



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. 6:21-cv-00474- AA
	)	
Plaintiffs,	)	<b>DECLARATION OF VBP</b>
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.	)	

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.



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 27<sup>th</sup> 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. 6:21-cv-00474-  
AA

**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.

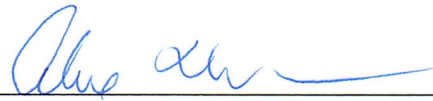
30. I received this email less than a week before my on-campus orientation at Union. I had already booked an Airbnb for the orientation in Jackson, TN.
31. I remember the moment I received this email vividly. I was leaving the gym on a Saturday morning when I opened it. The email was short. In a few 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,	)	Civil Action No. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF ZAYN SILVA</b>
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, 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](http://www.transalike.com)), which is an online platform to help trans youth find a safe church to attend and to hear 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](http://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.

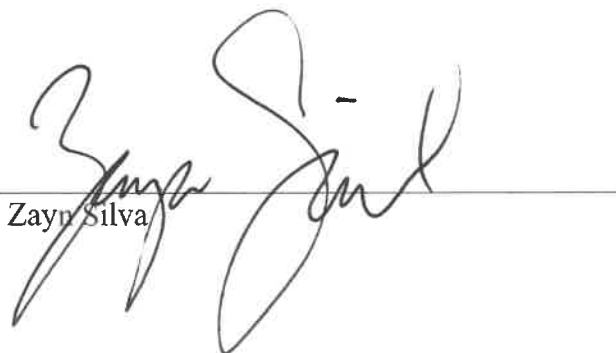
52. I'm starting at a secular school in the fall but I intend to pursue seminary again soon.

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

A handwritten signature in black ink, appearing to read 'Zayn Silva', is written over a horizontal line. The signature is stylized and cursive.



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

**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. 6:21-cv-00474-AA

**DECLARATION OF VICTORIA  
JOY BACON**

I, Victoria Joy Bacon, 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 Rowlett, Texas, located in Dallas County.
3. I attended Lipscomb University in Nashville, Tennessee from August 2017 until December 2020 when I graduated.
4. My mother grew up as the daughter of a Church of Christ preacher. She told me that I needed to go to a Church of Christ college if I was going to have their support for college. My mother had attended Harding University in Arkansas.
5. Lipscomb is a Church of Christ college and was approved by my parents.
6. Lipscomb also offered a law, justice and society degree through the Fred D. Gray Institute for Law, Justice and Society that I was very interested in. I also attended Lipscomb because I had a lot of family living in Tennessee.
7. I took out loans from the U.S. Department of Education to attend Lipscomb. I will be repaying student loans that I took out to enroll in Lipscomb for quite some time.
8. Lipscomb’s student handbook statement on sexuality says: “All students should practice the biblical standards of sexual morality. Sexual immorality of any kind is prohibited.”
9. I am a gender fluid, nonbinary, trans womxn and I am queer.
10. In high school, I attended a public high school. I was out as gay. A lot of other students at my high school were out about their sexuality and gender identity. My high school was also very racially diverse.

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 cisgender 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 26<sup>th</sup> day of February, 2021.

By:   
Victoria Joy Bacon



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 7<sup>th</sup> 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,	)	
	)	
Plaintiffs,	)	Civil Action No. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF HAYDEN BROWN</b>
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, 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. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF</b>
U.S. DEPARTMENT OF EDUCATION and	)	<b>BROOKE C.</b>
Suzanne GOLDBERG, in her official capacity as	)	
Acting Assistant Secretary for Civil Rights,	)	
U.S. Department of Education,	)	
	)	
Defendants.	)	

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 received 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 7<sup>th</sup> day of February, 2021.

By: Brooke C.  
Brooke C.



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



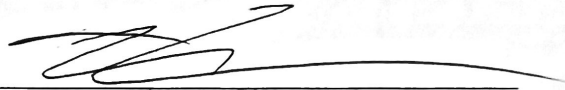
12. The IRS treats OBU as a tax exempt charitable organization.
13. OBU's student handbook outlines rules of behavior for students. This handbook contains a specific section for "human sexuality".
14. The section states, in part, "This policy addresses transsexualism, transgenderism, homosexuality, and 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 10<sup>th</sup> 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,	)	
	)	
Plaintiffs,	)	Civil Action No. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF NATALIE CARTER</b>
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, 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 28 day of March, 2021.



By:

Natalie Carter  
Natalie Carter (Mar 28, 2021 19:38 EDT)

---

Natalie Carter

**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. 6:21-cv-00474-
Plaintiffs,	)	AA
v.	)	
	)	<b>DECLARATION OF RACHEL</b>
U.S. DEPARTMENT OF EDUCATION and	)	<b>HELD</b>
Suzanne GOLDBERG, in her official capacity as	)	
Acting Assistant Secretary for Civil Rights,	)	
U.S. Department of Education,	)	
	)	
Defendants.	)	

I, Rachel Held, 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 Macungie, Pennsylvania, located in Lehigh County.
3. Beginning in August of 2017, I became a student at Messiah University in Mechanicsburg, Pennsylvania. I expect to graduate in May of 2021 with a degree in Peace and Conflict Studies.
4. 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 enroll at Messiah University.
5. I attended Messiah University because it was highly recommended by the Christians in my life as being a good school, especially for education majors, which I was considering at the time. Being in a Christian college seemed like the right thing to do because I grew up Christian and wanted to be in a Christian environment for school.
6. I also attended Messiah because I was offered a scholarship and my parents liked the school.
7. Messiah University's student handbook outlines rules of behavior for students. This handbook contains a specific "Sexual Behavior" section.
8. The section begins, "we affirm Christian marriage to be the union of one man and one woman and that human sexuality should be understood within this framework."
9. The handbook goes on to state: "students who experience same-sex attraction or LGBT+ are expected to refrain from 'same-sex sexual expression' as embodied in culturally

contextual practices (e.g., identifying as a couple or exhibiting expressions of physical intimacy).”

10. I am a bisexual woman.
11. I use she/they pronouns.
12. I’m engaged to a man who is not a student at Messiah.
13. I feel comfortable talking about my fiancé on campus because he is a cisgender male. I would not feel comfortable talking about my fiancé on campus, and could be subject to disciplinary action, if my fiancé was female or a transgender male.
14. I worked as an RA at Messiah. During RA orientation, we were asked whether we think LGBT+ students should be allowed to hold leadership positions.
15. During my Freshman year, an RA told me that when one of Messiah’s RAs was approached by a gay student and that RA told the student that being gay was wrong and encouraged him to seek out guidance to overcome his sin. That RA was rehired as an RA the following year.
16. I fear that if the wrong people at Messiah University found out that I am bisexual, that I could be in danger of immediate discipline or dismissal.
17. I feel safe coming out to my friends and some professors and staff. However, I would not publicize it to people that I do not know.
18. The school has polarized views that can both be progressive on one side of the spectrum, yet hateful to members of the LGBT+ community on the other end. Both views are tolerated by Messiah.
19. Messiah’s policies on sexual orientation and gender identity make me feel uncomfortable and very angry. It is scary knowing that such an intimate part of your life can be policed by university administrators.
20. Other students are also encouraged by Messiah to inform on each other when they violate campus policies around student conduct, including alcohol use and sexual rules. This is called “the silent witness program.” I have been reported on by another student before and it makes me nervous knowing that my sexuality could be reported as well.
21. There are also double standards when it comes to how straight relationships are treated as opposed to same sex ones.
22. I feel a lot of anxiety when I am at school when it comes to determining what I can say and to whom. I fear telling my roommates my sexual orientation or requesting that they use she/they pronouns because I worry about them being uncomfortable with me or that they will view me differently.

23. I worry that upon my graduation, my school's anti-LGBT+ policies will be an impediment to finding a job because employers will view me as incapable of serving or respecting LGBT+ people.
24. There are other LGBTQ+ students at Messiah University right now.
25. The Sexuality and Gender Education (SAGE) program at Messiah allows for some discussion and community for LGBT+ students. However, Messiah University does not allow an independent LGBT+ club on campus. Unofficial clubs exist at Messiah but they are not allowed to advertise or be public about their meetings. Many queer students don't know about these groups because of the secrecy imposed by Messiah.
26. Messiah University says that "Students who identify as LGBT+ are welcomed at Messiah University." However, I feel like Messiah's welcome falls short because they adopt the "love the sinner, hate the sin" mentality. It is almost more painful than an explicitly unwelcoming environment because it makes me think I will be fully safe and accepted as a bisexual student on campus, when in fact, I am not.
27. 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 12th day of February, 2021.

By:

  
\_\_\_\_\_  
Rachel Held

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. 6:21-cv-00474-
Plaintiffs,	)	AA
v.	)	
	)	<b>DECLARATION OF LAUREN</b>
U.S. DEPARTMENT OF EDUCATION and	)	<b>HOEKSTRA</b>
Suzanne GOLDBERG, in her official capacity as	)	
Acting Assistant Secretary for Civil Rights,	)	
U.S. Department of Education,	)	
	)	
Defendants.	)	

I, Lauren Hoekstra, 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 Sioux Center, Iowa but my permanent address is in Michigan.
3. I attended Calvin Christian School, a private, Christian high school in Michigan.
4. I am 20 years old.
5. My major is secondary English education with a minor in sociology.
6. Beginning in August, 2018, I became a student at Dordt University (hereinafter “Dordt”) in Sioux Center, Iowa. I am currently a student and expect to graduate in either December 2021 or May 2022.
7. While attending Dordt, I received federal financial aid, including student loans, from the U.S. Department of Education. I have worked a federal work study job at the print and mail center at Dordt my entire time as a student at Dordt.
8. I will have federal student loans that I have to repay as a result of attending Dordt.

9. I attended Dordt because it felt like home. My second-cousins and my friend from home's family went to Dordt. I visited campus during my junior year in high school. The people at Dordt were kind. I liked the religious aspect of the school as it reflected my upbringing in the CRC Church. They had a major that I was interested in at the time. I enjoyed meeting the faculty. In all, it felt like a place that I wanted to be part of.

10. I received quite a few scholarships from Dordt, which also influenced my decision to attend Dordt.

11. Since I can remember, I have always been attracted to females. I started being more aware of what that meant when I was in 8<sup>th</sup> grade. I was in high school when same-sex marriage was legalized in 2015. I remember my mom seeing the news on TV and saying "that is so sad." Her reaction confused me because everyone on the TV looked so happy.

12. I am a queer woman.

13. God created me this way and I am not a mistake.

14. When I decided to attend Dordt, I did not know that Dordt would be hostile to my sexual orientation. I did not find out about Dordt's policies until partway through my first semester.

15. Dordt's student handbook outlines rules of behavior for students.

16. The handbook regulates romantic relationships and sexual conduct. The handbook states "scripture is clear that God created humans as two distinct sexes, male and female; however, due to sin and brokenness, our experience of sex and gender is not always what God the Creator originally designed for His glory and our joy and flourishing as his servants."

17. The handbook later goes on to say “the only appropriate and permissible context in which sexual intimacy may be expressed as overt sexual interaction is in a marriage partnership of a man and a woman.”

18. These statement from the student handbook feel hurtful, patronizing and like they ignore the reality of the sexuality and gender identity of 18-22 year old students. Dordt’s policies on sexuality feel both unfair and oppressive.

19. The 2020-2021 Student Handbook defines the following sexual misconduct forbidden by the handbook as unbiblical:

- A. “Promoting or advocating sexually immoral activity”,
- B. “Extramarital sexual relations”,
- C. “Homosexual relations”,
- D. “Transgendered Behavior.”

20. The 2020-2021 Student Handbook goes on to state the following about same-sex romantic relationships:

*C. Homosexual Relations. It is unacceptable to have sexual relations with someone of the same sex. It is unacceptable to marry or be engaged to marry a person of the same sex. Dordt University also prohibits promoting or advocating such activity.*

*D. Transgendered Behavior. Adopting an identity discordant with one’s biological sex is prohibited. Dordt university also prohibits promoting or advocating such activity.*

21. The part about “being engaged to marry a person of the same sex” is new. This change is a result of a female student being engaged to another woman last year. Dordt was unhappy with her engagement and wanted to dismiss her but didn’t have an explicit basis in the student handbook to do so.

22. These policies reflect how queer and trans students are threatened with disciplinary action and expulsion for being who they are and loving who they love. We are held to a different, stricter level than straight students. If you are in a relationship, you have to watch out. Public displays of affection, like holding hands, are not allowed for queer students.

23. Two of my friends were in same-sex dating relationships on campus. They were ratted out by other students and required to meet with administrators. The administrators told them that they shouldn't be in a dating relationship but that if they were going to stay together, they needed to keep it quiet.

24. Homophobia is rampant here at Dordt.

25. I have lost friends because of coming out. Other queer students are too scared to come out because they fear losing friends and respect.

26. The student handbook also says that Dordt may determine that if an individual participates in forbidden conduct "an individual shall be dismissed from the university." This policy causes queer and trans student to fear that they may be expelled if they are authentic about their identities and relationships.

27. There are no queer role models at Dordt. I wish I had queer role models here because it would make me feel more welcome, safe and accepted.

28. I discussed coming out publicly with members of the administration including the Dean of Student Life, Robert Taylor, and the Dean of Chapel Aaron Baart. I was told that I would not get in trouble for coming out on campus as long as I was not blatantly promoting homosexuality or putting a homosexual relationship "in the face" of the people on campus.



29. I decided at that point to publicly come out in June 2020. The professors who know about my sexuality are supportive, but I only feel safe sharing with the professors who I believe will be understanding and kind about it.

30. I feel a great amount of anxiety relating to my coming out. I am afraid of having professors treat me differently or losing friends. I suffer some depression at school stemming from feeling different from everyone else on campus. I feel repressed in my own identity and feelings.

31. Some professors at Dordt teach in class that those who practice homosexuality will burn in hell. This belief is widespread at Dordt and is reflected in how other students react to me, including one student telling me by direct message that she feared for my soul. Her statement was followed by a long email telling me why being queer is immoral.

32. It would be very helpful for queer and trans students at Dordt if Dordt's nondiscrimination policy included sexual orientation and gender identity. It would also be helpful for queer and trans students at Dordt if they knew that they had Title IX protections.

33. Right now, if queer and trans students suffer discrimination on campus, they are powerless to protect themselves. We would feel safer knowing that if something happened to us, we would be protected and there would be accountability for how we were treated.

34. I am a federal taxpayer and do not feel that my taxes should fund Dordt'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 27<sup>th</sup> day of January, 2021.

By:   
\_\_\_\_\_  
Lauren Hoekstra

**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. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF</b>
U.S. DEPARTMENT OF EDUCATION and	)	<b>CHANDLER HORNING</b>
Suzanne GOLDBERG, in her official capacity as	)	
Acting Assistant Secretary for Civil Rights,	)	
U.S. Department of Education,	)	
	)	
Defendants.	)	

I, Chandler Horning, 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 Meridian, ID, located in Ada County.
3. I started attending Brigham Young University Idaho in Rexburg, ID in September 2015. I graduated in April 2020.
4. I chose to stay at Brigham Young after I came out because I was too far into school to be able to logically and easily transfer my credits.
5. BYU’s recent history when it comes to its stance on queer students is volatile. In February 2020, the school removed the wording banning same-sex romantic attraction. However, a few weeks later, a commissioner from the LDS church sent out a letter stating in no uncertain terms that “the moral standards of the Church did not change” and that “same-sex romantic behavior cannot lead to eternal marriage and is therefore not compatible with the principles included in the honor code.”
6. Presently BYU’s honor code states that students, faculty, and staff must “live a chaste and virtuous life, including abstaining from any sexual relations outside of a marriage between a man and a woman.”
7. BYU-Idaho also has a page on their counselling center website specifically discussing same sex attraction that says: “Sadly, anxiety, depression, social difficulties, feelings of isolation, and even suicidal thoughts may arise for individuals experiencing same-gender attraction.” The resources on this page lead only to LDS approved materials.
8. I am a gay man.

9. I did not feel safe coming out on campus. After I did come out, I attended school online. When I had to go back to on-campus learning, I put myself back in the closet for two semesters.
10. If I had acted in any way on my sexuality, even if it was to hold hands with a man, I could be expelled.
11. BYU-Idaho's policies make me feel like a flawed alien not worthy to live or exist.
12. I was damaged by BYU's policies. I spent my time there afraid that I would get expelled and therefore evicted from my BYU housing for breaking their honor code.
13. Students who are expelled or suspended are evicted within three days from BYU-I's mandatory, approved unmarried student housing.
14. Losing my housing would have left me homeless in rural Idaho.
15. I've suffered anxiety and depression from the stress and from hearing how gross I am even when they weren't saying it to my face.
16. There was an underground "conversion therapy-lite" group held by a faculty member in a dentist office in Rexburg. It is for those who "want to follow God's plan" and marry someone of the opposite sex in the temple despite being LGBT.
17. I am a federal income taxpayer in the United States. I am also repaying student loans from the U.S. Department of Education that I took out to enroll in Brigham Young University.

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/Chandler Horning  
Chandler Horning

**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. 6:21-cv-00474- AA
v.	)	
	)	<b>DECLARATION OF LOUIS JAMES</b>
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, Louis James, 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 retaliation from Indiana Wesleyan University for participating in this lawsuit.
3. I am a student at Indiana Wesleyan University in Marion, Indiana.
4. I chose IWU because it had a lot of things I was looking for in a school and it offered a lot of scholarship money.
5. I felt nervous about attending IWU as a gay person but it was my only real option to pursue what I love.
6. Indiana Wesleyan University has an extensive and lengthy statement on human sexuality located on its website. Some of the highlights of this statement include:
  - We affirm that God’s plan for marriage and sexual fulfillment can only be found within the context of marriage between one man and one woman.
  - With regard to sexuality and marriage this means that we agree to refrain from inappropriate sexual relationships outside of marriage between a man and a woman.
  - To follow the teachings of the Scriptures regarding marriage and divorce. We affirm that sexual relationships outside of marriage and sexual relationships between persons of the same sex are immoral and sinful.
  - Sexual relationships outside of marriage and sexual relationships between persons of the same sex are immoral and sinful. Yet we believe the grace of God sufficient

to overcome both the practice of such activity and the perversion leading to its practice

- Therefore God’s plan for human sexuality is that it is to be expressed only in a monogamous lifelong relationship between one man and one woman within the framework of marriage. This is the only relationship which is divinely designed for the birth and rearing of children and is a covenant union made in the sight of God, taking priority over every other human relationship
- We also agree to refrain from gender presentation that is incongruent with one’s birth documentation.

7. I am a gay man. I accepted my sexual identity while in 8<sup>th</sup> grade. I had to partially go back into the closet at IWU.
8. The school says that they accept LGBTQ+ students, but their handbook says otherwise.
9. I have to worry about whether I’ll be kicked out for being gay.
10. In August of 2020, I saw that a bunch of students were sharing a post about an RA who was fired for being gay. That made me think I had made a mistake in coming to IWU.
11. I thought everyone was staring at me, thinking I was gay too.
12. I became very anxious. I was also hurt because friends of mine said that the fired, gay student had no right to be here and was the one in the wrong. I wasn’t sure who I could trust.
13. I went into a major spiral. I wasn’t sleeping. I was barely eating.
14. I had anxiety whenever I went walking around.
15. In response to the firing, students painted the campus rock rainbow, which was great. However, other students would walk by it and say things like “that’s not right.”
16. Other students also painted over the rainbow. They painted hateful messages. One of the messages said “turn and repent.” IWU did not take the hateful messages down.
17. In response to the firing, my college put out statements about how they welcome LGBTQ+ students.
18. However, at the same time, they sent another message saying that marriage is between a man and a woman.
19. The messages were so contradictory.
20. There are so many LGBTQ students at IWU who are in hiding and scared to come out.
21. A lot of professors talk about LGBTQ+ identities as sinful.

22. I hear homophobic slurs like “fa\*\*\*\*” around campus.
23. Thankfully, I have found a circle of people who accept me and love me for who I am. They make me feel safe.
24. My school’s policies are saddening to read. These policies are especially saddening because IWU is a university, where I am paying to go to school.
25. LGBTQ+ students should be able to live more freely at the school of their choice. We are not just our sexuality, we are human beings, our sexual orientation is just a small aspect of what makes us a person. We have feelings and need safety and freedom just like everyone else. I want to fight for that freedom so future students do not have to live in fear.
26. 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 took out to attend IWU.

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 28th day of March, 2021.

By: s/Louis James

\_\_\_\_\_  
Louis James

**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. 6:21-cv-00474-  
AA

**DECLARATION OF  
JONATHAN JONES**

I, Jonathan Jones, 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 grew up in the Little Rock, Arkansas area and attended a non-denominational church that felt like home. My church was a big part of my life but that started to fall apart when I turned 18 and came out as part of the queer community.
3. I now identify as a bisexual, nonbinary, genderfluid person.
4. The church I grew up in was okay with my sexuality when I was not dating someone of the same-sex. However, when I realized that I wanted to date someone, like my heterosexual peers were doing, I told my church and my church ultimately rejected me.
5. I am currently a resident of Azusa, California, located in Los Angeles County.
6. I began attending Azusa Pacific University in Azusa, California in August 2017. I plan to graduate in July 2021.



7. While attending Azusa Pacific University, I received federal financial aid, including student loans, grants, work study, and scholarships. I will have to repay my student loans when I graduate.
8. I chose this school because of the Theology and the Global Studies programs. I also had the chance to participate in a scholarship which was based around social justice and student leadership. I felt that I could be part of the community of this school when I toured it.
9. At the end of the summer of 2018, I returned to APU for my Sophomore year. I had a scholarship where I was required to be in a leadership position at APU.
10. During my orientation as a student leader, APU reviewed the campus policies with us, including LGBTQ+ policies. We were informed that there was no longer a ban on same-sex dating. That information felt great to me, as it felt like my sexual identity and faith identity could be integrated.
11. However, in the fall of 2018, a professor sent a hateful and homophobic letter to the school and accused APU of leading students down the wrong path on human sexuality. This letter was leaked and distributed widely.
12. This letter hurt because I knew the people that this professor was writing about and because it also affected me as a queer person.
13. After that letter, there was a Board of Trustees meeting about same-sex dating on campus. The Board reversed the decision to allow same-sex dating.
14. The Board also made clear that the LGBTQ+ student group, which was called Haven at the time, was not a club, it was a ministry. The group was put under the Dean of Wellness.

15. This was a very scary time. I had started to feel safe coming out. Other students had started to feel safe coming out. And now this felt like a trick, like a trap.
16. I worried that I might lose my leadership position or my scholarship.
17. I started hearing from LGBTQ+ former students at APU who had lost their leadership positions or scholarships because of their-same-sex relationships.
18. I felt unwanted and unsafe on campus on an institutional level.
19. We held a prayer vigil in response to the Board's action. We did not hold a protest because we could have been disciplined if we held a protest.
20. It was unclear to us what would happen to us if we were caught in a same-sex relationship.
21. This uncertainty, confusion and rejection made it hard for me to go to class.
22. Several months later, in the spring of 2019, APU changed its student policies. APU no longer addressed same-sex dating in its code of conduct. APU's code of conduct stated that extramarital sex remained prohibited and that APU believed marriage was only between a man and a woman. These changes were confusing. There was no statement that same-sex dating was allowed or that LGBTQ+ identities and relationships were affirmed.
23. It feels like APU continues to downplay or hide its queer and trans student population so as not to offend its donor base.
24. APU also forced us to change the name of our LGBTQ+ student group. They did not like the name Haven. We had to change it to Tapestry. As a ministry, our financial situation is inferior to that of student clubs, and we do not get to fully control our programming.

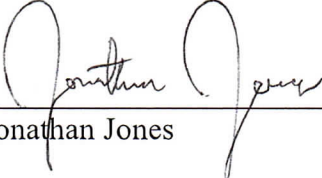
25. Tapestry is better than not having a place for us to gather, but it has limitations and features that reduce its value.
26. As Tapestry remains a ministry of APU, rather than an independent student club, APU maintains control over us. It also means that APU knows who comes to our meetings because an APU administrator attends our meetings.
27. If Tapestry were allowed to be a student club, rather than a controlled ministry, it would be a safer and more equal space for queer and trans students and students who are questioning their sexuality or gender identity.
28. Our group should be treated like the other clubs on campus. Putting us under the control of APU as a “ministry,” singles us out for unequal treatment and stigmatizes us.
29. There are other practices at APU that put LGBTQ+ students in danger. For example, APU has removed a queer student from their housing assignments when a roommate reported them for “coming onto them,” when, in reality, the student had merely come out to them.
30. APU’s major donors tend to be anti-LGBTQ+ and APU prioritizes these donors on human sexuality and gender identity issues, rather than prioritizing the safety and health needs of their LGBTQ+ students.
31. Azusa Pacific University’s current Human Sexuality statement states, in part, “as an evangelical community of disciples and scholars who embrace the historic Christian understanding of Scripture, Azusa Pacific University holds that sexuality is a gift from God and basic to human identity as well as a matter of behavioral expression. We hold that the full behavioral expression of sexuality is to take place within the context of a marriage covenant between a man and a woman and that individuals remain celibate

outside of the bond of marriage. Therefore, we seek to cultivate a community in which sexuality is embraced as God-given and good and where biblical standards of sexual behavior are upheld.”

32. This exclusionary affirmation of straight relationships ignores the queer and trans students at APU, including those who are in relationships. It’s a conflicting message and a shaming message that singles out queer people and tells them that celibacy is their only option in life.
33. These policies force people to stay in the closet or go back into the closet. The closet is not a healthy place for queer people to be because they have to monitor and suppress important parts of their identities.
34. The faculty and staff at the school have been able to offer only limited statements of support because they are forced to sign a belief statement as employers of the university.
35. My school’s position towards gender and sexual orientation makes me feel ostracized and unwanted. The school has briefly recognized gay couples, just to reverse their stance, and then reverse it again, lifting bans on gay romance later. But, generally, the queer community at Azusa Pacific University is now ignored and sidelined.
36. We are not celebrated. Our safety and health is not prioritized. We have no protection from what APU and its Board and donors can decide to do to us.
37. A lot of LGBTQ+ students remain closeted on campus because they don’t feel safe coming out.
38. A non-discrimination policy that included LGBTQ+ students at APU would make me feel safer at APU. We need a strong rule in place that prohibits APU from punishing students for being queer or trans or for dating someone of the same gender.

39. I am participating in this lawsuit because future queer Christian students deserve a space to explore their spirituality alongside their sexuality and gender identity in a faith-based environment without the fear of harassment or discrimination.

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:   
Jonathan Jones