment. The fraternity Delta Sigma Pi prohibits its members from belonging to competing fraternities and requires them to be of “good moral character.” Students for Life requires its members to be “pro-life.” The Islamic organization Imam Madhi reserves certain membership benefits to members who are Shia Muslims. The Korean American Student Association requires members to “exhibit an optimistic attitude towards Korean culture” and reserves the right to revoke the membership of any member who “possesses a negative attitude.” The Association of Women Dentists requires members to support the advancement and recognition of women in dentistry. Multiple Christian student groups condition full membership on students signing a “statement of belief,” bearing “clear testimony of conversion to Jesus Christ,” setting “an example for others on how to live a holy and Biblically-based life,” or keeping religion-specific “standards.” And many secular organizations broadly require all their members to “support the mission” of the organization.

These requirements for members to support their organizations' missions make sense in light of the University's goal that student organizations bring “like-minded students” together. Punishing BLinC because it creates space for students of like-minded religious beliefs would *violate*, not uphold, the University's policies. The University's Statement of Religious Diversity emphasizes that “[r]eligious history, religious diversity, and spiritual values have formed a part of The University of Iowa's curricular and extracurricular programs since the founding of the University” and that “[a]s a public institution, the University neither promotes any particular form of religion nor discriminates against students, staff, or faculty on the basis of their religious viewpoints.” The University's Human Rights Policy similarly forbids discrimination on the basis of “creed” or “religion,” promising that “equal opportunity and access to facilities shall be available to all,” including in “policies governing programs of extracurricular life and activities.”

Discriminating against BLinC because of its religious beliefs would not only violate University policy, it would also threaten the diversity and academic freedom that is at the

heart of the university experience. Students are tomorrow's leaders and should be prepared to work with people of diverse views and backgrounds. The University should seek to ensure that all student organizations are free to participate in campus life on equal terms, not to suppress views that it deems objectionable. In the words of President Barack Obama, free speech is "not free speech in the abstract":

"The purpose of . . . free speech is to make sure that we are forced to use argument and reason and words in making our democracy work. And you know, then you don't have to be fearful of somebody spouting bad ideas. Just out-argue 'em. Beat 'em. Make the case as to why they're wrong. Win over adherents. That's how things work in a democracy."

Pressuring organizations to select leaders who do not share their mission will only stifle diversity and academic rigor on campus. And that hurts everyone.

Finally, we think that our rights are also protected by the First Amendment. In its *Hosanna-Tabor* case in 2012, the U.S. Supreme Court ruled unanimously that religious groups have a First Amendment right to select their leaders without government interference or coercion. More recently, the Court emphasized that "[t]he First Amendment ensures that religious organizations and persons are given proper protection as they seek to teach the principles that are . . . central to their lives and faiths." Many other Supreme Court cases say that universities and their officers that discriminate against religious groups may be individually liable for violating the First Amendment. Allowing other groups to select their members and leaders based on shared convictions while punishing BLinC for asking its leaders to share its faith is discrimination that violates the First Amendment.

For all these reasons, I urge you to dismiss the complaint filed against BLinC as unfounded and to allow BLinC to continue operating on campus on equal terms with all other recognized student groups. Thank you.

Sincerely,



Hannah Thompson
President
Business Leaders in Christ

- cc: Georgina Dodge [REDACTED]
Jennifer A. Modestou [REDACTED]
Lyn Redington [REDACTED]
William Nelson [REDACTED]
Anita Cory [REDACTED]
Susan M. Sager [REDACTED]

EXHIBIT Q

July 14, 2017

VIA EMAIL

Dean Lyn Redington
Assistant Vice President and Dean of Students
University of Iowa
Office of the Dean of Students
135 Iowa Memorial Union
Iowa City, IA 52242



Dear Dean Redington,

I am a University of Iowa student and the incoming president of the student group BLinC or Business Leaders in Christ. As you know, on June 30, Ms. Schriver Cervantes from the Office of Equal Opportunity and Diversity found that BLinC had violated the University's *Policy on Human Rights*. It is my understanding that the matter has now been sent to you for a decision whether BLinC should be sanctioned. It should not. In fact, sanctioning BLinC would violate both the University's own policies and state and federal law.

First, Ms. Schriver Cervantes' conclusion that BLinC violated the *Policy on Human Rights* is incorrect. The University's own policies respect the right of student groups to "exercise free choice of members" who "subscribe to the goals and beliefs of the organization." BLinC did not discriminate against the complaining student because of his sexual orientation. The student participated in BLinC before asking for a leadership position, and remains welcome to participate—even as a leader, regardless of his sexual orientation. The student was not eligible to be a leader of BLinC only because he stated that he disagrees with, and would not try to live by, BLinC's Christian principles, which means he could not effectively lead our group.

Second, your office has previously agreed that it would be a violation of the Iowa Human Rights Act to force a student group to accept leaders whose behavior is contrary to the group's purpose or its statement of faith. Such coercion would also violate federal law, including the First Amendment. BLinC is a Christian organization for students who share core Christian convictions. Its entire purpose is to encourage students to live according to its understanding of Christian principles. And its leaders play a religious role in leading the group. BLinC cannot fulfill its core mission if its leaders do not support its beliefs. The First Amendment protects BLinC's right to select leaders who share its mission.

The University itself also protects that right for a wide variety of other student groups who require both their leaders and their members to support their organizations' goals and purposes. BLinC's earlier letter to Ms. Schriver Cervantes, on which you were copied, identifies many of those organizations. Because your office has acknowledged that forcing a religious group to select leaders who oppose its mission would violate the Iowa Human Rights Act, and because you have taken no action against many other student groups with leadership standards, targeting BLinC because of its religious beliefs would be an intentional violation of both state and federal law, raising the potential for punitive damages against the University and its officers.

For all these reasons, it is our hope that you will reverse Ms. Schriver Cervantes' findings and take no further action against BLinC.

Sincerely,



Jacob D. Estell
President
Business Leaders in Christ

cc: Georgina Dodge [REDACTED]
Jennifer A. Modestou [REDACTED]
William Nelson [REDACTED]
Anita Cory [REDACTED]
Susan M. Sager [REDACTED]
Constance A. Schriver Cervantes [REDACTED]

EXHIBIT R



Iowa Memorial Union
145 Iowa Memorial Union
Iowa City, Iowa 52242-1317
319-335-3059
imu.uiowa.edu

SENT VIA ELECTRONIC MAIL

September 13, 2017

Jacob Estell, President
Business Leaders in Christ (BLinC)



Dear Jacob:

I am in receipt of the June 30, 2017, communication from Constance Schriver Cervantes regarding the case filed against your registered student organization, BLinC. Ms. Schriver investigated the complaint filed against BLinC on behalf of the Office of Equal Opportunity and Diversity.

This investigation was conducted under the Discipline of Registered Student Organization (DRSO) procedures found at <https://dos.uiowa.edu/policies/discipline-of-registered-student-organizations/>. We met on September 1, 2017, to discuss the case. I listened and considered your comments and questions. During our discussion, Tom Baker, Associate Dean of Students, stated your organization should be allowed to function as a registered student organization in good standing so long as the student leaders operate fully and consistently in accordance with the University of Iowa Human Rights Policy and make a sincere commitment to comply with the policy moving forward. After further discussion, you stated your organization intended to comply with the University of Iowa Human Rights Policy at all times in the future.

As explained in DRSO Section IV.D., I have the authority to impose sanctions if I conclude University rules were violated and sanctions are warranted. I find there is a preponderance of evidence that BLinC violated the University of Iowa Human Rights Policy.

After consideration of the Investigative Report and your remarks, I will permit your organization to function as a registered student organization in good standing with the University of Iowa provided you comply with the following:

1. Commit to ongoing compliance with the University of Iowa Human Rights Policy at all times in the future;
2. Submit a basic list of qualifications for leaders of your organization designed to prevent future disqualifications based on protected categories and to ensure that persons who identify as non-heterosexuals are not categorically eliminated from consideration; and

3. Submit an acceptable plan for ensuring that group officers who interview leaders will ask questions relevant to the vision statement that are not presumptive of candidates based upon their sexual orientation.

To reiterate, BLinC, as a registered student organization, will return to good standing with the University of Iowa following your compliance with the above. Please submit the required information to me directly at [REDACTED].

You have the opportunity to appeal this decision. As an organization representative, you have ten (10) business days after receipt of this decision to request an appeal to the Office of the Dean of Students. The deadline for filing an appeal is September 27, 2017. Permissible grounds for appeal are listed at DRSO Section VI. Appeals.

Information related to this incident will be filed in the Office of the Dean of Students. Please be aware Section V. Sanctions of the DRSO states that, "Student organizations that fail to comply with a sanction in a timely manner are subject to additional disciplinary action, which may include loss of registration until compliance is achieved."

If you have any questions, please contact me at [REDACTED] or [REDACTED].

Sincerely,



William Nelson, Ph.D.
Executive Director
Iowa Memorial Union

c: Tom Baker [REDACTED]
Eric Baxter [REDACTED]

EXHIBIT S



Iowa Memorial Union

145 Iowa Memorial Union
Iowa City, Iowa 52242-1317
319-335-3059
imu.uiowa.edu

SENT VIA ELECTRONIC MAIL

October 19, 2017

Jacob Estell
Business Leaders in Christ (BLinC)

[REDACTED]

Eric Baxter

[REDACTED]

Dear Jacob and Eric:

The revised Constitution and Statement of Faith you submitted in response to my September 13, 2017 letter does not satisfy the requirements I delineated in order for BLinC to remain as a registered student organization in good standing. The Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity, both of which are protected classifications under Chapter 216 of the Iowa Code (the Iowa Civil Rights Act) and the University of Iowa Human Rights Policy.

You have the opportunity to make additional revisions to your Statement of Faith in order to submit a version that complies with the University of Iowa Human Rights Policy. Your submission must also include a response to the third requirement I set forth in my September 13, 2017 letter, which follows: "Submit an acceptable plan for ensuring that group officers who interview candidates for leadership positions will ask questions relevant to the Statement of Faith that are not presumptive of candidates based upon their sexual orientation or gender identity." You have ten (10) business days from the date of this letter to submit your revised response. The deadline for submission is November 2, 2017.

If you choose not to submit a revised response, I will find BLinC not to be in compliance with the University of Iowa Human Rights Policy and as a result, will revoke its registration. If BLinC elects not to submit a revised response, you have the opportunity to appeal this decision. As an organization representative, Jacob, you have ten (10) business days from the date of this letter to file an appeal with the Office of the Dean of Students. The deadline for filing an appeal is November 2, 2017. The permissible grounds for appeal are listed at DRSO Section VI. Appeals.

Information related to this incident will be filed in the Office of the Dean of Students. Please be aware Section V. Sanctions of the DRSO states that, "Student organizations that fail to comply with a sanction in a timely manner are subject to additional disciplinary action, which may include loss of registration until compliance is achieved."

If you have any questions, please contact me at [REDACTED] or [REDACTED].

Sincerely,

A handwritten signature in cursive, appearing to read "William Nelson".

William Nelson, Ph.D.
Executive Director
Iowa Memorial Union

c: Tom Baker [REDACTED]

EXHIBIT T



November 2, 2017

VIA EMAIL

Dean Lyn Redington
Assistant Vice President and Dean of Students
University of Iowa
Office of the Dean of Students
135 Iowa Memorial Union
Iowa City, IA 52242
[REDACTED]

RE: Appeal of Adverse Decision

Dear Dean Redington,

I write on behalf of the student group Business Leaders in Christ, or “BLinC,” to appeal the decision by Dr. William Nelson, Executive Director of the Iowa Memorial Union, which forces BLinC to revise its Statement of Faith or be kicked off campus for requiring its student leaders to share and abide by its religious beliefs. That decision not only violates the civil rights of BLinC and its members but also abuses the principles of diversity and academic freedom that the University seeks to promote. Under the laws of the United States and the State of Iowa, and to preserve the integrity of the University of Iowa, you should reverse Dr. Nelson’s decision.

FACTUAL BACKGROUND

Business Leaders in Christ

BLinC was founded three years ago as a community where business students can learn to integrate their faith in the workplace. BLinC encourages students to follow the admonition of the Apostle Paul in his letter to the Colossians to see all their activities—including their careers—as part of their discipleship to Jesus Christ:

Whatever you do, work at it with all your heart, as working for the Lord, not for human masters, since you know that you will receive an inheritance from the Lord as a reward. It is the Lord Christ you are serving.

Colossians 3:23-24 (NIV).

In pursuing this mission, BLinC has adopted a Statement of Faith describing what it means to be a disciple of Christ. *See Exhibit A.* The Statement of Faith embraces traditional Christian doctrines, including those concerning the supremacy of the Bible, the Unity of the Trinity, and the availability of salvation through Jesus Christ. The Statement also includes an explanation of the doctrine of personal integrity and sets forth



basic examples of Christian conduct that BLinC seeks to promote among its members. This includes opposition to racism, greed, selfishness, vice, and all forms of sexual immorality. The Statement affirms God's intention for sexual relationships only in marriage between a man and a woman, and encourages members to embrace, not reject, their God-given sex. The Statement also encourages compassion in providing for the orphaned, the needy, the abused, the aged, the helpless, and the sick.

BLinC's mission is to encourage students to embrace and live these values as they enter the business world and advance in their professions. For BLinC, living and encouraging others to live these values as disciples of Christ is at least as important as attending worship services, praying, or sharing the Gospel of Jesus Christ with others.

Since its founding, BLinC has held regular meetings on campus to invite like-minded students to address challenges they may face in the business world and to share how to apply Christian values in overcoming these challenges. BLinC has hosted Iowa business leaders to speak about how they live their faith in the work place. And BLinC has organized service activities to practice Christian virtues, including by providing childcare at Faith Academy's Saturday School program and partnering with Strive for Success, a local non-profit's after-school mentoring program for at-risk youth.

BLinC's Statement of Faith is the heart of its mission. It cannot simply change the Statement based on government fiat. The Statement of Faith is a reflection of what BLinC's founders and leaders view as their calling as Christians. To remain in existence and to carry out its mission, BLinC must have leaders who can advocate for its beliefs.

The Complaint

In February 2016, BLinC member Marcus Miller approached Hannah Thompson, BLinC's president at the time, to inquire about serving in BLinC's executive leadership. In a later meeting and on his own initiative, Mr. Miller disclosed to Ms. Thompson that he thought he was gay and was struggling with how that related to his Christian faith. Ms. Thompson explained that she would need to discuss this with other members of the executive team and what it meant for having a leadership role.

When they next met, Mr. Miller confirmed that he intended to be sexually active in same-sex relationships. Ms. Thompson expressed to Mr. Miller that she wanted to continue to walk closely with him as a friend and fellow Christian, and would love for him to continue to be a member of BLinC. But he would not be eligible for a leadership position because his decision to engage in sexual activity outside of marriage between a man and a woman was inconsistent with BLinC's religious beliefs. Mr. Miller could not



meaningfully lead BLinC while openly rejecting its beliefs. In a subsequent email, Ms. Thompson emphasized that her decision was not because Mr. Miller was gay, but because he intended to be sexually active in same-sex relationships, contrary to BLinC's Christian beliefs.

On February 20, 2017, Mr. Miller filed a Complaint with the University of Iowa stating that "I was denied a leadership position (Vice President) due to my being openly gay." As relief, he asked the University to "force BLinC to . . . allow openly LGBT members to be leaders . . . or take away their status of being a student organization affiliated with the University of Iowa." *See* Exhibit B.

The Investigation

On June 30, 2017, after completing an investigation of the facts alleged by Mr. Miller in his Complaint, University Compliance Coordinator Constance Shriver Cervantes from the Office of Equal Opportunity and Diversity issued a report finding that that BLinC had violated the University's Policy on Human Rights. *See* Exhibit C. Ms. Shriver Cervantes acknowledged that BLinC welcomed all students as members, regardless of their sexual orientation, but noted that *leaders* were required to abide by BLinC's religious beliefs, which would include avoiding any sexual activity outside of marriage between a man and a woman. *See* Exhibit C at 3. Ms. Shriver Cervantes also recognized that "[s]tudent organizations may state a set of beliefs with which their members or leaders must comply," but claimed that a "statement of beliefs" could not be "inconsistent" with the University's policies. *Id.* at 5. With this background, Ms. Shriver Cervantes concluded that there was a "reasonable basis" to believe that BLinC had violated the University's Policy on Human Rights. *Id.* at 1.

In a letter dated July 14, 2017, BLinC reiterated that Mr. Miller had "participated in BLinC before asking for a leadership position, and remains welcome to participate—even as a leader, regardless of his sexual orientation," and that he was "not eligible to be a leader of BLinC only because he stated that he disagrees with, and would not try to live by, BLinC's Christian principles." *See* Exhibit D.

The Parties' Meeting

On September 1, 2017, BLinC met with the Dr. Nelson and Assistant Dean Thomas Baker to discuss Ms. Shriver Cervantes's findings. BLinC was represented by its President, Jacob Estell, its Vice-President, Brett Eikenberry, and its legal counsel, Daniel Blomberg and me.

Dr. Baker started the discussion by conceding that student groups, and particularly religious student groups, have the right to select leaders who share their mission and beliefs. He explained that the issue had arisen



previously at the University in 2004 with the Christian Legal Society (“CLS”), which also required its leaders to share its religious beliefs, including beliefs about sexual morality. The University allowed CLS to remain a registered student organization after it confirmed that its leadership policies were focused on student leaders’ *beliefs and conduct* (i.e., affirming religious beliefs on sexual ethics and refraining from sexual intimacy outside of marriage) and not their *status* (i.e., sexual orientation). Dr. Baker went on to analogize that a student environmental society established to promote awareness of global warming would be allowed to choose leaders based on that tenet, and that BLinC could expect the same of its leaders and its tenets.

Mr. Estell and I engaged with Dr. Baker at some length on this issue, and—in response to my direct question—Dr. Baker confirmed that BLinC could maintain a standard of religious belief and conduct for its leaders without violating the University’s Human Rights Policy, as long as it did not discriminate categorically on status. He explained that the initial finding that BLinC violated University policy was based on the understanding that the complaining student had been denied a leadership position solely because he identified as gay, and that BLinC had never asked if he shared BLinC’s faith and would live according to its beliefs. BLinC explained that this understanding was incorrect, was directly contradicted by the record, and—in any event—was not in accordance BLinC’s leadership policy. Under that policy, students who identify as homosexual can be members and leaders of BLinC, if they affirm its beliefs and agree to live by them. Dr. Baker confirmed that such a policy would be permissible.

Dr. Nelson added that BLinC’s beliefs should be more clearly stated in its constitution so that students would be aware before joining and not risk feeling offended in discovering later that they may not be eligible for a leadership position. Dr. Baker agreed that a written articulation of BLinC’s beliefs would also help avoid arbitrary application of BLinC’s standards.

Although I objected that BLinC should not be compelled to detail its beliefs in ways that other student groups were not, BLinC’s student leaders who were present at the meeting indicated they had no objection to clarifying their religious beliefs. They again confirmed that they do not discriminate based on status of members or leaders, and require leaders only to share their beliefs and standards. We thus all agreed that, once BLinC updated its constitution to more clearly reflect its religious beliefs, the University’s investigation would end. Dr. Thomas stated that, although Ms. Shriver Cervantes’s findings would remain in BLinC’s files, BLinC could submit a letter of objection to emphasize its position that Mr. Miller had been denied a leadership only because he rejected BLinC’s mission, and not because he is



gay. Dr. Nelson indicated that he would send a letter to BLinC confirming the outcome of the parties' meeting.

Dr. Nelson's Final Decision

On September 13, 2017, Dr. Nelson issued a letter upholding Ms. Shriver Cervantes's finding that BLinC had violated the University's Policy on Human Rights. *See* Exhibit E. Dr. Nelson also determined that BLinC could retain its status as a recognized student organization if it: (1) confirmed in writing that it complies with the University's policy; (2) submitted an updated list of qualifications in its statement of faith to avoid categorically excluding people based on their sexual orientation; and (3) submitted an "acceptable plan" for ensuring that candidates will be evaluated on BLinC's "vision statement" and not be "presumptive of candidates based upon their sexual orientation."

BLinC understood Dr. Nelson's letter in light of the September 1 discussion, where he and Dr. Baker had explained that the nondiscrimination provision mandated by the Policy referred only to status-based, not belief- or conduct-based, discrimination. Thus, on September 27, 2017, BLinC submitted a revised constitution that it believed complied with all of Dr. Nelson's requests. *See* Exhibit F. The revised constitution (1) confirmed that BLinC would continue to comply with the clarified understanding of the Human Rights Policy; (2) submitted a Statement of Faith to avoid categorically excluding people based on their sexual orientation; and (3) confirmed in Article III of its revised constitution that leaders would be asked to sign the statement of faith, thus avoiding being "presumptive of candidates based upon their sexual orientation."

In a complete about-face, on October 19, 2017, Dr. Nelson issued a final decision letter stating that BLinC's revised Constitution was not in compliance with the University's Human Rights Policy. *See* Exhibit G. The basis for his decision was that BLinC's Constitution asks BLinC's leaders to affirm that they agree with its Statement of Faith and will seek to live according to its principles. *See* Exhibit F, Article III, ¶ 1 ("All Officers are required to affirm that they accept and seek to live BLinC's religious beliefs as set forth in its Statement of Faith"). Dr. Nelson found that BLinC's "Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the [BLinC] Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity." *See* Exhibit G at 1.

Dr. Nelson accordingly determined that BLinC must "make additional revisions to [its] Statement of Faith" and must also submit an "acceptable plan" for interviewing officer candidates about its "Statement of Faith that



are not presumptive of candidates based upon their sexual orientation or gender identity.” *Id.* If BLinC does not submit the required revisions and the “acceptable plan” by November 2, 2017, Dr. Nelson “will find BLinC not to be in compliance with” University policy and “will revoke its registration.” *Id.* Alternatively, Dr. Nelson stated that BLinC could appeal his decision to you by November 2. *Id.*

ARGUMENT

You should reverse Dr. Nelson’s decision that BLinC must change the content of its Statement of Faith and submit an “acceptable” plan for selecting its leadership. Telling a religious organization how to define its faith and select its leaders violates University policy, is inconsistent with how the University treats other students groups, contradicts past University decisions on same issues, and violates clearly established state and federal law, including the First Amendment to the United States Constitution. Accordingly, the decision is “arbitrary, capricious, unreasonable, [and] constitutes an abuse of discretion.” *See* DRSO Section VI(2).

Dr. Nelson’s earlier finding that BLinC violated the University’s Policy on Human Rights must also be reversed, both for the reasons articulated above and because that decision was “unsupported by substantial evidence when viewed as a whole.” *Id.* at Section VI(1).

1. Dr. Nelson’s decision dictating the content of BLinC’s Statement of Faith and its manner of selecting leaders must be reversed.

The University cannot dictate the content of BLinC’s religious beliefs or prescribe an “acceptable” plan for evaluating the religious commitment of its religious leaders.

First, the University’s decision should be reversed because it violates University policy and is inconsistent with University practice. The University’s guidelines for student organizations recognize the right of students to organize according to common beliefs and values. For example, the University’s policy regarding “Registration of Student Organizations” states that it is “the policy of the University that all registered student organizations be able to exercise *free choice of members* on the basis of their merits as individuals without restriction in accordance with the University Policy on Human Rights.” Registration of Student Organizations at I.B.2.b (emphasis added). The policy further recognizes that students have the right to “organize and associate with like-minded students” and thus that “any individual *who subscribes to the goals and beliefs of a student organization* may participate in and become a member of the organization.” *Id.* (emphasis added).



This common-sense protection for student groups' individual missions—which is essential to any organization's existence—does not conflict with the University's non-discrimination policy. As BLinC's officers confirmed during their meetings with the University and as reflected in BLinC's constitution, *all* students are welcome to join BLinC. BLinC never discriminates against students because of who they are. All it asks is that its *leaders* support and uphold its “goals and beliefs.” BLinC is a Christian organization led by students who share core Christian convictions. It cannot fulfill its core mission if its leaders do not support its beliefs.

Student organizations at the University frequently ask even their members to share the missions of the organizations they seek to join. For example:

- The Feminist Union limits its *membership* to students who “agree[] with [its] purposes and principles,” including support for abortion, access to contraception for minors, and even certain positions on the environment.
- The fraternity Delta Sigma Pi prohibits its *members* from belonging to competing fraternities and requires them to be of “good moral character.”
- Students for Life requires its *members* to be “pro-life.”
- The Islamic organization Imam Mahdi reserves certain *membership* benefits to members who are Shia Muslims.
- The Korean American Student Association requires *members* to “exhibit an optimistic attitude towards Korean culture” and reserves the right to revoke the membership of any member who “possesses a negative attitude.”
- The Association of Women Dentists requires *members* to support the advancement and recognition of women in dentistry.
- Multiple Christian student groups condition *membership* on students signing a “statement of belief,” bearing “clear testimony of conversion to Jesus Christ,” setting “an example for others on how to live a holy and Biblically-based life,” or keeping religion-specific “standards.”

These requirements for members to support their organizations' missions make sense in light of the University's goal that student organizations bring “like-minded students” together. Thus, punishing BLinC because it creates space for students of like-minded religious beliefs would *violate*, not uphold, the University's policies. The University's Statement of Religious Diversity emphasizes that “[r]eligious history, religious diversity, and spiritual values



have formed a part of The University of Iowa's curricular and extracurricular programs since the founding of the University" and that "[a]s a public institution, the University neither promotes any particular form of religion nor discriminates against students, staff, or faculty on the basis of their religious viewpoints." The University's Human Rights Policy similarly forbids discrimination on the basis of "creed" or "religion," promising that "equal opportunity and access to facilities shall be available to all," including in "policies governing programs of extracurricular life and activities."

Nor can any of this come as a surprise to the University, since as Dr. Baker confirmed, your office previously agreed in 2004 that it would be a violation of the Iowa Human Rights Act to force CLS to accept leaders whose beliefs or behavior are contrary to the group's purpose or its statement of faith.

Second, Dr. Nelson's decision violates federal law. For instance, the United States Supreme Court has unanimously ruled that religious groups have a First Amendment right to select their leaders without government interference or coercion. See *Hosanna-Tabor Evangelical Lutheran Church & School v. EEOC*, 565 U.S. 171 (2012). Here, BLinC is a Christian organization led by students who share core Christian convictions. Its entire purpose is to encourage students to live according to its understanding of Christian principles. And its leaders play a religious role in leading the group. BLinC cannot fulfill its core mission if its leaders do not support its beliefs. The First Amendment protects BLinC's right to select leaders who share its mission.

In a case directly on point, a federal appellate court explained that there is "no clearer example" of unconstitutional governmental "intrusion into the internal structure or affairs of an association" than controlling its leadership. That court thus applied the First Amendment to strike down a public university's policy that prevented a religious student group from asking its "voting members and officers . . . [to] subscribe to the statement of faith." *Christian Legal Society v. Walker*, 453 F.3d 853, 858, 861, 864 (7th Cir. 2006); see also *Conlon v. InterVarsity Christian Fellowship*, 777 F.3d 829, 835 (6th Cir. 2015) (applying this principle to employment decisions of a national student organization). These First Amendment protections are particularly applicable "in the community of American universities," where the First Amendment rejects "any strait jacket" that "'cast[s] a pall of orthodoxy' over the free exchange of ideas." *Dube v. State University of New York*, 900 F.2d 587, 597-98 (2d Cir. 1990) (finding that university officials could be personally liable for damages for censoring free speech).

Thus, Dr. Nelson's decision is arbitrary, capricious, unreasonable, and an abuse of his discretion because it violates University policy and is



inconsistent with how the University treats other student groups. Indeed, because your office has acknowledged that forcing a religious group to select leaders who oppose its mission would violate the Iowa Human Rights Act, and because you have taken no action against many other student groups with leadership (and even membership) standards that implicate the status protections in the Human Rights Policy, targeting BLinC because of its religious beliefs would be an intentional violation of federal law, raising the potential for punitive damages against the University and its officers.

2. Dr. Nelson’s decision to uphold the finding that BLinC previously violated the University’s Policy on Human Rights must also be reversed.

For the reasons articulated above, BLinC was within its rights to select leaders who share and live by its religious beliefs. Accordingly, Dr. Nelson’s contrary finding concerning Mr. Miller should be reversed as arbitrary, capricious, unreasonable, and an abuse of discretion.

The finding should also be vacated because it is not supported by substantial evidence. As Dr. Baker explained, the finding was based on the understanding that the complaining student had been denied leadership solely because he identified as gay, and that BLinC had never asked if he shared its faith and would live according to its beliefs. But in fact BLinC expressly and repeatedly stated that it could not accept Mr. Miller’s leadership application because he rejected important parts of its Christian beliefs, would not support them, and would openly oppose them in public. It was for this reason, and this reason only, that he was deemed ineligible to serve as an officer of BLinC. *See, e.g.*, Exhibit H at 2. Indeed, the University’s own findings specifically stated that it was *not* solely because of the complainant’s self-identification as gay that he was denied, but rather because of the complainant’s expressed intent “to pursue a homosexual . . . relationship”—*i.e.*, to engage in *conduct* that violated BLinC’s beliefs. *See* Exhibit C at 3. Moreover, BLinC has repeatedly made clear that students who identify as gay or lesbian are eligible to serve as leaders so long as they affirm and live by BLinC’s Christian religious beliefs. *See, e.g.*, Exhibit D at 1.

Accordingly, the factual basis for Dr. Nelson’s finding is expressly and directly contradicted by the record and, for that reason, should be vacated.

CONCLUSION

Since 2004, the University has been clear that religious groups like BLinC have a right to select student leaders who share their faith. Yet BLinC’s students have been subjected to an intensive, months-long investigation and adverse findings under a selectively enforced policy merely



for trying to exercise that right. Moreover, while BLinC was instructed to remain silent about the investigation, Mr. Miller immediately went to school media to attack BLinC and its beliefs. *See* Exhibit I. You should end this lopsided probe of BLinC, reverse Dr. Nelson's findings, and affirm the University's long-standing commitment and obligation to protect BLinC's rights.

Sincerely,

Eric S. Baxter
Senior Counsel
The Becket Fund for Religious Liberty

cc: Thomas R. Baker [REDACTED]
William Nelson [REDACTED]

EXHIBIT A

BLINC STATEMENT OF FAITH

- **DOCTRINE OF SCRIPTURE:** The Bible is God's unique revelation to mankind, the inspired, infallible Word of God. As such, it is the supreme and final authority and without error in what it teaches and affirms. No other writings are vested with such divine authority.
- **DOCTRINE OF GOD:** There is only one true God. He exists eternally as three persons — Father, Son, and Holy Spirit — each fully God yet each personally distinct from the other. God is the creator of everything.
- **DOCTRINE OF SIN:** Everyone, regardless of race, gender, social class, or intellectual ability, is created in God's image and for communion with God. But because of sin, that communion was broken and all of humanity was separated from God, the source of all life. Because of the fall, everyone deserves God's judgment.
- **DOCTRINE OF SALVATION:** Jesus Christ is the Way, the Truth, and the Life, and God gives salvation and eternal life to those who trust in him. Salvation cannot be earned through personal goodness or human effort. It is a gift that is received by repentance, faith in Christ, his death on the cross, resurrection from the grave and testified through baptism.
- **DOCTRINE OF JUDGMENT:** At the final judgment, unbelievers will be separated from God into condemnation. Believers will be received into God's loving presence.
- **DOCTRINE OF CHRIST:** Jesus Christ, the second Person of the Trinity, was conceived by the Holy Spirit, born of the Virgin Mary — he was God in human flesh. He lived a sinless human life, yet willingly took upon himself our sins by dying in our place and on our behalf. He rose bodily, victorious over death. He ascended to Heaven and is at the right hand of the Father as the believer's advocate and mediator. Someday, he will return to consummate history and to fulfill the eternal plan of God.
- **DOCTRINE OF THE HOLY SPIRIT:** The Holy Spirit, the third Person of the Trinity, convicts the world of sin and gives new life to those who trust in Jesus. He indwells all believers and is available to empower them to lead Christ-like lives. The Spirit gives them spiritual gifts with which to serve fellow believers and reach out to a lost and needy world.
- **DOCTRINE OF THE CHURCH:** All believers are members of the body of Christ, the one true church universal. Spiritual unity is to be expressed among Christians by acceptance and love of one another across ethnic, cultural, socio-economic, national, generational, gender, and denominational lines. The local church is a group of believers who gather for worship, prayer, instruction, encouragement, mutual accountability, community with each other, and as a witness to the world.
- **DOCTRINE OF PERSONAL INTEGRITY:** All Christians are under obligation to seek to follow the example of Christ in their own lives and in human society. In the spirit of Christ, Christians should oppose racism, every form of greed, selfishness, and vice, and all forms of sexual immorality, including pornography. We believe God's intention for a sexual relationship is to be between a husband and a wife in the lifelong covenant of marriage. Every other sexual relationship beyond this is outside of God's design and is not in keeping with God's original plan for humanity. We believe that every person should embrace, not reject, their God-given sex. We should work to provide for the orphaned, the needy, the abused, the aged, the helpless, and the sick. We should speak on behalf of the unborn and contend for the sanctity of all human life from conception to natural death.

- **As I hold an Executive position with Business Leaders in Christ, I commit to live a life in which I turn from my sin and actively choose the biblical principles of Godly sanctification and righteousness. If and when I misstep, I will confess my struggle to God and to a member of the Business Leaders in Christ executive board acknowledging that I choose to receive grace and forgiveness from God and from others, and turn from my sin.**

Name

Executive Office

Date

EXHIBIT B

EXHIBIT C

MEMORANDUM

TO: Student A, Complainant
Business Leaders in Christ, Respondent

FROM: Constance Schriver Cervantes 
Compliance Coordinator
Office of Equal Opportunity and Diversity

DATE: June 30, 2017

SUBJECT: Finding on formal complaint of discrimination

I. SUMMARY

On February 20, 2017, Complainant filed a formal complaint with the Office of Equal Opportunity and Diversity against Respondent alleging that Respondent engaged in actions in violation of the University of Iowa's *Policy on Human Rights*.

This finding is issued in conjunction with the Office of Equal Opportunity and Diversity's investigation of Complainant's complaint.

II. FINDING

The evidence produced during the investigation does provide a reasonable basis to believe the *Policy on Human Rights* was violated.

III. BACKGROUND

Complainant is a student at the University of Iowa, and a former member of Business Leaders in Christ (BLinC)

Respondent is a registered student organization at the University of Iowa.

In addition to Complainant, the following witness was interviewed:

- Student B, President, BLinC

The following documents were reviewed:

- Copy of Facebook Messenger notes of meeting dates between Complainant and B
- May 17, 2016 e-mail from Complainant to Student B
- June 22, 2017 e-mail from Student B to Complainant
- Constitution of Business Leaders in Christ

- Center of Student Involvement & Leadership Registered Student Organization Constitutional Standards and Guidelines
- “Nature of Complaints,” notes from Complainant
- “Chronology,” prepared by Student B
- “Vision Meeting August 26, 2016,” notes from Student B

IV. SUMMARY OF REMEDY REQUESTED, ALLEGATIONS AND RESPONSES

Remedy Requested

Complainant requests that BLinC be required to comply with the university’s non-discrimination policy, or no longer be a recognized student organization, affiliated with the University of Iowa.

Allegations

Complainant states that he was denied a leadership position with BLinC because of his sexual orientation.

Complainant indicated that at the end of the 2016 spring semester, he expressed an interest in becoming the vice-president of BLinC for 2016-17 academic year. On April 7, 2016, Student B, the current President of BLinC, met with Complainant and offered him the position. She then asked if he had any questions. Complainant told Student B he was gay. He asked how that would affect his becoming vice-president. Student B indicated she would have to get back to him.

On April 27, 2016, Student B again met with Complainant and informed him she was withdrawing the offer to him for the position of vice-president. Student B stated that because Complainant was gay and might pursue a relationship as a gay person, he could not be a leader in BLinC.

Responses

Student B admits that because of Complainant’s “desire to pursue a homosexual lifestyle/relationship” he was denied a leadership position in BLinC.

Student B is a co-founder of BLinC. It was founded three years ago, and was recognized by the university as a student organization in 2014. Student B was the secretary for the organization in its first year and has been the president since.

Student B states that the officers share duties. There is no vice president for the 2016-17 academic year. Currently BLinC has approximately 10-12 members. No minutes of meetings are kept.

In a meeting in March 2016, Student B announced they were looking for officers for BLinC for the 2016-17 academic year. Complainant reached out to Student B to express his interest in a leadership position, that of vice-president.

On April 7, 2016, Student B met with Complainant to discuss the position of vice-president. At the end of that meeting Complainant informed Student B he was gay. Student B then advised Complainant she would have to get back to him with respect to the position.

Student B then met with other BLinC officers to discuss the question of allowing Complainant to become vice-president. Student B determined Complainant would have been eligible for the position of vice-president but for being gay. Student B met further with Complainant on April 27, 2016, and told Complainant that he would not be allowed to be vice-president. In her interview in this investigation, Student B stated Complainant would have become vice-president at the April 27, 2016, meeting if he had not told her he was gay.

On May 17, 2016, Complainant e-mailed Student B to express further concerns with respect to the decision that he not to be allowed to be on the executive board of BLinC. Student B replied by e-mail on June 22, 2016, indicating in part:

First and foremost, the reason why I made the decision that I could not allow you to be in a leadership position within BLinC is because of your desire to pursue a homosexual lifestyle/relationship.

Student B confirmed that this e-mail correctly states her, and the organization's position on homosexuality and leadership in the organization. Pursuing a relationship with the opposite sex is acceptable within the organization.

Complainant has not attended any meetings since his rejection as vice-president and is no longer a member of the organization. BLinC has no self-identified gay members. Student B states individuals who are gay are welcome to be student members of BLinC, but not leaders of the organization.

BLinC's Constitution, adopted April 1, 2014, provides in part:

Article II

Membership:

Section 1) In no aspect of its programs shall there be any difference in the treatment of persons on the basis of ...sexual orientation...or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities and benefits shall be open to all persons.¹

Article III

Officers and Duties:

There will be 4 executive officer positions within Business Leaders in Christ:

- 1) President...
- 2) Vice President...
- 3) Treasurer...
- 4) Secretary...

Article VI

Elections

Section 1) Elections for the Executive Board will be held once a year in March to elect for the following school year.²

V. APPLICABLE POLICIES

Policy on Human Rights:

The University is guided by the precepts that in no aspect of its programs shall there be differences in the treatment of persons because of ... sexual orientation ... These principles are expected to be observed in the internal policies and practices of the University; specifically... in policies governing programs of extracurricular life and activities...

<http://opsmanual.uiowa.edu/community-policies/human-rights>

¹ All university registered student organizations are required to follow the Registered Student Organization Constitutional Standards and Guidelines, <http://csil.uiowa.edu/manage/new-organization-constitutional-guidelines/>.

Under those guidelines, the university's Human Rights Clause must be included and must be written in a student organization's Constitution exactly as follows: *In no aspect of its programs shall there be any difference in the treatment of persons on the basis of race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons. Eighty percent (80%) of this organization's membership must be composed of UI students.*

The clause in BLinC's Constitution does not meet the present language requirements, which were updated in October 2014.

² For the 2016-17 election, BLinC had approximately 5-6 members. Officer positions were discussed but no formal vote was taken. The members agreed on the candidates according to Student B.

VI. ANALYSIS AND CONCLUSION

The purpose of a formal investigation is to determine, based on sufficient evidence, whether there is a reasonable basis to believe that a violation of the policy has occurred. The standard for evaluating evidence gathered in the investigation is by a preponderance of evidence which requires the investigator to determine whether it is more likely than not that a given fact is true, or a given event occurred.

For a violation of the *Policy on Human Rights* here, the evidence must show that an individual was treated differently than others were treated in a university program, and that the differential treatment was based on a protected class, including sexual orientation.

The preponderance of the evidence in this case establishes that Complainant was applied for and was interviewed for the position of vice-president of BLinC for the 2016-17 academic year. However, upon learning that Complainant was gay, Student B, the president of the organization, after consultation with other officers, denied Complainant a position of leadership within BLinC because of his sexual orientation.

The refusal by an officer of a recognized student organization to allow Complainant to be an officer of BLinC, and the decision to treat him differently than other members due to his sexual orientation violates the university's *Policy on Human Rights*.

The University of Iowa has a categorical non-discrimination policy. The *Policy on Human Rights* prohibits institutional discrimination in its programs based on protected classifications, including sexual orientation. There is no distinction within the *Policy on Human Rights* for membership as opposed to leadership positions. The policy provides: *in no aspect of its programs shall there be differences in the treatment of persons because of ... sexual orientation ... These principles are expected to be observed in the internal policies and practices of the University; specifically in the ... in policies governing programs of extracurricular life and activities...*

Here, the basis for BLinC's refusal to select Complainant for the position of vice-president was his sexual orientation.

Student organizations may state a set of beliefs with which their members or leaders must comply. BLinC has no such statement in its Constitution. However, an organization may not adopt a statement of beliefs that is inconsistent with the *Policy on Human Rights*, and base exclusion on a protected classification. BLinC's action with respect to this Complainant's application for the position of vice-president violates the *Policy on Human Rights* because of the statements made by the president.

VII. APPEAL PROCEDURES

If the Office of Equal Opportunity and Diversity concludes that the complaint is unfounded, the Complainant may appeal the finding on the grounds that the decision was arbitrary and capricious or that the investigating office did not follow procedures resulting in prejudice to the

Complainant. Appeals must be made electronically or in writing³ and submitted together with all supporting documentation to the Office of Equal Opportunity and Diversity within ten (10) university business days of the receipt of the finding. Generally within two (2) university business days, the Office of Equal Opportunity and Diversity will transmit the notice of appeal and the case record to the appropriate appeal officer, as described on the Office of Equal Opportunity and Diversity website: <http://diversity.uiowa.edu/policies/discrimination-complaint-procedures>.

The appeal officer, or the appeal officer's designee, will issue a written decision on the appeal to the Complainant and the Office of Equal Opportunity and Diversity within 20 university business days of the receipt of the appeal, although this time frame may be extended due to the complexity of the case or the severity of the allegations.

In cases where the appeal is denied, such action constitutes final university action on the matter, subject to appeal to the Iowa Board of Regents. In cases where the appeal is successful, in whole or in part, the appeal officer/designee will advise the Office of Equal Opportunity and Diversity regarding appropriate measures to address the issues of concern raised in the appeal.

For complaints that conclude in a finding that there is a reasonable basis to believe that a policy violation has occurred and sanctions have been imposed, Respondents may appeal such findings through the grievance procedures applicable to them. The Respondent may challenge any sanctions imposed as a result of a finding through available grievance procedures.

VIII. NOTE ON CONFIDENTIALITY AND RETALIATION

The Office of Equal Opportunity and Diversity considers all information received in connection with the filing, investigation, and resolution of complaints to be confidential. Disclosure of information in connection with this complaint is limited to those individuals necessary to its investigation and resolution, and it is expected that the parties will observe the same standard of confidentiality. The individuals copied on this finding are administrators who have authority and responsibility for the University of Iowa student organizations, or for the Respondent and would be critical to any sanction that might be imposed. This practice of maintaining confidentiality is in the best interests of all the parties to the complaint and failure to respect confidentiality may be regarded as retaliation. University policy prohibits retaliation against individuals who file complaints and against those who participate in complaint investigations as witnesses.

³ The address to submit such an appeal is: diversity@uiowa.edu or Office of Equal Opportunity and Diversity, 202 Jessup Hall, 5 West Jefferson St., Iowa City, IA, 52242-1316.

cc: Georgina Dodge, Chief Diversity Officer and Associate Vice President, Title IX
Coordinator
Jennifer Modestou, Director, Office of Equal Opportunity and Diversity, Deputy Title IX
Coordinator
Thomas Rocklin, Vice President for Student Life
Lyn Redington, Assistant Vice-President, Dean of Students
William Nelson, Executive Director, IMU
Anita Cory, Associate Director, Student Organization and Leadership Program, Center
for Student Involvement and Leadership
Susan Sager, Administrator, HR Services, Advisor, Business Leaders in Christ

EXHIBIT D

July 14, 2017

VIA EMAIL

Dean Lyn Redington
Assistant Vice President and Dean of Students
University of Iowa
Office of the Dean of Students
135 Iowa Memorial Union
Iowa City, IA 52242
[REDACTED]

Dear Dean Redington,

I am a University of Iowa student and the incoming president of the student group BLinC or Business Leaders in Christ. As you know, on June 30, Ms. Schriver Cervantes from the Office of Equal Opportunity and Diversity found that BLinC had violated the University's *Policy on Human Rights*. It is my understanding that the matter has now been sent to you for a decision whether BLinC should be sanctioned. It should not. In fact, sanctioning BLinC would violate both the University's own policies and state and federal law.

First, Ms. Schriver Cervantes' conclusion that BLinC violated the *Policy on Human Rights* is incorrect. The University's own policies respect the right of student groups to "exercise free choice of members" who "subscribe to the goals and beliefs of the organization." BLinC did not discriminate against the complaining student because of his sexual orientation. The student participated in BLinC before asking for a leadership position, and remains welcome to participate—even as a leader, regardless of his sexual orientation. The student was not eligible to be a leader of BLinC only because he stated that he disagrees with, and would not try to live by, BLinC's Christian principles, which means he could not effectively lead our group.

Second, your office has previously agreed that it would be a violation of the Iowa Human Rights Act to force a student group to accept leaders whose behavior is contrary to the group's purpose or its statement of faith. Such coercion would also violate federal law, including the First Amendment. BLinC is a Christian organization for students who share core Christian convictions. Its entire purpose is to encourage students to live according to its understanding of Christian principles. And its leaders play a religious role in leading the group. BLinC cannot fulfill its core mission if its leaders do not support its beliefs. The First Amendment protects BLinC's right to select leaders who share its mission.

The University itself also protects that right for a wide variety of other student groups who require both their leaders and their members to support their organizations' goals and purposes. BLinC's earlier letter to Ms. Schriver Cervantes, on which you were copied, identifies many of those organizations. Because your office has acknowledged that forcing a religious group to select leaders who oppose its mission would violate the Iowa Human Rights Act, and because you have taken no action against many other student groups with leadership standards, targeting BLinC because of its religious beliefs would be an intentional violation of both state and federal law, raising the potential for punitive damages against the University and its officers.

For all these reasons, it is our hope that you will reverse Ms. Schriver Cervantes' findings and take no further action against BLinC.

Sincerely,



Jacob D. Estell
President
Business Leaders in Christ

cc: Georgina Dodge [REDACTED]
Jennifer A. Modestou [REDACTED]
William Nelson [REDACTED]
Anita Cory [REDACTED]
Susan M. Sager [REDACTED]
Constance A. Schriver Cervantes [REDACTED]

EXHIBIT E



Iowa Memorial Union

145 Iowa Memorial Union
Iowa City, Iowa 52242-1317
319-335-3059
imu.uiowa.edu

SENT VIA ELECTRONIC MAIL

September 13, 2017

Jacob Estell, President
Business Leaders in Christ (BLinC)



Dear Jacob:

I am in receipt of the June 30, 2017, communication from Constance Schriver Cervantes regarding the case filed against your registered student organization, BLinC. Ms. Schriver investigated the complaint filed against BLinC on behalf of the Office of Equal Opportunity and Diversity.

This investigation was conducted under the Discipline of Registered Student Organization (DRSO) procedures found at <https://dos.uiowa.edu/policies/discipline-of-registered-student-organizations/>. We met on September 1, 2017, to discuss the case. I listened and considered your comments and questions. During our discussion, Tom Baker, Associate Dean of Students, stated your organization should be allowed to function as a registered student organization in good standing so long as the student leaders operate fully and consistently in accordance with the University of Iowa Human Rights Policy and make a sincere commitment to comply with the policy moving forward. After further discussion, you stated your organization intended to comply with the University of Iowa Human Rights Policy at all times in the future.

As explained in DRSO Section IV.D., I have the authority to impose sanctions if I conclude University rules were violated and sanctions are warranted. I find there is a preponderance of evidence that BLinC violated the University of Iowa Human Rights Policy.

After consideration of the Investigative Report and your remarks, I will permit your organization to function as a registered student organization in good standing with the University of Iowa provided you comply with the following:

1. Commit to ongoing compliance with the University of Iowa Human Rights Policy at all times in the future;
2. Submit a basic list of qualifications for leaders of your organization designed to prevent future disqualifications based on protected categories and to ensure that persons who identify as non-heterosexuals are not categorically eliminated from consideration; and

3. Submit an acceptable plan for ensuring that group officers who interview leaders will ask questions relevant to the vision statement that are not presumptive of candidates based upon their sexual orientation.

To reiterate, BLinC, as a registered student organization, will return to good standing with the University of Iowa following your compliance with the above. Please submit the required information to me directly at [REDACTED].

You have the opportunity to appeal this decision. As an organization representative, you have ten (10) business days after receipt of this decision to request an appeal to the Office of the Dean of Students. The deadline for filing an appeal is September 27, 2017. Permissible grounds for appeal are listed at DRSO Section VI. Appeals.

Information related to this incident will be filed in the Office of the Dean of Students. Please be aware Section V. Sanctions of the DRSO states that, "Student organizations that fail to comply with a sanction in a timely manner are subject to additional disciplinary action, which may include loss of registration until compliance is achieved."

If you have any questions, please contact me at [REDACTED] or [REDACTED].

Sincerely,



William Nelson, Ph.D.
Executive Director
Iowa Memorial Union

c: Tom Baker [REDACTED]
Eric Baxter [REDACTED]

EXHIBIT F

Title: THE CONSTITUTION OF BUSINESS LEADERS IN CHRIST (“BLINC”)

Date: September, 27, 2017

Article I

Purpose:

As seekers of Christ, Business Leaders in Christ is a student organization within the Tippie College of Business meant to help students learn about how to continually keep Christ first in the fast-paced business world. Using the Bible as a guide and through prayer, fellowship, group discussions, and service, students will network within the College and with business leaders who walk with Christ on a day-to-day basis.

Article II

Membership:

Section 1) **Membership in BLinC shall be open to all students without regard to race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons.**

Section 2) There will be no limitations as far as the minimum or maximum number of participants within the student organization.

Section 3) Because BLinC is seeking certification within the Tippie College of Business to become a recognized student organization, its target audience includes students already admitted into the Tippie College of Business, pre-business students, and students strongly considering business as a major/minor. A Member’s role or affiliation will not be different based on their class within, or ties to, the Tippie College of Business.

Section 4) A student will be considered a Member after signing in and attending 2 or more meetings in a given academic year. However, the President and/or the Faculty Advisor has the right to withdraw membership at any time for misconduct or other extreme circumstances.

Article III

Officers and Duties:

1) All Officers are required to affirm that they accept and seek to live BLinC’s religious beliefs as set forth in its Statement of Faith attached as Exhibit A. They must be prepared

to provide spiritual leadership for the organization, including leading prayer and Bible study, explaining the content of BLinC's religious beliefs, and ministering to others. They should have knowledge of, and agreement with, BLinC's mission and an understanding of how to model the values of the organization for the rest of the membership. All Officers are expected to uphold BLinC's religious beliefs and help ensure that the organization remains true to its religious mission, as described in this paragraph.

2) There will be 4 Executive Officer positions within BLinC:

a) President: The role of the President is to schedule, organize, and lead executive and large group meetings weekly. It is also the President's responsibility to manage all administrative issues, such as amending the constitution, overseeing the work of the other executives, making any final decisions regarding the well-being of the student organization, and reaching out to form meaningful relationships with members of the organization. To fulfill these responsibilities, the President must work closely with the Faculty advisor, providing updates on a weekly basis, as well as working closely with the other executives of the organization. It is the President's duty to work with the other officers to make sure all administrative work is successfully completed. In order to become President, a candidate should possess strong leadership skills (prior leadership experience is preferred), strong communication skills, and a strong work ethic to be able to complete all of the required duties as President.

b) Vice President: The primary role of the Vice President is to schedule guest speakers to come in and present on how they use their faith on a day-to-day basis in the workforce. Ideally, they will start planning and scheduling guest speakers for the following fall semester, as soon as they are elected. Besides engaging in outreach for speakers, the Vice President will assist the President with administrative issues and will assume the role of President whenever the President cannot attend a meeting or fulfill his/her duties. In order to be a successful Vice President, a candidate should possess strong community outreach skills. They should feel comfortable reaching out to potential speakers and asking if they would like to come present to the organization. The Vice President should also have strong administrative and leadership skills as well because they will work hand in hand with the President completing various administrative tasks.

c) Treasurer: The primary role of the Treasurer is to manage the funds, money, and make a budget for the organization. They will work with the other executives and the faculty advisor to decide where to allocate all of the funds. Candidates should have a knowledge of managing money, and someone that is majoring in accounting or finance will be prioritized.

d) Secretary: The main role of the secretary is to market the student organization. They should send out emails to members reminding them of upcoming events, post on the Facebook page, and tweet about what is going on within BLinC. Also, during meetings, the secretary should record minutes. Candidates considering the position of secretary should be organized and good communicators.

Article IV

Staff/Faculty Advisor

The responsibility of the Staff/Faculty Advisor is to be a voice for the students with the University and to help the Executive Officers with whatever needs they may have. The advisor should be made aware of everything that is going on within the organization by the Executive Officers. The Advisor is invited to attend leadership and group meetings in order to again lend input for the well-being of the organization.

To select a Staff/Faculty Advisor, the Executive Officers will search first in the Tippie College of Business by sending out emails or scheduling meetings with faculty members to see if anyone would be interested. The Staff/Faculty advisor may serve only by unanimous vote of the Executive Officers. If there is no one interested within the Tippie College of Business, the search may expand outside of the college, but the same process of unanimous vote by the Executive Officers must be followed.

Article V

Meetings

Section 1) Meetings will be held once a week. Meetings will not be held during finals week or on University breaks and holidays.

Section 2) Members will be notified by email 48 hours in advance of special meetings.

Section 4) The President or Staff/Faculty Advisor has the authority to call and schedule a meeting.

Article VI

Election & Removal of Officers

Section 1) Elections for the Executive Officers will be held once a year in March to elect Officers for the following school year.

Section 2) BLinC Members who are regularly enrolled as students at the University of Iowa, in good standing with the organization, and have attended 75% or more of the group meetings may be nominated by themselves or others to run for an executive office. Nominations should be submitted by email or other writing to the Executive Officers before March 1 of each year.

Section 3) All nominees must be interviewed by the President or, at the President's discretion, by another Executive Officer. Nominees must affirm that they accept and seek

to live BLinC's religious beliefs as set forth in Article III, Paragraph 1 of this constitution. If elected, a nominee must sign a copy of BLinC's Statement of Faith.

Section 4) At minimum, members will be notified of the upcoming election and the opportunity to submit nominations in a meeting and by email at least two weeks before March 1 and again by email at least two weeks before the election if held after March 1.

Section 5) Executive Officers will be selected by a majority vote of the Members present at the duly noticed election meeting.

Section 6) The process for removal of any officer shall be commenced by a written request for removal signed by at least two Members and delivered to the Executive Officers. The challenged officer shall have one week to prepare a written response to the request and shall have the opportunity to meet with the remaining Executive Officers to speak with them about the request and response. Should the other Executive Officers find grounds for the challenged officer's removal, the matter will be referred to a vote by the Members. No officer shall be removed without the vote of the majority of the Members present at a duly noticed meeting.

Section 6) Notwithstanding the procedures outlined in the previous paragraph, any misrepresentation in an Executive Officer's leadership application or change in an Executive Officer's representations regarding the beliefs and mission of BLinC (and, hence, their ability to communicate the messages of the organization accurately) shall be grounds for the immediate review of the Executive Officer's position by the remaining Executive Officers. If, after review, the remaining Executive Officers decide that the Executive Officer in question can no longer effectively represent BLinC or further its mission, the remaining Executive Officers may remove the Officer by a majority vote of the remaining Executive Officers.

Article VII

Finances

Section 1) There will be no dues required for membership within BLinC.

Section 2) All financial decisions must be made by joint agreement between the President and the Treasurer. The President and Treasurer must seek consensus from the other Executive Officers for financial decisions involving more than \$200.

Section 3) All checks must be signed by both the President and the Treasurer. If the President is unavailable, the Vice-President may sign, but only with the President's permission.

Section 4) BLinC shall give back to the Tippie community at a minimum rate of 10 percent of any grants or gifts received by the organization.

Section 5) At the beginning of each fall semester a budget shall be made by the Treasurer to thoughtfully allocate all funds expected through the end of the spring semester. The budget shall be presented to the Executive Officers and be ratified by a $\frac{3}{4}$ vote.

Section 6) It is the duty of the Executive Officers, especially the Treasurer, to thoughtfully pray that whatever financing BLinC might receive would be used as God desires.

Section 7) BLinC is required to deposit all receipts in, and make disbursements through, the Student Organization Business Office, Fraternity Business Services, or Recreational Services. Upon dissolution, state money and mandatory student fees revert back to the granting organization. Inactive organizations will be considered dissolved after five years of no account activity. Revenue generated dollars or "00 funds" must be divided as stated in this Constitution and carried out by our leadership. Our organization's remaining revenue generated dollars or "00 funds" will be divided or disbursed to The University of Iowa Student Government. If this organization has dissolved and revenue generated dollars or "00 funds" have not been divided as stated in this Constitution by five (5) years from last account activity, funds in our "00 account" will revert to an account specified for this purpose within UISG/ECGPS. These funds will then be available for distribution through SABAC or GPAC guidelines in accordance with University of Iowa policy.

Article VIII

Amendments

Section 1) In order to amend this document, both a $\frac{3}{4}$ vote from the Executive Officers and a $\frac{2}{3}$ vote by current Members at a duly noticed meeting is required to overturn or create changes to amendments.

Section 2) If an Executive Officer or a Member wishes to amend this constitution, the Executive Officers and Members should be notified at least two weeks in advance by email and by reading the proposed change(s) at one meeting to all Members present.

Article IX

Section 1) This Constitution shall take immediate effect upon a majority vote of all Executive Officers of the organization. The organization shall have all authority necessary to implement this constitution.

EXHIBIT A

BLINC STATEMENT OF FAITH

- **DOCTRINE OF SCRIPTURE:** The Bible is God's unique revelation to mankind, the inspired, infallible Word of God. As such, it is the supreme and final authority and without error in what it teaches and affirms. No other writings are vested with such divine authority.
- **DOCTRINE OF GOD:** There is only one true God. He exists eternally as three persons — Father, Son, and Holy Spirit — each fully God yet each personally distinct from the other. God is the creator of everything.
- **DOCTRINE OF SIN:** Everyone, regardless of race, gender, social class, or intellectual ability, is created in God's image and for communion with God. But because of sin, that communion was broken and all of humanity was separated from God, the source of all life. Because of the fall, everyone deserves God's judgment.
- **DOCTRINE OF SALVATION:** Jesus Christ is the Way, the Truth, and the Life, and God gives salvation and eternal life to those who trust in him. Salvation cannot be earned through personal goodness or human effort. It is a gift that is received by repentance, faith in Christ, his death on the cross, resurrection from the grave and testified through baptism.
- **DOCTRINE OF JUDGMENT:** At the final judgment, unbelievers will be separated from God into condemnation. Believers will be received into God's loving presence.
- **DOCTRINE OF CHRIST:** Jesus Christ, the second Person of the Trinity, was conceived by the Holy Spirit, born of the Virgin Mary — he was God in human flesh. He lived a sinless human life, yet willingly took upon himself our sins by dying in our place and on our behalf. He rose bodily, victorious over death. He ascended to Heaven and is at the right hand of the Father as the believer's advocate and mediator. Someday, he will return to consummate history and to fulfill the eternal plan of God.
- **DOCTRINE OF THE HOLY SPIRIT:** The Holy Spirit, the third Person of the Trinity, convicts the world of sin and gives new life to those who trust in Jesus. He indwells all believers and is available to empower them to lead Christ-like lives. The Spirit gives them spiritual gifts with which to serve fellow believers and reach out to a lost and needy world.
- **DOCTRINE OF THE CHURCH:** All believers are members of the body of Christ, the one true church universal. Spiritual unity is to be expressed among Christians by acceptance and love of one another across ethnic, cultural, socio-economic, national, generational, gender, and denominational lines. The local church is a group of believers who gather for worship, prayer, instruction, encouragement, mutual accountability, community with each other, and as a witness to the world.
- **DOCTRINE OF PERSONAL INTEGRITY:** All Christians are under obligation to seek to follow the example of Christ in their own lives and in human society. In the spirit of Christ, Christians should oppose racism, every form of greed, selfishness, and vice, and all forms of sexual immorality, including pornography. We believe God's intention for a sexual relationship is to be between a husband and a wife in the lifelong covenant of marriage. Every other sexual relationship beyond this is outside of God's design and is not in keeping with God's original plan for humanity. We believe that every person should embrace, not reject, their God-given sex. We should work to provide for the orphaned, the needy, the abused, the aged, the helpless, and the sick. We should speak on behalf of the unborn and contend for the sanctity of all human life from conception to natural death.

- **As I hold an Executive position with Business Leaders in Christ, I commit to live a life in which I turn from my sin and actively choose the biblical principles of Godly sanctification and righteousness. If and when I misstep, I will confess my struggle to God and to a member of the Business Leaders in Christ executive board acknowledging that I choose to receive grace and forgiveness from God and from others, and turn from my sin.**

Name

Executive Office

Date

EXHIBIT G



Iowa Memorial Union

145 Iowa Memorial Union
Iowa City, Iowa 52242-1317
319-335-3059
imu.uiowa.edu

SENT VIA ELECTRONIC MAIL

October 19, 2017

Jacob Estell
Business Leaders in Christ (BLinC)

[REDACTED]

Eric Baxter

[REDACTED]

Dear Jacob and Eric:

The revised Constitution and Statement of Faith you submitted in response to my September 13, 2017 letter does not satisfy the requirements I delineated in order for BLinC to remain as a registered student organization in good standing. The Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity, both of which are protected classifications under Chapter 216 of the Iowa Code (the Iowa Civil Rights Act) and the University of Iowa Human Rights Policy.

You have the opportunity to make additional revisions to your Statement of Faith in order to submit a version that complies with the University of Iowa Human Rights Policy. Your submission must also include a response to the third requirement I set forth in my September 13, 2017 letter, which follows: "Submit an acceptable plan for ensuring that group officers who interview candidates for leadership positions will ask questions relevant to the Statement of Faith that are not presumptive of candidates based upon their sexual orientation or gender identity." You have ten (10) business days from the date of this letter to submit your revised response. The deadline for submission is November 2, 2017.

If you choose not to submit a revised response, I will find BLinC not to be in compliance with the University of Iowa Human Rights Policy and as a result, will revoke its registration. If BLinC elects not to submit a revised response, you have the opportunity to appeal this decision. As an organization representative, Jacob, you have ten (10) business days from the date of this letter to file an appeal with the Office of the Dean of Students. The deadline for filing an appeal is November 2, 2017. The permissible grounds for appeal are listed at DRSO Section VI. Appeals.

Information related to this incident will be filed in the Office of the Dean of Students. Please be aware Section V. Sanctions of the DRSO states that, "Student organizations that fail to comply with a sanction in a timely manner are subject to additional disciplinary action, which may include loss of registration until compliance is achieved."

If you have any questions, please contact me at [REDACTED] or [REDACTED].

Sincerely,

A handwritten signature in cursive script, appearing to read "William Nelson".

William Nelson, Ph.D.
Executive Director
Iowa Memorial Union

c: Tom Baker [REDACTED]

EXHIBIT H

April 12, 2017

VIA EMAIL

Constance A. Schriver Cervantes, JD
Compliance Coordinator
Equal Opportunity and Diversity
Complaint Investigations Unit
University of Iowa
202 Jessup Hall
Iowa City, IA 52242
[REDACTED]

Dear Ms. Schriver Cervantes

I write as the President of Business Leaders in Christ (“BLinC”) to urge you to dismiss your investigation into Marcus Miller’s February 20, 2017 complaint and to take no further action against BLinC. Dismissal is warranted because BLinC has not violated the University’s non-discrimination policies and is entitled to be a recognized student organization at the University of Iowa.

As you know, I founded BLinC just a few years ago. As a woman coming to the University with the goal of learning to thrive in the competitive business world, I also wanted to create a community where I could learn how to integrate my faith in the workplace. And I wanted to lead and support other women and men who wanted to do the same. In the last few years, BLinC has grown and become an important part of the University community. We’ve held regular meetings on campus. We’ve hosted Iowa business leaders to speak to us about faith and work. We have volunteered our time within the business school through creating events such as Tippie Gives Thanks, in which we offered students and faculty a place to write down and reflect on things they are thankful for. Additionally, we have served a number of local efforts, such as providing childcare at Faith Academy’s Saturday School program and partnering with Strive for Success, a local non-profit’s after-school mentoring program for at-risk youth from different socio-economic backgrounds.

Our faith was the reason we started and it has been at the center of all our service to the University and the local community. There are several reasons why the University should not punish us for our faith now.

First, the University’s guidelines for student organizations recognize the right of students to organize according to common beliefs and values. For example, the University’s policy regarding “Registration of Student Organizations” states that it is “the policy of the University that all registered student organizations be able to exercise *free choice of members* on the basis of their merits as individuals without restriction in accordance with the University Policy on Human Rights.” The policy further recognizes that students have the right to “organize and associate with like-minded students” and thus that “any individual *who subscribes to the goals and beliefs of a student organization* may participate in and become a member of the organization.”

This common-sense protection for student groups' individual missions—which is essential to any organization's existence—does not conflict with the University's non-discrimination policy. As I confirmed during our meeting and as reflected in BLinC's constitution, all students are welcome to join our organization without regard to “race, creed, color, religion, national origin, age, sex, pregnancy, disability, genetic information, status as a U.S. veteran, service in the U.S. military, sexual orientation, gender identity, associational preferences, or any other classification that deprives the person of consideration *as an individual*.” We never discriminate against students because of who they are. All we ask is that our leaders support and uphold our “goals and beliefs.”

BLinC is a Christian organization for students who share core Christian convictions. Mr. Miller expressly stated that he rejected important parts of our Christian beliefs, would not support them, and would openly oppose them in public. It was for this reason, and this reason only, that Mr. Miller was deemed ineligible to serve as our organization's vice-president. BLinC's entire purpose is to encourage students to live according to its understanding of Christian principles. It cannot fulfill its core mission if its leaders do not support its beliefs.

Student organizations on campus frequently impose similar standards. Members—and even more so, leaders—are required share the missions of the organizations they seek to join. For example, the Feminist Union limits its membership to students who “agree[] with [its] purposes and principles,” including support for abortion, access to contraception for minors, and even certain positions on the environment. The fraternity Delta Sigma Pi prohibits its members from belonging to competing fraternities and requires them to be of “good moral character.” Students for Life requires its members to be “pro-life.” The Islamic organization Imam Madhi reserves certain membership benefits to members who are Shia Muslims. The Korean American Student Association requires members to “exhibit an optimistic attitude towards Korean culture” and reserves the right to revoke the membership of any member who “possesses a negative attitude.” The Association of Women Dentists requires members to support the advancement and recognition of women in dentistry. Multiple Christian student groups condition full membership on students signing a “statement of belief,” bearing “clear testimony of conversion to Jesus Christ,” setting “an example for others on how to live a holy and Biblically-based life,” or keeping religion-specific “standards.” And many secular organizations broadly require all their members to “support the mission” of the organization.

These requirements for members to support their organizations' missions make sense in light of the University's goal that student organizations bring “like-minded students” together. Punishing BLinC because it creates space for students of like-minded religious beliefs would *violate*, not uphold, the University's policies. The University's Statement of Religious Diversity emphasizes that “[r]eligious history, religious diversity, and spiritual values have formed a part of The University of Iowa's curricular and extracurricular programs since the founding of the University” and that “[a]s a public institution, the University neither promotes any particular form of religion nor discriminates against students, staff, or faculty on the basis of their religious viewpoints.” The University's Human Rights Policy similarly forbids discrimination on the basis of “creed” or “religion,” promising that “equal opportunity and access to facilities shall be available to all,” including in “policies governing programs of extracurricular life and activities.”

Discriminating against BLinC because of its religious beliefs would not only violate University policy, it would also threaten the diversity and academic freedom that is at the

heart of the university experience. Students are tomorrow's leaders and should be prepared to work with people of diverse views and backgrounds. The University should seek to ensure that all student organizations are free to participate in campus life on equal terms, not to suppress views that it deems objectionable. In the words of President Barack Obama, free speech is "not free speech in the abstract":

"The purpose of . . . free speech is to make sure that we are forced to use argument and reason and words in making our democracy work. And you know, then you don't have to be fearful of somebody spouting bad ideas. Just out-argue 'em. Beat 'em. Make the case as to why they're wrong. Win over adherents. That's how things work in a democracy."

Pressuring organizations to select leaders who do not share their mission will only stifle diversity and academic rigor on campus. And that hurts everyone.

Finally, we think that our rights are also protected by the First Amendment. In its *Hosanna-Tabor* case in 2012, the U.S. Supreme Court ruled unanimously that religious groups have a First Amendment right to select their leaders without government interference or coercion. More recently, the Court emphasized that "[t]he First Amendment ensures that religious organizations and persons are given proper protection as they seek to teach the principles that are . . . central to their lives and faiths." Many other Supreme Court cases say that universities and their officers that discriminate against religious groups may be individually liable for violating the First Amendment. Allowing other groups to select their members and leaders based on shared convictions while punishing BLinC for asking its leaders to share its faith is discrimination that violates the First Amendment.

For all these reasons, I urge you to dismiss the complaint filed against BLinC as unfounded and to allow BLinC to continue operating on campus on equal terms with all other recognized student groups. Thank you.

Sincerely,



Hannah Thompson
President
Business Leaders in Christ

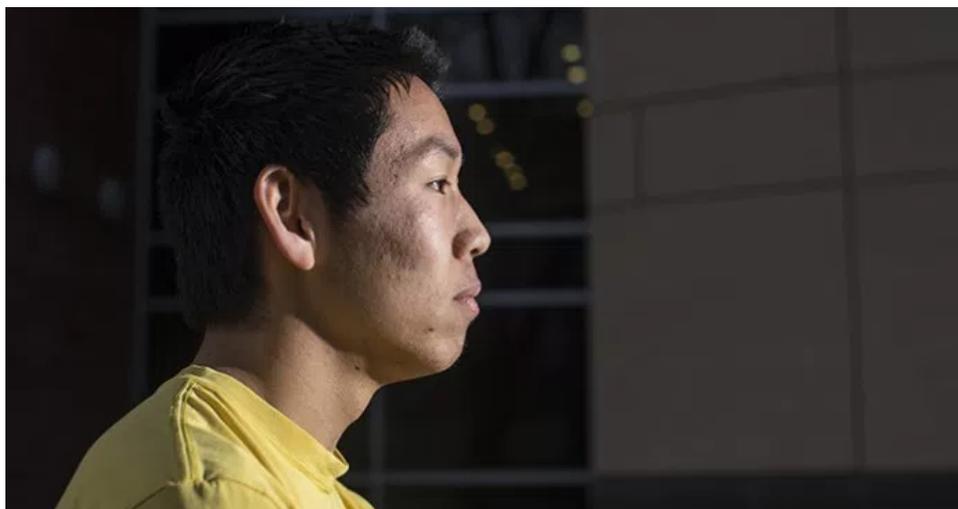
cc: Georgina Dodge [REDACTED]
Jennifer A. Modestou [REDACTED]
Lyn Redington [REDACTED]
William Nelson [REDACTED]
Anita Cory [REDACTED]
Susan M. Sager [REDACTED]

EXHIBIT I

The Daily Iowan



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> News

DI Editor -Mar 2, 2017

FINDING A HOME IN FAITH



By Naomi Hofferber

naomi-hofferber@uiowa.edu

For some Christian LGBTQ individuals on campus, finding a ministry that is fully accepting can be a long and painful process.

University of Iowa sophomore Marcus Miller has seen the effects that this conflict between ideology and identity can have.

"When I was a freshman here at Iowa last year — before I was fully accepting of myself and accepting of my identity — I was still very much involved with Christian organizations," Miller said. "Those organizations were where all my friends were, where my support system was, and as I continued to try to figure things out on my own and figure out my identities, I think things got really tough for me, because it came increasingly clear that if I were to be proud of my identity of being gay, that would not be OK."

Miller applied for two different leadership positions with Business Leaders in Christ and 24/7 and was officially offered a position with the first group, and 24/7 had allegedly implied to Miller he would get a position. After revealing to them that he was gay, both offers were rescinded.

In response, Business Leaders in Christ declined to give a statement to *The Daily Iowan*, and 24/7 released the statement, "24/7 welcomes all members of the university community to its meetings and is confident that the complaint is without merit."

"That really hurt," Miller said about the withdrawn offers. "I felt rejected, I felt isolated and alone. What once used to be a home for me and a place where all my friends were, where I got all my support, quickly became the place I dreaded the most. It was so hard for me to be rejected by the people I thought would accept me. There was a lot of nights where I wouldn't be able to sleep, there were a lot of nights where I contemplated suicide. I felt stuck between two different worlds."

Miller said he felt conflicted between his traditional conservative Christian community and the LGBTQ community. He said he hadn't fully accepted himself and he wasn't sure he could be understood with his intersectionality of faith and sexuality.

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"It was definitely the hardest time period of my life," Miller said. "Faith is a very sacred thing; a lot of people cling to it. My faith is still very important to me. I feel like for a lot of people, that's the case, and a lot of people are trying to hold on to their faith, but it makes it extremely difficult when the spaces that they're in are not accepting and not inclusive."

Miller said he has placed a formal discrimination complaint with the UI Office of Equal Opportunity and Diversity on Feb. 20. The Office of Equal Opportunity and Diversity told *The Daily Iowan* that it can neither confirm nor deny whether a complaint has been filed.

"The investigation begins when the Office provides written notice to the respondent of the filing of the complaint, the identity of the complainant, and the general allegations of the complaint," Kyra Seay, the communications coordinator for the Chief Diversity Office said in a statement to *The Daily Iowan*. "The respondent is then interviewed regarding the specifics of the allegations and given an opportunity to respond fully to the allegations. The Office may also interview other persons believed to have factual knowledge relevant to the allegations."

The written finding of the investigation will typically be issued within 60 days of the complaint being launched.

After being denied leadership roles with other organizations, Miller founded Love Works, an LGBTQ-inclusive campus ministry.






Daily Iowan TV News: Discrimination Issue on Campus



PRINT EDITION



While there are numerous interpretations of Bible scripture, some Christian interpretations classify homosexuality as a sin. This can create challenges for LGBTQ individuals who seek involvement in Christian communities.

"From my understanding, it is God loves all human beings, and He created them in His image," said Nana Owusu, the president for Campus Bible Fellowship. "But from our understanding, sin has marred that image, and the way that it's been marred has manifested itself in various different ways. What the Bible clearly states in both the Old and the New Testament is that homosexuality is an abomination. So it is not what He intended that relationship to be like."

Despite any ideology, LGBTQ individuals are welcome to attend meetings and be involved with Campus Bible Fellowship.

"But according to our stance, if people say that they have belief in Christ, there's bound to be an understanding that there is sin there, because if they truly do believe this, then they do understand that there is sin, and they are fighting that sin in their life, just as I would have to fight urges of lust, just as I would have to fight anger or hatred," Owusu said. "You can come to the meetings, we can have that conversation, and we can't force you to live a life that exemplifies a Christian, but we would like to see that growth in each member."

To be a leader, individuals must profess a belief in Christ and attend meetings regularly, he said. Leaders are approved by leaders in the affiliated church, Faith Baptist Church.

Campus Christian Fellowship, another Christian organization, holds a similar view on homosexuality.

John Johnson, a campus minister for Campus Christian Fellowship, said the organization's interpretation of scripture is that homosexuality is a sin, which he said is plainly stated in the Bible.

"I do know that there are people who have different interpretations, but that's how I read the Bible, so that's something that we do preach, but we don't tell people to go away, because it's one of those things

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that we believe in preaching and talking about Jesus first, and Jesus is the most important thing," he said. "So if we prevent people from coming, or make people feel as if they can't come and be a part of it, how are they ever going to hear about Jesus?"

The ministry has had LGBTQ members in the past, and they are welcome to come to meetings, Johnson said. While choosing leaders for the organization, he said, the group has moral and ethical recommendations and wants leaders to be good role models.

"We ask for them, for their sexual activity, to follow what the Bible prescribes," Johnson said. "I wouldn't say that we would ever just outright [reject] any person who wanted to become a leader who was part of that community; we wouldn't just say, 'No, you can't because you're a part of that community.' We would talk to them about what does your life look like, and where are you with all these things, and what do you believe scripture says about these things. It's a lot of just seeing where they're coming from with what scripture says, because we do want to have a unified teaching we're presenting."

The issue becomes complicated, as ideology and religious freedoms could potentially conflict with an anti-discrimination clause that all UI student organizations are required to include in their constitutions, which states, "In no aspect of its programs shall there be any difference in the treatment of persons on the basis of ... sexual orientation, gender identity ... which would deprive the person of consideration as an individual. The organization will guarantee that equal opportunity and equal access to membership, programming, facilities, and benefits shall be open to all persons."

The 2010 Supreme Court case of *Christian Legal Society v. Martinez* dealt with a similar incident regarding campus ministries and the LGBTQ community.

Christian Legal Society required members and officers to sign a statement of faith, in which they agreed to live by certain principles, one of which was the belief that sex was between a man and a woman. It was because the organization restricted based on sexuality that Hastings Law School denied it registered student organization status, as it conflicted with their non-discrimination policy.

Within the case, the society contended that it doesn't exclude individuals based on sexual orientation, but rather on conduct and the belief that the conduct is not wrong; in this case, the group excludes LGBTQ individuals with partners.

The court denied to distinguish between status and conduct in the case, and referenced the 2003 case of *Lawrence v. Texas* in which Justice Anthony Kennedy stated in the opinion of the court, "When homosexual conduct is made criminal by the law of the State, that declaration in and of itself is an invitation to subject homosexual persons to discrimination in both the public and in the private spheres."

In the opinion of the Court in *Christian Legal Society v. Martinez*, Justice Ruth Bader Ginsburg said, "[Christian Legal Society] notes that its 'activities — its Bible studies, speakers, and dinners — are open to all students,' even if attendees are barred from membership and leadership. ... Welcoming all comers as guests or auditors, however, is hardly equivalent to accepting all comers as full-fledged participants."

The court ruled that while it isn't unconstitutional for a student organization to require leaders to hold particular religious beliefs, universities do not have to recognize those organizations.

In 2014, California State University revoked official club status of InterVarsity Christian Fellowship, in accordance with the Supreme Court decision.

Revoking the acknowledgement of an organization does not ban the organization from campus nor does it disband the organization, but organizations could lose university resources and support.

Currently UISG has allocated funds in fiscal 2017 for Business Leaders in Christ and 24/7.\

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Ashley Lindley · Small Business Owner at Inspired Photography

As a UI SJMC alumn and member of the LGBTQIA community, I'm not entirely sure how to feel about this article. The reporting was thorough and included many good points backed up by what evidence could be provided. However, this story has the same shortcomings as so many others -- it stops halfway through the journey. We're left with nothing but negativity and a desperate hope that Marcus's situation will improve.

The article is titled "Finding a home in faith" and we are never told whether or not he found that home. Was the problem resolved? What is he doing now? Even more frustrating was the... See More

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Ashley Lindley · Small Business Owner at Inspired Photography

I would like to add that I did notice and appreciate the inclusion of Love Works! They aren't the only place in town that supports this community though, and Marcus's journey doesn't end there.

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EXHIBIT U

November 16, 2017

Business Leaders in Christ Non-Greek
Sent electronically

PERSONAL AND CONFIDENTIAL

Regarding Case Number: 2017143301

November 16, 2017

Jacob Estell
Business Leaders in Christ (BLinC)
[REDACTED]

Eric Baxter
[REDACTED]

Dear Jacob and Eric:

I have received and considered your appeal regarding the decision of Dr. William Nelson, Executive Director of the Iowa Memorial Union, that Business Leaders in Christ (BLinC) more likely than not violated the University of Iowa Human Rights Policy resulting in his decision to revoke BLinC's registration as a UI student organization. My review is based upon the written record.

Upon my review of the record, I affirm the decision of Dr. Nelson that BLinC violated the University's Human Rights Policy. Furthermore, the revised Constitution and Statement of Faith you submitted in response to Dr. Nelson's September 13, 2017 letter does not satisfy the requirements delineated in order for BLinC to remain as a registered student organization in good standing. The Statement of Faith, on its face, does not comply with the University's Human Rights policy since its affirmation, as required by the Constitution for leadership positions, would have the effect of disqualifying certain individuals from leadership positions based on sexual orientation or gender identity, both of which are protected classifications under Chapter 216 of the Iowa Code (the Iowa Civil Rights Act) and the University of Iowa Human Rights Policy. Therefore, I affirm the sanctioning decision of Dr. Nelson to revoke the registration of BLinC.

Your appeal document states that the university is forcing "... BLinC to revise its Statement of Faith or be kicked off campus." In fact, a student organization is a voluntary special interest group organized for educational, social, recreational, and service purposes and comprised of its members. Student organizations are separate legal entities from the University of Iowa and legally are not treated the same as University departments or units. *A student organization can exist on campus whether or not the University approves its registration pursuant to the Registration of Student Organizations policy.*

In addition, upon appeal, you now claim for the first time that the Complainant was not allowed to hold a leadership position because he "confirmed that he intended to be sexually active in same-sex relationships." This assertion by BLinC of the complainant's intentions specifically regarding sexual activity outside of marriage was not previously addressed by BLinC and the making of such a statement by the complainant was not validated through the investigation process and finding. In fact, BLinC's leadership told the investigator, as well as the Complainant in an email, that because of Complainant's "desire to pursue a homosexual lifestyle/relationship" he was denied a leadership position. BLinC's leadership also told the investigator that Complainant would have become vice-president had he not told

her he was gay. BLinC leadership also told the investigator that individuals who are gay are welcome to be student members of BLinC, but not leaders of the organization.

My decision is the final University of Iowa action on this matter. You have the right to appeal this decision to the Board of Regents, State of Iowa. If you choose to appeal, your notice of appeal must be delivered in hand copy or by fax (319)-335-0907 to the President's Office (11 Jessup Hall) within twenty days of this decision. The president is responsible for assembling your notice of appeal and other evidence and forwarding it to the Board Office. Details of the appeals process are available at:

<http://www.iowaregents.edu/plans-and-policies/boardpolicy-manual/17-appeals-to-the-board/>

Sincerely,

A handwritten signature in black ink that reads "Lyn Redington". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Lyn Redington, Ph.D.
Assistant Vice President and Dean of Students

CC: Eric Baxter
Bill Nelson, Ph.D., Executive Director IMU
Anita Cory, Ph.D., Associate Director, Student Organizations and Leadership Program
Jennifer Modestou, Director, Office of Equal Opportunity and Diversity, Deputy Title IX Coordinator
Lena Hill, Interim Chief Diversity Officer and Associate Vice President
Melissa Shivers, Ph.D., Vice President for Student Life
Tom Baker, J.D., Associate Dean of Students, Director of Student Conduct