

10. Bob Jones University also has strict internet, social media, and entertainment policies, which includes a description of a “content filtering system to restrict biblically offensive material on the internet” that the students at the school are not allowed to bypass. The social media policy also includes the wording that students’ social media content should “be biblical and avoid promoting a lifestyle contrary to the principles taught in scripture or at the university”.
11. The handbook has an official “position on human sexuality” stating that the “New Testament exhorts believers to strive to live morally pure and sexually undefiled lives even in the midst of an immoral and sexually permissive culture”.
12. Included in this handbook is: “Consistent with our commitment to God’s design for gender identity, the public advocacy for or act of altering one’s biological sex through medical transition or transgender expression is prohibited. Any same-sex dating or advocacy for such is also prohibited. BJU’s perspective also applies to but is not limited to- the use of bathrooms, locker rooms, student housing, attire polices and participating in sex-specific university groups, clubs and organizations.”
13. Appendix B in the student handbook further reiterates the school’s position on “Marriage and Human Sexuality”. It begins by stating that “Bob Jones University believes marriage is an institution ordained by God and prescribed by the Scripture to be a monogamous relationship between a man and woman physically created in these respective genders by God. We believe God intended heterosexual marriage to be an enduring covenanted relationship established before Himself and man to propagate the human race, lovingly express healthy relational and sexual intimacy, and picture the covenant relationship He has with all genuine believers.”
14. Appendix B also states in its “Context for Human Sexuality” that “the Bible restricts all forms of consensual sexual activity to within the boundaries of the marriage relationship...The Bible clearly prohibits not only non-consensual sexual conduct but also any consensual sexual activity outside the boundaries of heterosexual marriage...Furthermore the Bible specifically names as sinful and prohibits any form of sexual activity between persons of the same sex...polygamy...bestiality...adultery...and fornication of any sort including pornography.”
15. Appendix B also has a “Statement on Gender Identity” in which the handbook states “God created man and woman in his image as two distinct but equal genders which he intends to use for his glory...Furthermore, individual gender is assigned by God and determined at conception...Therefore we believe that to intentionally alter or change one’s physical gender or to live as a gender other than the one assigned at conceptions is to reject God’s right as Creator to assign gender to his creatures and is a personal rejection of His plan to glorify Himself through the original gender He assigned that individual.”
16. As someone figuring out their sexuality while at college, Bob Jones University’s policies on sexuality and marriage created a scary, harsh environment for me.

17. I am now fully out as a lesbian woman but I was not able to be fully out at Bob Jones University.
18. I initially started coming out to some friends my junior year at Bob Jones University but I knew that it was not safe to come out to BJU faculty or staff or to be out on campus.
19. However, I began posting about some LGBTQ+ issues and themes on social media during this time.
20. In one of my social media posts, I reviewed a book with a lesbian main character and mentioned on Twitter that I was writing a book with a lesbian relationship.
21. After school leadership discovered my online activity, I was questioned about my sexuality and subsequently disciplined.
22. During a three hour meeting with a BJU administrator, where I was summoned without advance notice, I was told by school leadership that I “must be gay” for reading and writing these materials.
23. They had printed out all of my Tweets and went through them one by one. They tried to get me to admit that I was a homosexual.
24. I was scared. I didn’t know what to do.
25. I knew I was gay but I also knew that I could not fully admit it to them or I would be expelled. So, I told the administrator that I “was not straight” but that I was probably asexual, like the Apostle Paul.
26. I also told them adamantly that I had not been sexually active with women or men and therefore had not broken any specific rules.
27. I was asked to disavow my support for LGBTQ+ rights and relationships. I refused. It would have been like disavowing myself.
28. As a result, BJU put me on disciplinary probation.
29. I was also immediately terminated from my on-campus student life position in the school’s media department, a position I treasured.
30. BJU also forced me to attend mandatory counseling with the Dean of Women.
31. I was also required to pay a monetary fine to BJU for my code of conduct violation.
32. This was the darkest month of my entire life. I felt depressed and suicidal.
33. For the rest of my time at BJU, I was forced completely back into the closet and had to hold my head down in shame.

34. I felt like I was being watched and monitored. When I told a friend about my disciplinary meeting, the administration got word of that and angrily told me that I was not allowed to discuss the disciplinary meeting with anyone.
35. My entire education experience was forever tainted by the shaming I endured at BJU. I survived and graduated in May of 2019. But I still feel the sting of the discrimination I endured.
36. The policy towards LGBTQ+ students at Bob Jones University is harsh and incredibly frustrating. It creates extreme shame and confusion by lumping all sexual behavior outside of heterosexual marriage, including homosexuality, adultery and bestiality, into the same category.
37. The campus culture at BJU is toxic for LGBTQ+ people. Homophobia among the student body, faculty and administration is rampant. LGBTQ+ students have to hide who we are and will suffer grave consequences if we come out and stand up for ourselves.
38. We have no one at BJU to advocate for our safety or our rights. We are alone.
39. Moreover, BJU cannot be trusted to monitor its compliance with Title IX on its own. A two-year investigation into BJU's handling of reports of sexual abuse culminated in the issuance of the GRACE Report in December 2014. GRACE spoke with about 40 survivors, finding that students who reported abuse were blamed for bringing it on themselves and that proper authorities had not been notified.
40. The GRACE Report specifically called out the culpability of one of BJU's senior administrators and recommended that he not be allowed to speak or consult on any issue relating to counselling on or off-campus. Nevertheless, BJU allowed this man to speak at two recent Mental Health themed services in 2019/2020.
41. Additionally, during my junior or senior year, while in a public relations class, another student asked the Provost of academic programs, who was also on the Board of BJU, about the *Bob Jones v. United States* case decided by the United States Supreme Court in 1983 concerning BJU's policies against interracial dating at the time.
42. This student asked the Provost how BJU could justify their anti-LGBTQ policies now, given that they lost the interracial dating case. The Provost replied that BJU would not be able to defend their anti-LGBTQ policies now because BJU had justified its racist policies based on the Bible but they eventually had to admit that they were wrong about interracial dating and that their beliefs changed.
43. I only recently came out to my family as lesbian. I waited until I was financially secure because I feared that they would shun me.
44. I am participating in this lawsuit because I am hopeful that things will change.
45. Experiencing hate and discrimination should not be a part of attending college.

46. I am a federal income taxpayer in the United States. I will also be required to repay student loans from the U.S. Department of Education that I took out to study at Bob Jones University.
47. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this ____ day of March, 2021.

By:


Elizabeth Hunter

Elizabeth Hunter Declaration v2

Final Audit Report

2021-03-24

Created:	2021-03-24
By:	Lauren Swain (lauren@paulsouthwick.com)
Status:	Signed
Transaction ID:	[REDACTED]



**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of themselves and all others similarly situated,)	
)	
	)	Civil Action No.
Plaintiffs,)	
v.	)	DECLARATION OF VBP
)	
U.S. DEPARTMENT OF EDUCATION and)	
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

I, VBP, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Waco, Texas, located in McClennan County.
3. I grew up in Shreveport, Louisiana and graduated from a public high school in 2019.
4. I began attending Baylor University in Waco, Texas in August 2019.
5. I am a pre-law student. I expect to graduate in May 2023 with a degree in Political Science and International Studies.
6. I am a Sophomore Senator under the Legislative Branch of Baylor Student Government.
7. I am also president of College Democrats of Baylor.
8. I received a Presidential Gold scholarship to attend Baylor.
9. Baylor has multiple statements listed in its website when it comes to marriage and sexuality.
10. The school has an official policy on sexual conduct. This policy states “Baylor will be guided by the biblical understanding that human sexuality is a gift from God and that physical sexual intimacy is to be expressed in the context of marital fidelity. Thus, it is expected that Baylor students, faculty, and staff will engage in behaviors consistent with this understanding of human sexuality.”
11. Baylor’s official Statement on Human Sexuality states “Baylor University welcomes all students into a safe and supportive environment in which to discuss and learn about a variety of issues, including those of human sexuality. The University affirms the biblical

understanding of sexuality as a gift from God. Christian churches across the ages and around the world have affirmed purity in singleness and fidelity in marriage between a man and a woman as the biblical norm. Temptations to deviate from this norm include both heterosexual sex outside of marriage and homosexual behavior. It is expected that Baylor students will not participate in advocacy groups which promote understandings of sexuality that are contrary to biblical teaching.”

12. This statement makes me feel like I don't belong at Baylor.
13. Baylor does not practice what it preaches about diversity, inclusion, love and support because Baylor does not take actions to make us feel safe and supported. Words are not enough and ring hollow without action.
14. Baylor's official statement on Human Sexuality then directs students "struggling" with these issues to go to some form of counselling at one of the on-campus counselling centers.
15. Baylor says that it does not condone conversion therapy but this statement sounds like the promotion of conversion therapy by another name.
16. Baylor University also has a statement of "Commitment to Diversity and Inclusion" which states "we seek to embody Christ's teachings of love and inclusivity across boundaries of racial, ethnic, gender, socio-economic, religious, and other expressions of human difference. Because, at Baylor, 'Love thy neighbor' are not just words...they are a way of life."
17. In practice, Baylor does not live up to this commitment.
18. This "way of life" seems to be a value of the school, except when it is not, such as when Baylor expressly allows for discrimination, as stated in Baylor's Civil Rights policy, "As a religiously controlled institution of higher education, Baylor is exempt from compliance with select provisions of certain civil rights laws, and Baylor is also exempt from prohibitions of discrimination based on religion. As such, the University prescribes standards of personal conduct which are consistent with its religious mission and values".
19. This statement tells me that Baylor cares more about its right to discriminate against queer and other students than it does about the health and safety of its queer and other students.
20. This policy of discrimination makes me feel unsafe and unprotected by the law.
21. Baylor is unlikely to discipline queer students merely for being queer. However, Baylor's policy forbidding "homosexual behavior" and its other statements condemning queer identities and relationships, makes me feel like I could never show affection to a queer partner and that I would be at risk of discipline and ridicule if I were to hold their hand or give them a kiss in public.
22. I am a queer woman.

23. I initially attended Baylor as I considered it a safe school. It was close to home without being too close. Baylor could get me where I wanted to go in life and would put me on the career path that I wanted.
24. However, I have dealt with discrimination by my peers at Baylor since I came out. The school makes little effort to do anything about it.
25. The school's common response to my reporting hate on campus is that I should go to counselling. As a result, I stopped reporting incidents.
26. The incidents of harassment and discrimination against me include: (1) cruel, homophobic Instagram comments, including "#f**runner #notinmygoodbaptistuniversity"; (2) someone left a Bible at my dorm door, that was annotated and highlighted all of the Scriptures that they claimed were against homosexuality; it also contained a handwritten note that said "I'm praying for you," (3) I've had sticky notes left on my door that use the f** slur, which I reported to Baylor, but nothing was done about it.
27. Baylor has also defended a professor who sent a transphobic tweet that caused a lot of concern among queer students at Baylor. This felt like another betrayal of Baylor's purported values.
28. I am participating in this lawsuit because I want Baylor to realize what it is doing it wrong and harmful. There is no excuse for ostracizing, discriminating against, and hurting their students.
29. I am not using my name in this declaration for fear that I will be subject to harassment, discrimination and academic harm from Baylor professors, administrators and other students.
30. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 27th day of February, 2021.

By:



VBP

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)
themselves and all others similarly situated,)

Plaintiffs,)

v.)

U.S. DEPARTMENT OF EDUCATION and)
Suzanne GOLDBERG, in her official capacity as)
Acting Assistant Secretary for Civil Rights,)
U.S. Department of Education,)

Defendants.)

Civil Action No.

**DECLARATION OF ALEX
DURON**

I, Alex Duron, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am currently a resident of Fresno, California.
3. I am originally from El Paso, Texas.
4. I grew up in a Latinx, Catholic family and remain Catholic myself.
5. I am bilingual in Spanish and English.
6. I am the only member of my family who graduated from high school and went to college.
7. I am also a gay man. I came out around the age of 25. I am now 39.
8. My partner and I have been together for nearly four years. We have been engaged since January of 2020.
9. I received an Associate Degree of Nursing from San Antonio College.
10. I received a Bachelor of Science in Nursing (BSN) degree in 2015 from the University of Texas, Arlington.
11. I worked as an ICU nurse in San Antonio, Texas for about six and a half years before I applied for my Doctor of Nursing Practice Degree (DNP) with a concentration in Nurse Anesthesia.
12. The DNP is a terminal degree that takes three years to complete.

13. As an ICU nurse with more than six years of experience, I knew that I possessed knowledge and experience that, without an additional degree, I was not allowed to fully use.
14. In the fall of 2019, I applied to several universities for my doctorate, including Union University in Jackson, Tennessee.
15. During the application process, I described my prior nursing experience and degrees. I also listed my same-sex partner as my emergency contact.
16. In November 2019, I was invited to the on-campus interview process. During this interview process, I demonstrated to Union that I had the skills, knowledge and drive needed to complete the program.
17. Union asked me about my relationship with Christ and how I thought about faith. I told them about my religious beliefs and how when I work with the human body in my job, I am reminded that there is a higher power that has created us.
18. About a week after on my on-campus interview, I received a call from the director of the program informing me that I had been admitted.
19. I felt so proud about getting into the program. I told my partner and my mother and they were very proud of me.
20. I immediately decided that I was going to accept my admission to Union.
21. I paid the \$1,300 to reserve my space in the program.
22. I chose Union for a variety of reasons, including the smaller cohort size. Union's DNP program is highly competitive program. They only admit 30 students.
23. I also chose Union because I had coworkers who had attended Union's program and I really connected with the teachers and director of the program at Union.
24. I planned to live on campus with some roommates at the beginning of my studies.
25. My partner planned to join me later on but I wanted to focus on my studies during that first semester. We had also recently purchased a home back in Texas and my partner had started a new job, so it made more sense to live apart for awhile.
26. Union assigned me a room in their graduate student housing.
27. I sold my car prior to moving to Union in preparation to start this new stage of my life.
28. My program at Union would have started in August of 2020. Everything was lined up and I was ready to go.
29. However, on a Saturday in July of 2020, I received an unexpected email from the Provost at Union University.

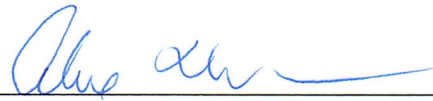
30. I received this email less than a week before my on-campus orientation at Union. I had already booked an Airbnb for the orientation in Jackson, TN.
31. I remember the moment I received this email vividly. I was leaving the gym on a Saturday morning when I opened it. The email was short. In a few sentences, the Provost told me that Union had rescinded their offer of acceptance to their DNP program.
32. I went into shock. I felt like I was going to pass out. When I got home, I fell apart and broke down. I went into our closet, closed the door, turned the lights off and cried.
33. My future was ripped away from me. It felt like all my work as a ICU nurse and all my prior degrees meant nothing.
34. I was embarrassed. I had already quit my job. I had already told my family and my colleagues.
35. At this point, only days before my orientation at Union, there was no time for me to get into another DNP program.
36. I didn't understand what was happening to me. I am a straight passing man and had not been treated differently for being gay before. This was the first time I had experienced the sting of ant-gay discrimination.
37. Once I realized that I had been discriminated against, I started to process what had happened to me. I began to identify with the broader LGBTQ+ community and the history of discrimination against our community.
38. My partner and I started researching whether what Union did to me was legal. As we researched, we learned about the religious exemption to Title IX. We found the religious exemption request and response letters online between Union University and the U.S. Department of Education authorizing Union to discriminate against me.
39. We felt like there was nothing we could do.
40. So, I posted online about what happened to me. Many people rallied around me, including the medical community.
41. We don't know for sure how I went from admitted at Union one day to rejected the next. However, we know that union researched the social media of me and my partner.
42. This may have arisen because, shortly before the rejection email, Union had called me and asked me where I was going to live. I told them that I would live in the dorms. Union asked for the deposit of \$100, which I provided.
43. Union also said that they have family housing. They asked whether I was married. I said "no," but that I was engaged. Union then told me that I did not qualify for married housing because I was only engaged. I was fine with that.

44. I'm not sure how, but someone at Union determined that I was gay and was engaged to another man and that I needed to be expelled because of this.
45. After my story became public, other DNP programs starting reaching out to me and encouraged me to apply. I wasn't read right away, as I was still dealing with the shock of Union's discrimination.
46. About a month after Union rescinded my admission, I took a FEMA contract to treat Covid patients in San Antonio.
47. Eventually, I applied to other DNP programs and I am enrolled in a DNP program in Fresno, California.
48. I should never have been put in this situation.
49. Union's doctorate program is accredited by The Council on Accreditation of Nurse Anesthesia Educational Programs (COA). COA prohibits discrimination on the basis of sexual orientation in the admission to its programs.
50. Union has "Community Values Statements", also included in the student handbook that goes to all students. These statements address a number of the school's moral and ethical standards, including when it comes to LGBTQ+ students.
51. There is a paragraph in the current statement on "Sexually Impure Relationships" in the "Community Values Statements". This policy states: "Sexually impure relationships include but are not limited to participation in or appearance of engaging in premarital sex, extramarital sex, homosexual activities, or cohabitation. Union affirms that sexual relationships are designed by God to be expressed solely within a marriage between a man and a woman. The Bible condemns all sexual relationships outside of marriage (Matt. 5:27-29; Gal. 5:19). The promotion, advocacy, defense or ongoing practice of a homosexual lifestyle (including same-sex dating behaviors) is also contrary to our community values. Homosexual behaviors, even in the context of a marriage, remain outside Union's community values. We seek to help students who face all types of sexual temptation, encouraging single students to live chaste, celibate lives, and encouraging married students to be faithful to their marriage and their spouse."
52. The policy was largely the same when I applied but it also included a prohibition on "homosexuality" in addition to the prohibition on "homosexual activities." It also did not include the section stating that "Homosexual behaviors, even in the context of a marriage, remain outside Union's community values."
53. Classmates in the cohort I was supposed to be in, and other students at Union, supported me but they were scared about being able to comment on my Facebook post because, under the student handbook, they could be kicked out for "promotion, advocacy, or defense" of me as a gay man engaged to another man.
54. There are other LGBTQ+ students on campus at Union right now. Several current LGBTQ+ students reached out to me after my story came out, including very young

students who told me they were suicidal and struggling at Union. One LGBTQ+ student told me that another student had turned them into the administration as being gay and had to attend meetings with the administration.

55. The policy goes on to address transgender students in a "Gender Identity" paragraph which states: "Union adheres to the biblical tenet that God created only two genders, that He fashioned each one of us and thus designated our gender/sex. Therefore, identifying oneself as a gender other than the gender assigned by God at birth is in opposition to the University's community values. Further, engaging in activities or making any efforts to distinguish or convert one's gender/sex to something other than the gender/sex to which you were biologically born and which was God-given (i.e. transvestites, transsexuals, transgenders, etc.) is prohibited."
56. Union's policies denied me access to the federally-funded nursing program of my choice. A federally funded institution should not be able to pick and choose who can receive an education.
57. I should have been protected by Title IX, but I was not because of a religious exemption.
58. I am a federal taxpayer. I also took out student loans from the U.S. Department of Education to attend Union.
59. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 7th day of March, 2021.

By:



Alex Duron

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)
themselves and all others similarly situated,)
)
) Plaintiffs,)
)
) v.)
)
) U.S. DEPARTMENT OF EDUCATION and)
) Suzanne GOLDBERG, in her official capacity as)
) Acting Assistant Secretary for Civil Rights,)
) U.S. Department of Education,)
)
) Defendants.)

Civil Action No.

**DECLARATION OF ZAYN
SILVA**

I, Zayn Silva, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. I reside in Brooklyn, New York and have lived here most of my life.

3. I am 29 years old.

4. I went to high school at Progress High School, Grand Street Campus in Williamsburg.

5. I attended a Pentecostal church growing up and my faith really developed in high school.

6. I am a Pentecostal Christian and am a member of First Presbyterian Church of Brooklyn, where I do LGBTQ+ ministry.

7. I am a Black and Latinx transman.

8. I am also pansexual.

9. Unfortunately, my family's church rejected me because I am a transman and because I refused to continue trying to change my gender identity.

10. I was outed to my pastor by a mentor of mine at the age of 19. This betrayal hurt deeply and hurts me to this day.

11. The church then called me to a meeting. The meeting was a therapy session in which they tried to change my gender identity. I left in the middle of the session. I knew at that point that I had to leave that church.

12. Despite rejection from my church, I remained a committed Christian with a deep faith.

13. As a ministry, I started Transalike (www.transalike.com), which is an online platform to help trans youth find a safe church to attend and to hear the that God loves them just as they are.

14. I was further led by God to pursue a seminary education.

15. I thought that attending seminary at Nyack would be a good fit because it was well known and well-regarded by my family and has a good reputation in my community.

16. Prior to applying, I called Nyack's support number and spoke with a Nyack representative to ensure that being transgender would not be a problem with Nyack.

17. The Nyack representative informed me that the seminary did not have a problem with me being transgender and that Nyack wanted me to apply to the seminary.

18. I then started my admissions application for Nyack in November of 2019.

19. On January 9, 2020, an admissions guidance counselor at Nyack contacted me and provided me the information necessary to finish applying to Nyack. I informed the guidance counselor that I was trans and he told me he didn't think there would be a problem.

20. He also provided a fee waiver for my application.

21. He also invited me to an Open House at Nyack and informed me that I could bring my official transcripts and name change documents with me to the Open House

22. On the same day, I completed my application for admission to Nyack. In my application, I described my faith journey and my gender transition. I stated that “I live my life every day understanding my purpose. To glorify God. I try to do this in all facets of my life, being mindful with what words I use, and the actions of my heart. I dedicate every day to letting the youth know, especially the marginalized LGBT, that God is the answer. I do this with compassion, empathy and an open heart. I know the feeling of isolation and rejection, and the need for counsel. I know what it’s like to feel confused and desperate for God’s love. I have found that in the very community I help.”

23. At this point, my seminary projects looked promising.

24. However, things soon took a turn for the worse.

25. On Feb 3, 2020, the admissions counselor texted me and stated that Nyack’s Director of Admissions wanted to speak with me. We agreed to speak that same day.

26. During this phone call, he informed me that Nyack was declining admission to me because my application stated that I am transgender and that I am proud of being transgender, rather than ashamed, repentant and attempting to identify with the sex I was assigned at birth.

27. I pleaded with the Director of Admissions to change Nyack’s decision, explaining that even though I am transgender, I am a born-again Christian who is devoted to serving God and those around me.

28. I tried to explain that I am worthy of acceptance even though I am transgender.

29. During this call, the Director of Admissions told me that he appreciated my “honesty” regarding his transgender identity during the admissions process. He informed me that

other transgender and queer students had applied to Nyack but were not “honest” about their gender identity or sexual orientation. He implied that those students had done something wrong by not disclosing their transgender identity during the admissions process.

30. He emphasized to me that I was not being denied admission because of a lack of honesty on my application. Rather, I was being denied admission because of my openness and disclosure of my gender identity.

31. Sadly, despite my heartfelt conversation with he, the Director of Admissions refused to reconsider Nyack’s decision to reject me.

32. He informed me that Nyack’s Board of Trustees had made the decision to deny my application for admission because the Board “believes in the male and female,” follows the Christian Missionary Alliance on gender identity issues and did not approve of my lifestyle.

33. This rejection was like reliving a trauma. Nyack told me that something was not right with me and that I needed to change who I was.

34. I was shocked and saddened. I asked people what I should do in this situation.

35. I asked the Director of Admissions to provide Nyack’s rejection in writing, along with an explanation that the basis of Nyack’s rejection was my gender identity.

36. I wanted to know whether this was actually Nyack’s decision rather than this one person’s decision. I didn’t know who the people on the Board of Trustees were.

37. It felt strange to have all of this done over a phone call and not in writing.

38. I further requested him to provide me with Nyack’s policies that formed the basis for its decision to deny me admission. He told me that he would see what he could do and that he would discuss it with the Board.

39. I sent several follow-up emails to the Director of Admission between February 3 and February 26, 2020, requesting a rejection letter explaining the basis for Nyack's denial of admission. He never responded to any of my correspondences.

40. According to its website, Nyack maintains a non-discrimination policy and purports to comply with Title IX: "Nyack College admits students of any race, color, sex, age, or national and ethnic origin to all rights, privileges, programs, and activities generally accorded or made available to students at the college. Programs are operated in compliance with Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and all other relevant statutes and regulations."

41. According to Nyack's "Nine Things to Know About Title IX" publication (www.nyack.edu/files/Nine_things_to_know_about_Title_IX.pdf), Nyack acknowledges that Title IX prohibits discrimination based on sex and that Title IX applies to all students at Nyack.

42. Nyack is subject to Title IX because Nyack receives federal funds from the U.S. Department of Education.

43. There is no record of Nyack requesting or receiving a religious exemption from Title IX on the U.S. Department of Education website that discloses educational institutions that have requested and/or received such an exemption.

44. Nyack's code of conduct and other policies regulating students at Nyack do not prohibit transgender students from enrolling. Nyack does not have a policy or position statement on gender identity.

45. Nyack's policies generally do not address gender identity at all, other than to state that prohibitions on sex discrimination and harassment apply equally to discrimination and harassment based on gender identity.

46. Nyack's rejection hurt and caused me anxiety and to feel depressed. I didn't immediately apply to another seminary because this rejection pushed me off course. I didn't want to go through another rejection from another school.

47. But the rejection also motivated me to continue living my purpose.

48. My purpose in life is to minister to transgender people and to tell them the good news of God's love.

49. That purpose has not changed despite Nyack's rejection.

50. Working with my church has shown me that I can continue my ministry.

51. My hope is that Nyack and schools like it will become welcoming and open to all of God's people, including transgender people. I hope they show love and offer a safe place for people to learn and love God.

52. I'm starting at a secular school in the fall but I intend to pursue seminary again soon.

53. I am a federal taxpayer and do not feel that my taxes should fund Nyack's discriminatory policies.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 11th day of February, 2021.

By:


Zayn Silva

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)
themselves and all others similarly situated,)

)
Plaintiffs,)

v.)

U.S. DEPARTMENT OF EDUCATION and)
Suzanne GOLDBERG, in her official capacity as)
Acting Assistant Secretary for Civil Rights,)
U.S. Department of Education,)

Defendants.)

Civil Action No.

**DECLARATION OF RACHEL
MOULTON**

I, Rachel Moulton, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I currently live in Riverside, California.
3. I grew up in the LDS Church and remain part of that Church now.
4. I am also gay. I used to think of myself as same-sex attracted but that caused me to disassociate my sexual identity from the rest of my identity.
5. I know that I am a child of God. And I now know that being gay and being a child of God can both be true. This acceptance of myself has healed me from a lot of the religious trauma I experienced earlier in my life.
6. As a younger person in the LDS Church, I went on a mission. My mission was in Calgary, Canada. I loved my mission but it was also very painful for me because I started to realize that I was gay and that there might not be anything I could do to change it.
7. After completing my mission, I started at BYU-Idaho in the fall of 2016 at the age of 21.

8. I still thought I might be able to find happiness in marrying a man. My church and BUYI taught me that even if I struggled with same-sex attraction, I could be happy marrying a man and I would no longer experience same-sex attraction in the next life.
9. I tried really hard to date men. I thought that if I tried very hard, Heavenly Father would bless me with the happiness of marrying a man.
10. I would have done anything to no longer be gay. I would have died to be fixed.
11. I soon learned that the message that my same-sex attraction could be overcome or ignored in this life and that it would be cured in the afterlife was a dangerous message that would lead me down a terrifying path.
12. When I realized that I could not change my sexual orientation, and that I would never be happy marrying a man, I could not see a path forward as a gay person.
13. I felt damaged, cursed. I felt like I needed to be fixed but there was no one and nothing that could fix me.
14. During this time, while I was in my first semester at BYUI, I was also in love with my best friend who was a member of the LDS Church as well. I was trying to stop having these feelings for her but they wouldn't go away.
15. About halfway through my first semester at BYU-Idaho, I attempted suicide. I came out to my family as a result of that as I had to explain to them why I no longer felt I could go on living.
16. While I was in the hospital recovering from my suicide attempt, I told my best friend that I was attracted to her but that I didn't want to act on these feelings. After that, she never spoke to me again. I felt abandoned.

17. I felt abandoned and betrayed by her and abandoned and betrayed by the Church and BYU-Idaho.
18. I was given a false hope that I could stop loving women and learn to love a man.
19. There is a crisis that happens when you realize that the hope is false. You have to mourn the death of the life you were promised. There is also often no visible path for a new life for yourself.
20. After I recovered, I took a year off from school but returned to BYU-Idaho in the fall of 2017. I finished the semester but it was painful.
21. BYU-Idaho requires us to take a marriage and family class that addressed sexual orientation and marriage. It felt like the majority of the class was about marriage being a husband and a wife, which made me feel that the greatest desire of my life, to be married and sealed in the temple, would never be available to me.
22. The class taught that it was a sin to be married to the same gender or to act on homosexual feelings. We are taught that we will never be as happy marrying someone of the same gender as we would be if we followed the commandment to marry someone of the opposite sex.
23. In another class, a family resource and planning class, students talked about how they believed that the family was being attacked by the people trying to legalize same-sex marriage. They compared LGBTQ+ people, who just wanted the right to marry the person they love, to agents of Satan who were attacking the family.
24. At BYU-Idaho, there was an unofficial support group for LGBTQ+ students. It was called USGA. The support group was not allowed to meet on campus. Instead, we met in the local library.

25. I needed that support.
26. Everyone in USGA had mental health issues. We all felt oppressed, sad, anxious and unwelcome.
27. I felt like the school was scared of us and that that is why they wouldn't let us meet on campus.
28. I left BYU-Idaho at the end of 2017.
29. Between 2017 and 2020, I began to heal, started to accept that I was not broken and that my Heavenly Father loved me just as I am. I finally loved myself. When you reach this place, it feels amazing.
30. I returned to BYU in the fall of 2020 by taking online courses. I thought I could handle being at BYU if I didn't have to hear people telling me harmful messages about my sexual orientation in person. But I was wrong.
31. It was still hard to hear those messages, even over Zoom. I wanted to be out and to share my experiences in class, but I didn't feel safe coming out.
32. I struggled academically that semester, as I had in my earlier semesters at BYU-Idaho, because of the impacts on my mental health. My emotions became so conflicted again and I realized it was very unhealthy for me to be in that environment.
33. With the help of a therapist, and reminding myself that Heavenly Father loves me just as I am, I have been able to continue my healing.
34. Where I am in life now, I want to find a wife, please the Heavenly Father and stay in the LDS Church. I can finally see that as attainable for me.
35. However, BYU is not a safe place for my mental health. I can't go back while it continues to teach that something is wrong with me.

36. The teaching that same-sex attraction will disappear in the next life makes people suicidal and it is still being taught at BYU now.
37. At BYU, there is an Honor Code agreement and an Honor Code office. The code prohibits acting on sexual or romantic feelings. We could be kicked out for dating the same gender, even if we are celibate while dating. This was scary for me.
38. If I went on a date with a man, I would not be disciplined. If I went on a date with a woman, I could be disciplined. This is a painful awareness to have while a college student.
39. Also, the Honor Code office would monitor students who were out about their sexual orientation or gender identity. So, I felt like I could not be out because I would be monitored.
40. The Honor Code office recently changed the language to remove the statement about homosexual romantic conduct. In response, a lot of LGBTQ+ students came out to others for the first time. We felt joy and freedom. We felt hope.
41. However, BYU then quickly issued a statement telling us that despite the changes to the Honor Code, same-sex romantic relationships were still prohibited, even if they were not sexually active. This felt like a betrayal.
42. However, there are many LGBTQ+ students at BYU and we are not giving up on creating acceptance for ourselves and future generations.
43. Every year, the students do a “Color the Campus” or “Rainbow Day” where you wear a Rainbow to show that you support the queer students. That day is on March 4.

44. This year, the students went up the mountain behind BYU-Provo where there is a large Y that is usually lit up white. This year, students held up lights and turned the Y to a rainbow. It felt so empowering.
45. The rainbow Y made me feel less alone and like our community, LGBTQ+ and allies, are powerful.
46. This felt like a big win for LGBTQ+ students at BUY, like we are continuing the history of knocking down barriers.
47. BYU has a history of requiring LGBTQ+ students to go to conversion therapy to remain in school. LGBTQ+ students and allies before us worked to rid the campus of this practice.
48. Now, BYU should listen to its student and amend its Honor Code agreement to specifically affirm same-gender dating and displays of affection, including holding hands and showing other chaste displays of affection, and to affirm transgender identity and expression, including honoring students' clothing, names and pronouns.
49. BYU should also prohibit hurtful messages in class, such as the message that queer people who are advocating for their rights are attacking the family.
50. BYU does not need to change its beliefs on human sexuality or gender identity in order to start protecting students like me from hurtful messages in class.
51. I hope that one day a queer student can go to BYU and not feel like I felt.
52. I am currently a behavior technician working with children with autism. I would like to go back to school. I need to finish my undergraduate degree and obtain a masters to advance my career and become a board certified behavioral analyst.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 6th day of March, 2021.

By: Rachel Moulton

Rachel Moulton

11. I felt unsafe on campus from the first day I moved in. As a result, I initially went back into the closet as a Freshman.
12. I met other queer people at Lipscomb. However, every semester that I was at Lipscomb, I knew at least a queer person of color and a trans person who left the school. There were not many out, queer students to begin with.
13. School officials often said horribly homophobic and transphobic things to me in personal meetings with them. For example, an administrator told me that any event I planned would be considered a gay event and would require a three month approval process. Another administrator said that the school might be able to get some people on board with “the gay thing” but that “trans” was a whole different matter. One of them told me that they might be able to get a club approved if it was only for gay students but that it could not be promoted for trans students. She also deadnamed a trans man on campus and told me that she thought that nobody at the school saw him as a man.
14. These same administrators were later tasked with being the contact point for reporting discriminatory behavior/actions against queer and trans students.
15. I felt like none of the administrators who had the power to make things safe for me were actually safe for me to turn to about the harassment and discrimination I experienced on campus.
16. This personally impacted me. For example, I was going to attend an event on campus but was having some intense dysphoria. I found an outfit that I could wear and that calmed my dysphoria. I then counted the steps between my dorm and that event and asked myself whether I felt safe making that walk. I didn’t feel safe, so I did not make the walk.
17. Eventually, I did come out on campus, and worked to expand the unofficial LGBTQ+ group. However, this made me feel even more unsafe as I was faced with a barrage of hate from administrators and other students. This hate would be overlooked by RAs and RHDs. For example, students frequently used the f** slur, which made me uncomfortable. The RAs did not intervene to stop that language.
18. I also frequently felt in danger of physical harassment from other students.
19. Additionally, I faced constant harmful statements by faculty and others at Lipscomb. For example, the football coach of the high school affiliated with Lipscomb was invited to speak in chapel. His opening line was that God told him to speak about homosexuality. Over the course of thirty minutes or longer, he went on to compare gay men to demon-possessed pedophiles and said that queer people do not deserve the same rights as cishet people.
20. Other queer and trans students and I complained to administrators about the coach’s chapel and how hurtful it was to us. The administrators defended the decision to allow the chapel speaker to continue speaking hateful messages about homosexuality by saying that it would have offended donors if the school had intervened.

21. This experience created a time of intense trauma for me and the queer students on campus.
22. I attempted to establish an official LGBTQ+ group on campus, but the administration rejected this approval, despite the club meeting all requirements. Ultimately, the decision to allow such a group at Lipscomb was put off until after I graduated. I was informed that our club was being treated differently than other clubs because it was for LGBTQ+ students.
23. The same club proposal is currently under review this year.
24. In my sophomore year, I was sexually assaulted while a student at Lipscomb. Lipscomb's culture and rules around sex and sexuality, combined with experiences I had heard from other sexual assault survivors about how Lipscomb had never really helped them when they reported sexual assault, led me to never report the sexual assault I endured.
25. I feel that Lipscomb's policies towards "sexual morality" are left vague so that they can enforce the present policy how and when they feel like it. This puts queer and trans students at risk of punishment and in a state of fear.
26. I have heard directly from another queer student that they were required to attend a form of conversion therapy at Lipscomb because of their sexuality.
27. I have also heard directly from another trans student at Lipscomb that Lipscomb encouraged them to put off medically transitioning.
28. Several other queer, engaged students have told me that Lipscomb encouraged them to put off their queer weddings until after they graduated. These queer students feared having their degrees withheld.
29. I am a taxpayer and do not feel that my taxes should be spent to further the discrimination against me by Lipscomb and other schools.
30. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 26th day of February, 2021.

By: 
Victoria Joy Bacon

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of themselves and all others similarly situated,)	
)	
Plaintiffs,)	
v.)	
)	
U.S. DEPARTMENT OF EDUCATION and Suzanne GOLDBERG, in her official capacity as Acting Assistant Secretary for Civil Rights, U.S. Department of Education,)	
)	
Defendants.)	

Civil Action No.

**DECLARATION OF NATHAN
BRITTSAN**

I, Nathan Brittsan, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am currently a resident of San Jose, California, located in Santa Clara County.
3. I grew up in Northwest Pennsylvania and am the oldest of four brothers. We were raised in a conservative Christian home. As a youth, I attended a Christian elementary and middle school and a public high school.
4. I attended Penn State University but later left my studies for a career in business. I eventually made my way to the Bay Area. I completed my bachelor’s degree at San Jose State. I majored in Philosophy in preparation for going to seminary.
5. During my adolescence and college years, I experienced what I thought of as “same-sex attraction.” I did not come out to myself as gay until I was 23.
6. As I began accepting that I was gay, I drifted away from the church. But more than a drift, I also felt pushed away from the church,
7. Over time, in my later 20s and 30s, I began to have profound spiritual experiences outside the church.
8. I joined the Gay Christian Network (“GCN”), a network of LGBTQ+ Christians who felt like there was no place for them in the churches of their youth. It felt comforting to find other LGBTQ+ Christians like me.
9. GCN started as an online network but we eventually met in person. We came together for the first time at a conference in Dallas, Texas in 2005. I remained active in GCN for many years.

10. When I moved to San Jose, I found a home in Grace Baptist Church. It is a gay affirming Baptist Church. Some friends and I started an LGBTQ+ Bible Study and we met there weekly for about 5 years.
11. During this time, I realized that I was called to ministry.
12. I also met my now husband. We were married by our Senior Pastor in November of 2016.
13. In pursuit of my call, I applied to Fuller Theological Seminary and American Baptist Seminary of the West (now Berkeley School of Theology) in the summer of 2017.
14. I felt like God was calling me to an evangelical seminary like Fuller. I felt like bridge-building needed to be done between the evangelical community and the LGBTQ+ community.
15. I was admitted to Fuller in September 2017.
16. Growing up as a gay man, I am used to seeing and checking boxes that don't fit. There was a section of Fuller's application and student policies that prohibited homosexuality and defined marriage as strictly heterosexual. However, I felt that I could check the box and agree to Fuller's policies in good conscience because I was married and limited my sexual expression to my marriage.
17. I felt comfortable attending Fuller because it had a reputation of being a progressive seminary. Fuller also had Diversity and Title IX policies, and an LGBTQ+ group called OneTable Fuller, that made me feel like I would be welcome at Fuller.
18. However, I attended Fuller for only a few days before being expelled from the school for being married to my husband.
19. Fuller had investigated my marriage shortly before classes started. This investigation arose because I had requested to change my last name for my student email and records to my married name.
20. I plead with Fuller to let me stay and tried to negotiate with Fuller to come to an agreement that would let me finish the quarter.
21. I told Fuller that I would be willing to do whatever it took for them to allow me to remain a student.
22. In response, Fuller told me that "While I appreciate the tone of your appeal and your willingness to try to find a way forward for a quarter, the nature of the issue being appealed makes this problematic."
23. What I took from this statement is: "Your kind is not welcome here."

24. In trying to assert my rights, I communicated with the Title IX officer at Fuller. The Title IX officer at Fuller, who was supposed to be protecting my Title IX rights, told me that Fuller was rejecting me and would not let me finish the quarter.
25. This confused me because the Title IX officer told me that she was personally affirming of me and my marriage and that she attended a church that affirms me and my marriage. Despite that, she told me that it was not her job to advocate for me.
26. I requested the opportunity to appeal Fuller's decision. In response, Fuller told me that I would not be allowed to go through the disciplinary and appeal process available to students because I was not a matriculated student.
27. That was false because my student records reflected that I was a matriculated student and I had already been attending classes.
28. I was shocked that Fuller, as a taxpayer funded institution, would be allowed to discriminate against me like this. I thought it must be illegal.
29. I started to email professors and see if anyone would advocate on my behalf. Several professors told me that they disagreed with Fuller's actions and supported me and my marriage.
30. They informed me that Fuller had allowed LGBTQ+ students previously under a "don't ask, don't tell," policy but that new, divisive political influences had led to a crackdown on LGBTQ+ students like me.
31. I felt terrible. The rejection and dishonesty stung and hurt me and my husband, as we were already grieving the recent loss of his mother at the time.
32. I spent two months with my head below the covers. I was depressed and isolated myself.
33. I struggled with whether or not I wanted to go back to seminary.
34. At the time of my expulsion, I spoke with the Director of the Bay Area campus and informed her about my expulsion. She was visibly distraught over what had happened to me. She offered to connect me to one of her colleagues who was gay-affirming and had to leave Fuller because of his gay-affirming theology.
35. I am currently a member of First Baptist Church of Berkley where I attend with my husband. It is part of the American Baptist Churches in the USA ("ABC-USA"). Our church is part of the Association of Welcoming and Affirming Baptists.
36. I am now a seminarian in residence at First Baptist Church of Berkeley and am currently enrolled in Berkeley School of Theology pursuing a M.Div.
37. Once I graduate, I will become eligible for ordination in the ABC-USA.

38. Fuller has defended its treatment of me based on some of its policies. Fuller has a Community Standard: Sexual Standards policy which states, in part, “Fuller Theological Seminary believes that sexual union must be reserved for marriage, which is the covenant between one man and one woman, and that sexual abstinence is required for the unmarried. The seminary believes that premarital, extramarital, and homosexual forms of explicit sexual conduct to be inconsistent with the teaching of Scripture. Consequently, the seminary expects all members of its community...to abstain from what it holds to be unbiblical sexual practices.”
39. As a gay man in the church, I felt like I complied with the spirit of this policy because I am married and my sexual expression is confined to my marriage.
40. Fuller should treat my marriage the same way as other marriages.
41. Fuller also has a policy against unlawful discrimination. In this policy, the school says that it does not discriminate on the basis of “race, color...sex, marital status...gender, gender identity, gender expression”.
42. The statement goes on to say “Fuller Theological Seminary does not unlawfully discriminate on the basis of sexual orientation. The seminary does lawfully discriminate on the basis of sexual conduct that violates the Community Standard Statement on Sexual Standards. The seminary believes that sexual union must be reserved for marriage, which is a covenant union between one man and one woman. The seminary believes premarital, extramarital, and homosexual forms of sexual conduct to be inconsistent with the teachings of scripture. Therefore, the seminary expects members of its community to abstain from what it holds to be unbiblical sexual practices.”
43. This kind of a message, similar to “love the sinner, hate the sin,” encourages self-loathing and depression for LGBTQ+ people.
44. Fuller told me that they are lawfully allowed to discriminate based on their religious beliefs and a religious exemption to Title IX. However, I looked in the U.S. Department of Education’s online database and there was no record a religious exemption.
45. I informed Fuller of this and they responded by saying that they did not have to write a letter to the Department of Education to claim the exemption in order for them to lawfully assert it.
46. Fuller’s actions made me feel like a second-class Christian. They wanted to be rid of me as fast as possible and offered no love or grace.
47. I am participating in this lawsuit in order to protect other LGBTQ+ people from having to go through what I experienced.
48. I am a taxpayer and do not feel that my taxes should be spent furthering the discrimination against me by Fuller.

49. I also had taken out loans from the U.S. Department of Education to attend Fuller.

50. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 7th day of March, 2021.

By: 

Nathan Brittsan

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)	
themselves and all others similarly situated,)	
	)	Civil Action No.
Plaintiffs,)	
v.	)	DECLARATION OF HAYDEN
	)	BROWN
U.S. DEPARTMENT OF EDUCATION and)	
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

Civil Action No.

**DECLARATION OF HAYDEN
BROWN**

I, Hayden Brown, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.

2. I am a resident of York, Nebraska.

3. I am currently a student at York College.

4. I am 20 years old.

5. I am majoring in English Education with an emphasis in reading instruction.

6. I am a queer demiboy and use he/they/she pronouns.

7. While attending York College, I received federal financial aid from the U.S.

Department of Education. I received a grant for educators in needed subjects. I have also worked a federal work study position in the campus bookstore, coffee shop and tutoring students in English.

8. I attended York College because I grew up in the Church of Christ, the same denomination as the college. I was struggling with my sexuality, feeling it was sinful and that I

should reject it, at the time I was considering college. I thought York College would be an environment where I could “pray the gay away” and overcome my struggle with homosexuality. I also attended York College because my parents told me that they would pay for my education there.

9. I have stayed at York College because of my family, who believes that it is the best place for me to return to my roots and repent. They won’t pay for me to attend any other college. I have also stayed here because many of my required Bible courses will not count toward my degree requirements at other colleges.

10. My relationship with York College is very tumultuous. There are days where I skip across campus because I am ecstatic and cannot wait to see my friends, but there are days where I do not have enough energy to get out of bed because I do not want to have to deal with all of the microaggressions, stares, comments, and issues that York College brings into my life.

11. There are some staff and faculty here who are affirming and who speak up, one of whom has been threatened into silence.

12. I became very depressed during my freshman year because my attempt to become heterosexual was not working.

13. I came out to my parents the summer after my freshman year. My parents sent me to a therapist who held their same non-affirming view of sexuality. I also saw a therapist on campus. She held the same non-affirming views as my parents. I felt like these therapists attempted to induce me to reject my sexuality or at least be “less gay” than I was.

14. When I came out online with a Tweet, and subsequently in person with the way I dress, talk, and hold myself, I was not focused on my own safety. I needed to come out because of my own mental health and the pseudo-conversion therapy I had and was going through.

15. I felt amazing after I came out. I couldn't focus or do any homework because I felt so good and on such a natural high from coming out.

16. However, I have had many attempted disciplinary actions for a variety of things, the most common being the dresses or high heels I wear. People have complained directly to me and reported me to the administration. At times, I have been asked to refrain from wearing feminine clothing by the Title IX coordinator.

17. I was asked/told to withdraw from the study abroad program in Vienna, Austria because of my sexuality and how their Bible class was going to call me an abomination to my face. The professor decided it would be easier for him to talk about me behind my back than to allow to participate in class.

18. I feel supported by some students but I only feel safe when I am off campus.

19. My college's student handbook explicitly states that marriage is to be between a man and a woman. The mandatory curricula for all majors includes Bible classes that talk on homosexuality and condemn it as a sin.

20. I have worked with the Title IX coordinator as well as the maintainer of the student handbook and the vice presidents of student development and spiritual development for York College in order to change the student handbook language and address these issues on the campus.

21. We asked for sexual orientation and gender identity to be added to York College's non-discrimination policy but the administration refused.

22. We asked for the definition of marriage as between one woman and one man to be removed from the student handbook. The administration refused. They told us that the Board of Trustees would not approve of this change.

23. My understanding is that two members of the Board of Trustees are affirming of LGBTQ+ students. I have been told that I am not allowed to meet with the Board.

24. York College administrators have told me that creating a gay-straight alliance or discussing LGBTQ+ issues at chapel or devo would be “too divisive.”

25. Sometimes I let the things they say and do get to me; in those moments I feel like I am too much, difficult, annoying or whiny.

26. Most of the time though the stance York College takes on LGBTQ+ matters fills me with a sort of righteous indignation.

27. York College has a mutual accountability policy that requires students to inform administration if they witness another student violating the college’s policies.

28. This policy has been used in harmful ways for queer students.

29. The “YC royalty” students on campus use Snapchat or other social media to get other students in trouble, including targeting queer women.

30. I am the only out queer male student on campus. There was another out queer male student on campus last year for a semester but he left. My understanding is that he left because the campus climate was not supportive of him as a queer man of color.

31. There is an unofficial LGBTQ+ club on campus called YC Colors. I helped found this group. We are not approved by the college. We cannot meet on campus or promote our meetings or events on campus. The college prohibits us from using social media to advertise our group.

32. There is an unofficial rule prohibiting same-sex dating and public displays of affection. Straight students often show public displays of affection in the common spaces of the

dorms but there are never queer displays of affection in those spaces. Queer displays of affection only occur behind closed doors. This secrecy is for protection and to prevent disciplinary action.

33. I have experienced a lot of mental and emotional harm because of York College. I live in an underclassman dorm on campus. I have a counter on my window that reads "The # of Times I have heard the word 'F*g'". The counter currently stands at 11 for the period of September 2020 through January 2021. I have only counted the number of times I have heard the slur through the walls of my dorm room because I could not count the number of times I have heard it out in public.

34. I reported the use of this slur to the Title IX office but no action was taken to my knowledge.

35. I have had staff/faculty recommend a non-affirming, school-paid therapist to me after I have spoken to them about queer issues. I have been told I will not be able to become an effective teacher, or be hired at all, because of my sexuality.

36. I often leave or return to my dorm room in the dark, this means that I hold my keys between my fingers in order to protect myself because I am so anxious a student, staff or faculty member, or person from the surrounding community may attack me.

37. There is an added burden by being an out student on campus. I am often asked why I came/stay here as well as am forced to participate in fruitless conversations about the queer struggles with people who are not even involved nor could be involved with changing it.

38. If the current Title IX coordinator had been someone else who more forcefully enforced the student handbook policies around sexuality and gender, I would probably have been expelled by now.

39. I am not the only student that York College has treated like this. Others have told me that they have experienced the same or similar treatment from York College because they are queer or trans.

40. There are other queer and trans students at York College right now, most of whom are closeted. A transwoman currently on campus has been rejected from a female dormitory and a female social club. She is forced to live in a male dorm even though she is a woman, dresses in feminine attire and uses a female name and female pronouns.

41. I have been told by college administrators that they did not need to take the actions I recommended to protect queer and trans students because they have a religious exemption from Title IX that allows them to maintain their current policies.

42. I have been a federal taxpayer.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 25nd day of January, 2021.

By: 
Hayden Brown

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of themselves and all others similarly situated,)	
)	
Plaintiffs,	)	Civil Action No.
v.	)	DECLARATION OF
	)	BROOKE C.
U.S. DEPARTMENT OF EDUCATION and Suzanne GOLDBERG, in her official capacity as Acting Assistant Secretary for Civil Rights, U.S. Department of Education,)	
)	
Defendants.)	

Civil Action No.

**DECLARATION OF
BROOKE C.**

I, Brooke C., declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am using a pseudonym as I fear for my safety and expect retaliation from my school, including disciplinary action and expulsion, if my true identity were known.
3. I am a current student at Cedarville University in Cedarville, Ohio.
4. The university, which has around 4,000 students, dominates the village of Cedarville.
5. I decided to attend Cedarville University because it had a Christian focus, I knew another student who loved it there, and Cedarville offered an accredited professional program I was interested in.
6. I felt relatively comfortable applying to Cedarville at the time, because I still perceived myself as straight at the time. I also didn't fully understand the oppressive nature of the school I was getting involved with until it was too late. Since then, I have been primarily focused on finishing my degree and getting out.
7. I received student loans from the U.S. Department of Education to attend Cedarville University. I will have to repay these loans upon graduation. I also received scholarships to attend.
8. I work two different jobs on campus.
9. I am also a federal income taxpayer.
10. I am demisexual, which means that I only feel sexually attracted to someone when I have an emotional bond with them.

11. I am also pansexual, which means that I am romantically and sexually attracted towards people regardless of their sex or gender identity.
12. I am a cisgender woman, which means that I identify as female and was also assigned the female sex at birth.
13. I am in a long-term relationship with a partner who is non-binary.
14. Cedarville University's Undergraduate Student Handbook contains a section titled "Commitment to Purity", which outlines expected conduct when it comes to sexual relationships.
15. In this section, Cedarville University states "We believe that God's design at Creation for sexual desire and orientation is within the bounds of a marriage union between a man and a woman."
16. This statement feels like an attack and a restriction on who we are allowed to love. Many of us who read this statement feel their hearts sink and marginalized by these statements.
17. The student handbook goes on to say: "Consistent with our desire to teach and model a biblical approach to sex, the University prohibits same-sex dating behaviors and public advocacy for the position that sex outside of a biblically defined marriage is morally acceptable."
18. The prohibition on same-sex dating behaviors makes me feel uneasy, even if my relationship does not technically violate the rules. The language appears designed to be vague enough to get students into trouble while missing a lot of nuance of gender and sexuality.
19. The prohibition on advocacy in favor of anything other than heterosexual relationships creates a chilling effect on discussions of sexuality and gender.
20. One of the clubs on campus often communicates homophobic and racist messages and remains approved by Cedarville. Other clubs that wish to counter these messages are disallowed on campus.
21. Even being discovered to have brought a book written by a queer-affirming author on campus would get me in trouble and monitored.
22. The handbook also states, "Consistent with our commitment to God's design for gender identity, the public advocacy for, or act of altering one's birth identity through medical transition or transgender expression is prohibited. This commitment applies to – but is not limited to – the use of bathrooms, locker rooms, student housing, and participating in gender-specific University groups, clubs, and organizations."
23. I feel completely unsafe being out on campus and have only confided in a few very trusted friends. Students are kicked out for even minor student handbook infractions. Cedarville has been known to dismiss students for anything that they deem a variant from

their "biblical" perspective of gender, marriage, and sexuality. For example, at or around the time I started at Cedarville, a gay student was dismissed by Cedarville for coming out and was asking other students for help so that he could plead his case with the university.

24. Consequently, I fear that I will be dismissed and lose my degree if I am outed. I will also be ostracized by peers, faculty and administrators if I come out.
25. Although I do know several other queer students, many of them struggle to accept themselves and their gender/sexuality and often view their queerness as a problem that needs fixing. Cedarville reinforces this harmful message.
26. There is no support group, campus club or other support system for queer and trans student at Cedarville. There are no queer or trans professors or administrators, at least none who are out publicly about their identities. This creates a very isolating environment for queer and trans students.
27. With all of this in mind, I and many of my close friends are resigned to living our lives in secrecy and silence as we are mocked and degraded publicly in daily chapels and quietly threatened with dismissal.
28. I am told bluntly in classes and chapel that I am unnatural, inherently bad, and deserving of eternal damnation because of who God made me.
29. In my clinical rotations for my degree, we have been taught to misgender and deadname transgender clients and patients and to give prospective employers false assurances of our ability to serve LGBTQ+ clients and patients.
30. My school's policies on sexual orientation and gender identity make me feel sick and scared.
31. Every day on campus is one of secrecy and anxiety.
32. Although remaining closeted has protected me in some ways, I have developed severe anxiety and depression in my time at Cedarville. I have never felt safe enough to come out and I spend many of my days on campus terrified about the possibility of losing my degree if I were to be outed.
33. Cedarville University requested and received a religious exemption from Title IX from the U.S. Department of Education that purportedly allows it to receive federal taxpayer money and to openly discriminate against queer and trans students. This religious exemption provides cover for Cedarville University as it continues to maintain the discriminatory policies and unsafe campus climate that has directly contributed to my pain and suffering.
34. I have gone through many hours of therapy trying to undo the impact that Cedarville's destructive rhetoric and policies have had on me. I have grown and healed a lot through

supportive therapy but my healing would be more complete and easier to come by if I did not have to endure Cedarville's harmful messages or continue to live my life in secrecy and fear.

35. Recently, Cedarville hired a professor with a known history of sexual misconduct. This professor was one of my professors.
36. Eventually, the sexual misconduct was brought to light to students and it was made known that the university was aware of the sexual misconduct at the time of hiring.
37. In response, students have spoken up publicly about how Cedarville has relied on religious exemptions to Title IX to dismiss their sexual assault and harassment complaints.
38. Students have been dismissed or reprimanded by Cedarville when bringing Title IX complaints of sexual assault or sexual harassment because Cedarville considers them to have violated school policy by engaging in sexual activity or consuming alcohol.
39. If I were to be assaulted on campus, I would not feel safe reporting it to Cedarville because of their religious exemption to Title IX, "purity" policies and anti-queer policies.
40. I also worry that even if I make it through these rough years at Cedarville, I will always have my degree associated with an institution that has and will continue to oppress me and many others for who we are.
41. I am taking the risk of sharing my experience in order to protect and honor all of the queer kids that have come before us and who will follow after us. We are deserving of safety and freedom and our liberation is worth fighting tooth and nail for.
42. I know that there is a large community of queer and trans alumni from Cedarville University called Cedarville Out. I look forward to fully joining their community when I am free to do so.
43. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 7th day of February, 2021.

By: Brooke C.
Brooke C.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)	
themselves and all others similarly situated,)	
	)	Civil Action No.
Plaintiffs,)	
v.	)	DECLARATION OF GARY
	)	CAMPBELL
U.S. DEPARTMENT OF EDUCATION and)	
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

I, Gary Campbell, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of Apollo Beach, Florida, located in Hillsborough County.
3. Beginning in August 2001, I became a student at Baptist Bible College in Clarks Summit, Pennsylvania. I did not graduate and stopped attending the school in 2003.
4. The school's name was changed to Clarks Summit University in 2018. It will be referred to Clarks Summit University for the remainder of this declaration.
5. I am a federal income taxpayer in the United States. I am currently repaying student loans that I took out to enroll in Clarks Summit University.
6. I enrolled in Clarks Summit University after I was persuaded to by a youth pastor when I was 18 years old. It was his alma-matter. As an impressionable 18-year-old, I heeded my youth pastor's advice about which school to attend.
7. Clarks Summit University has a sexual purity policy listed in their student handbook.
8. Part of this policy states: "students are not to engage in and maintain same-sex romantic or sexual relationships." Other rules in the purity policy involve students never being in the same bed and restrictions on overnight travel with other students regardless of gender.
9. The purity policy also states: "Clarks Summit University will not support persistent or conspicuous examples of cross-dressing or other actions deliberately discordant with birth gender, and will deal with such actions with biblical counselling and judicial processes of the institution."

10. The student handbook, while currently available online, was not made available to me as perspective student. It was only given to me, with this purity policy, after I was enrolled as a student and attending school.
11. I am a gay man.
12. When I was accepted into Clarks Summit University, my parents and the pastoral staff agreed that I would seek therapy and accountability while attending the school to address my “homosexual desires”. I also confided in staff members at the school in order to “seek help” and overcome my “homosexual sin”.
13. Additionally, there were instances where I felt like I was being monitored and watched by the school. My resident director (also known as a “dorm dad”) would keep close watch on how I interacted with the men in my dorm.
14. On one occasion, when I was wrestling with another man in my dorm, I was told that as “someone who struggles with homosexual desires” that I should not have done that.
15. In a particularly disturbing occasion, I was influenced into kissing and engaging in some sexual activity with another member of my dorm under circumstances that were manipulative and misleading. A male member of the “dorm counsel”, a group of students tasked with monitoring other students, encouraged me to kiss him and engage in some physical touching. This was done specifically to set me up as a gay man and to cause me to get in trouble with the school. I would not have consented to any of this activity if I knew that it was meant to trigger disciplinary action against me. The incident was reported to the resident director, who confronted me about my homosexual behavior.
16. While, at the time, I convinced myself this was justifiable behavior on the part of the other student, I now realize that I was violated due to my lack of informed consent. The behavior was manipulative and immoral at best, and possibly bordered on sexual assault at worst, as I would not have been a willing participant in an activity specifically and solely geared towards getting me punished.
17. After this incident, I spoke to other gay students who had the same thing happen to them as well. This indicates this was systemic behavior at the school, meant to pressure gay students into acting out against school policies for the sole purpose of punishment.
18. After another occasion of engaging in sexual behavior with another student who was “struggling” with his homosexuality, I confessed to the school. The result was that I was suspended for 7 days and was removed from a number of extracurricular positions including removal from the Chamber Singers, removal from my dorm chaplain position, and removal from the Honors Corp. I was forced to return home for this time at my own expense. After this suspension, I was not allowed to attend school full time.
19. In my Junior year, I was eligible to live off campus and desired to do so in order to cut my expenses at the school. I was told that I could not live off campus because I violated the code of conduct through engaging in sexual acts with another man. I was told I must continue to live on campus.

20. It was shortly after this that I decided to no longer pursue my degree at the school. The office of enrollment tried to convince me to stay, but ultimately would not allow me to be a full-time student based on the Dean of Men's decision that I could not attend full time due to my "struggle" with homosexuality. As a result, I returned home to continue my education at a community college.
21. It was at this point that I decided to embrace who I was. I began dating a man. While life was going well for me over the next ten years, I was also battling Religious Trauma Syndrome and was self-medicating with alcohol as a coping mechanism. I required multiple hospitalizations for detox and attended rehab twice.
22. After I reached two years of sobriety in 2019, I attempted to re-enroll in the school to finish my degree. I was, at first, told by Clarks Summit University that I had only 6 credits left to graduate and could complete them there. I was also assured that the school had loosened its policies towards homosexual students and that this should not be an issue if I enrolled there.
23. I was called by the Dean of Men and congratulated on returning to school.
24. Two weeks before classes started, I got another call from the Dean of Men. I was told that someone reported that I was in a homosexual relationship and I would not be allowed to enroll in online classes as planned. I wrote the school to appeal this decision and it was denied.
25. I felt devastated by this decision. I worked incredibly hard after years of alcoholism to rebuild my life. This decision also brought back the trauma of what happened to me at the school back when I first attended in the early 2000's. I replied that the school was being discriminatory and disrespectful and that I would go to the ACLU.
26. I was told by the Dean of Men, "you know the code of conduct here. It's not a secret. You signed up for that when you became a student. Last time and this time. You know our position and perhaps even deceived me when you applied and spoke to me. The ACLU will tell you that a private school has a right to enforce a code of conduct. That is not discrimination."
27. Ultimately the ACLU could not help me.
28. The story started receiving press attention, and as a result, the president of Lackawanna College allowed me to attend that school free of charge to finish my degree.
29. My school's policies made me feel very small, watched, unworthy, subpar, subhuman, broken and damaged. I was told on numerous occasions that I might not ever be able to work in a church based on my homosexual desires, yet the school continued to take my money every semester.
30. I have suffered damages as a result of my school's policies and their behavior based on those policies. I suffer from depression and anxiety, for which I am medicated. I

struggle with not feeling good enough and am hypersensitive to criticism. I feel unsafe around other Christians.

31. I not only was misled and possibly sexually assaulted as a result of the school's actions, but also had to attend "biblical counselling" at school. I was also forced to attend group therapy for those struggling with their homosexuality at a location that was hours away, weekly, at my own expense. Both of these types of counselling were really damaging conversion therapy.
32. I am also afraid of putting on a resume that I went to this school because I fear judgment by future employers. I spoke to other alumni that feel similarly.
33. I am participating in this lawsuit to make sure that what I went through does not happen to anyone else. I want to make the world safer for LGBTQ+ students who attend religious schools. I also feel like it is my civic duty to make the world a safer place.
34. Experiencing hate and discrimination should not be a part of attending college.
35. I am a taxpayer and do not feel that my taxes should be spend in furthering the discrimination against me by Clarks Summit University.
36. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this ____ day of February, 2021.

By:  2/25/2021

Gary Campbell

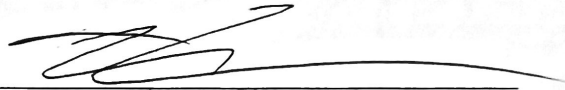
12. The IRS treats OBU as a tax exempt charitable organization.
13. OBU's student handbook outlines rules of behavior for students. This handbook contains a specific section for "human sexuality".
14. The section states, in part, "This policy addresses transsexualism, transgenderism, homosexuality, and related gender identity issues. The University affirms that God's original and ongoing intent and action is the creation of humanity manifested as two distinct sexes, male and female. The University also recognizes that due to sin and human brokenness, human experiential perception of sex and gender is not always that which God the Creator originally designed."
15. The handbook goes on to state: "the University does not support nor affirm the resolution of tension between one's biological sex and one's experiential perception of same sex attraction or of gender by the adoption of psychological identity discordant with one's birth sex. Similarly, the University does not support nor affirm attempts to change one's given biological birth sex via medical intervention in favor of the identity of the opposite sex or of an indeterminate identity."
16. At the time of my enrollment, I was generally aware that OBU opposed non-heterosexual, cisgender identities and behaviors. However, at the time, these positions were consistent with my belief system and my attempts to overcome my same-sex attraction. I thought the policies actually affirmed the steps I was taking.
17. In high school and through my first two years of college, I tried to overcome my struggle with same-sex attraction through prayer, reading books and self-discipline. I constantly thought about my struggle. My mental health started deteriorating and I made no progress toward overcoming my attractions despite my several years of intense efforts.
18. A defining moment for me and my sexual identity development occurred when a young middle school student who I was working with through church told me he struggled with same-sex attraction. I told him the church could help and recommended that he do all the things that I was doing to overcome my sin struggle. But I knew that I was giving this youth dangerous, false advice and it troubled me.
19. Also prior to coming out, my Resident Director on campus told me that he couldn't trust a gay student who wanted to be an RA because he thought he might take advantage of the boys on his floor. This scared me because he didn't know about my sexuality.
20. After this discussion, my anxiety came back hard. I knew that I needed help and reached out to the counselling center.
21. I first came out as bisexual to my therapist during my Sophomore year in the spring of 2015. I felt a huge weight lifted. It was the best that I had ever felt. Recognizing that being bisexual was not just an attraction but was part of my identity felt liberating for me.
22. I came out to friends in the summer of 2015. This was very good for my mental health.

23. Marriage equality occurred in June of 2015 and I wrote an article trying to reconcile my Southern Baptist faith with the Supreme Court's decision about civil same-sex marriage.
24. The Director of Residential Life at OBU called me in response to this article. He told me that my article was not in line with OBU's position. I was more careful about my public comments about sexuality after that for awhile but got in trouble for another social media post on sexuality issues and removed my post.
25. My coming out experience at OBU received two very different reactions. On the one hand, the majority of the faculty and students who I came out to privately were openly supportive or didn't seem to think it was a major issue.
26. However, on the other hand, the OBU administration condemned me and disciplined me.
27. The issue rose to a head when the Director of Residence Life asked me why I cared so much about the LGBTQ+ issues I was writing about. I told him that I cared so much because I am bisexual.
28. As a result of my coming out, I was fired from my on-campus job as a Resident Assistant. The Dean of Students told me that OBU's policies prohibited me from serving as an RA because I am bisexual.
29. The Dean of Students asked me if I was going to come out publicly on campus. He then told me that the student handbook prohibited me from doing so.
30. The Dean of Students also told me that other LGBTQ+ students who had come out publicly at OBU had been harassed, called "fag" and experienced unsafe situations. He told me that what he was trying to say is that if I came out publicly and remained a student at OBU, he couldn't guarantee my safety and did not want to have students there who he could not keep safe.
31. I decided to come out publicly on campus anyway. I did so for my own integrity and mental health and for the sake of other LGBTQ+ youth. On National Coming Out Day in October of 2015, I came out publicly on social media.
32. Shortly thereafter, because of my coming out to the OBU administration and publicly on social media, I was dismissed from OBU without any notice. I found out because the registrar told me that I had been administratively withdrawn from OBU and asked where I would like my transcripts to be sent. I checked my online student account and I could no longer register for classes.
33. OBU forced me to choose between my own beliefs and convictions about myself, my identity and what was best for my mental health and OBU's beliefs and convictions about me and my identity, which were harmful to me.
34. I felt betrayed because the OBU community in general was supportive and open-minded towards me.

35. OBU's policies harmed me in other ways. While a student at OBU, I was physically assaulted by a same-sex romantic partner on campus.
36. We had been dating for a few months at the time. It was a first same-sex relationship for both of us.
37. We got in a verbal fight and he then hit me in the face.
38. We broke up after the assault.
39. We had a class together. Because I could not report the assault, I could not have him separated from me and had to see him two days a week for an hour and a half during class. I also had to see him in my housing situation because we lived in the same dorm.
40. Neither of us were out at the time. I was too scared to report the assault because it would have outed him and would likely have subjected me to further monitoring by the administration or disciplinary action. My partner could have lost his job because he was employed by OBU. His family was also strongly opposed to him being gay and it would have hurt his relationship with his family.
41. If my partner had been a different gender than me, I would have reported this assault.
42. The experience of being rejected by OBU after I came out, caused me a lot of stress, sadness and anxiety. This was the lowest point for me since I had come out.
43. When I was fired and expelled, I transferred to a regional university and lived with my parents. However, when I tried to transfer churches, they rejected me because of my sexual identity and refusal to adopt an anti-LGBTQ doctrinal position.
44. However, I later co-founded Bison 4 Equality, an LGBTQ+ group of OBU students and alumni that we had started to put together while I was still a student. The purpose of the group was to ensure that queer and trans students would be safe and protected.
45. In that capacity, I have learned firsthand that other LGBTQ+ students at OBU have and continue to suffer under OBU's discriminatory policies. Queer and trans students have lost scholarships, been removed from sports teams and been harassed, even when they were not engaging in same-sex relationships or sexual behaviors.
46. OBU requested and received a religious exemption from Title IX by the U.S. Department of Education that purportedly allowed them to fire me from my campus job and dismiss me from my studies without any consequence or accountability.
47. OBU relies on this religious exemption to continue to maintain its discriminatory policies and cause severe harm to queer and trans students at OBU.
48. Bison 4 Equality participated in the #GiveBackIX campaign, attempting to protect queer and trans students by asking OBU to give back its Title IX exemption.

49. The campus community of OBU no longer feels safe because that community is segregated between those who are protected under the law (straight, cisgender students), and those who are not (queer and trans students).
50. I am a federal taxpayer and my taxes should not be spent furthering the discrimination against me by OBU.
51. I am currently in a relationship with a man. I would not be allowed to enroll at OBU because of my relationship status.
52. Current LGBTQ+ students at OBU are at immediate risk of anxiety, depression, disciplinary action and expulsion because of their LGBTQ+ identities and relationships.
53. Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed this 10th day of February, 2021.

By:



Tristan Campbell

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
EUGENE DIVISION**

Elizabeth HUNTER; et al., on behalf of)	
themselves and all others similarly situated,)	
	)	Civil Action No.
Plaintiffs,)	
v.	)	DECLARATION OF NATALIE
	)	CARTER
U.S. DEPARTMENT OF EDUCATION and)	
Suzanne GOLDBERG, in her official capacity as)	
Acting Assistant Secretary for Civil Rights,)	
U.S. Department of Education,)	
)	
Defendants.)	

Civil Action No.
**DECLARATION OF NATALIE
CARTER**

I, Natalie Carter, declare:

1. I am over 18 years of age and have personal knowledge of the matters stated in this declaration and would testify truthfully to them if called upon to do so.
2. I am a resident of College Park, Georgia.
3. I am using a pseudonym as I fear repercussions from Toccoa Falls College if they were to discover who I am and my participation in this suit.
4. I began attending Toccoa Falls College in Toccoa Falls, Georgia in August 2016. I expect to graduate in July 2021.
5. Toccoa Falls College’s student handbook states that “The College expects all members of the community to refrain from any form of sexual immorality including, but not limited to, any form of extramarital sexual activity, adultery, promiscuity, touching of intimate parts above or below clothing, homosexual behavior, transgenderism, viewing/participating in pornography, or sharing sexual images of one’s self or others. Cohabitation is also not allowed.”
6. Students are then encouraged to go to counseling for “proactive education or assistance with relationship issues.”
7. I am a queer woman.
8. I did not want to go to this college from the moment I stepped on campus for a tour there during my senior year of high school. I felt a strong vibe that this was not the school for

me. I had not come fully to terms with my sexuality and was suppressing it. I believe this intuition was a warning for me for the future.

9. I do not feel safe on campus and know for a fact that I would not be supported if I came out. I do not know if my school knows about my sexuality or not, but I am under the impression they have an idea and are keeping an eye on me.
10. I personally feel silenced, and my stomach is in knots knowing that I can't be expressive for all that I am.
11. At school, we talk about loving people wholeheartedly and loving all that we are. But I feel like I am not being loved for who I am, but for half of me. If people were to figure out the other half, I would be disowned.
12. I do not feel safe coming out on campus and I do not feel safe coming out on social media because I am afraid of other students at the school outing me or the school finding out about my sexual orientation on its own. The result would be that I would get thrown out.
13. I also think of my future employment. The school has a reputation for being racist and xenophobic, in addition to be homophobic and transphobic. I am afraid that I will be labeled as being like the students who are "phobics," before I can even express my views to a potential employer.
14. I believe that the discrimination that is being done at these Christian universities needs to finally be brought to light because of the inner damage it is doing to their LGBTQ+ students.
15. I am a federal income taxpayer in the United States. I will also have to repay loans from the U.S. Department of Education that I am taking out for attending Toccoa Falls College.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed this 29 day of March, 2021.

By:

S/ Natalie Carter

Natalie Carter