



*Seeking Justice with  
the Love of God*

**When Colleges and Universities Exclude Religious Student Groups:  
A Serious Problem  
(last updated March 2023)**

The following data is compiled from the experiences of several different religious student organizations. It is a representative list and is not comprehensive, because many situations—indeed probably the majority of situations—go unreported.

At many universities and colleges nationwide, religious student organizations have been threatened with exclusion from campus because they require their leaders to agree with their religious beliefs. All of these colleges and universities receive federal funding.

On a typical campus, hundreds of student groups meet to discuss political, social, and philosophical ideas. The student groups apply to the university administration for “recognition” as a student group. “Recognition” allows a student group to reserve free meeting space on campus, communicate with other students, and apply for student activity fee funding available to other student groups.

Without recognition, a group is stigmatized and finds it nearly impossible to exist on campus. A group loses the ability to reserve free meeting space. It loses the ability to communicate with students on the same basis as other student organizations communicate. It cannot attend student activity fairs at the beginning of the semester or be listed on the college website that connects students with recognized student groups.

Religious student organizations enrich campus life in tangible and intangible ways. Religious groups provide emotional and spiritual support for students, thereby improving wellbeing and mental health for students, and benefiting retention. Religious groups enhance campus diversity by contributing to the “marketplace of ideas” on campus. Religious groups are among the most ethnically diverse student groups on campus. They give students opportunities to serve their campuses and communities through an array of service projects.

Excluding religious student organizations harms students and diminishes campus diversity. Some colleges have adopted policies that protect religious groups and their ability to choose their leaders according to their religious beliefs. Unfortunately, many colleges have punished religious student groups for their religious beliefs and speech, including having religious leadership requirements, as described below.

**This is a nationwide issue.** This document demonstrates that religious student organizations face many issues on campuses around the country. We note, however, that there are many more undocumented issues that have occurred than those listed here.

Very often, the process of getting a religious group registered involves their chapter constitutions receiving additional scrutiny, and their leaders being subject to additional questions or requests to change their chosen language that expresses their beliefs, including their leadership standards. For example, one religious organization with student chapters noted that, in the last four years, they had consulted legal counsel related to issues on sixteen different public colleges and universities, in order to get help navigating recognition issues, ranging from an actual denial to the threat of denial, or unusual bureaucratic hurdles to overcome. Another religious organization stated that they had numerous examples of similar problems, but it declined to share the details of many of those challenges due to various sensitivities. This is often because the student leaders of these religious groups are too intimidated by their schools' climate of hostility to their religious beliefs or speech to even want their schools identified. Often students don't want to talk publicly about problems they encounter because they are concerned about the repercussions to their group and to the relationships they are seeking to build with administrators.

## **Alabama**

### **University of South Alabama**

A student group had to seek help from legal counsel for the organization when it faced derecognition due to its religious leadership standards. It had to formally negotiate with school officials in order to get registered. In 2019, the Alabama Legislature adopted legislation protecting belief-based student groups. (Ala. Code § 16-68-3(a)(8))

## **Arizona**

### **Embry Riddle Aeronautical College**

In 2018, a religious student group was refused recognition by the college because of its religious leadership requirements.

### **University of Arizona**

In 2010, the university denied recognition to a pro-life student group because the group's proposed constitution required that its members share its beliefs about the sanctity of human life. After receiving a letter from a legal organization, the university granted recognition to the group. Subsequently, in 2011, the Arizona Legislature protected religious student groups' ability to choose their leaders and members according to their religious beliefs. (A.R.S. § 15-1863)

### **Arizona State University**

In 2004, the university denied a religious student group recognition because it required its leaders and members to agree with its religious beliefs. After the group challenged the university in court, the university revised its policy to allow religious student groups to require their leaders and members to share their religious beliefs. (*Christian Legal Society Chapter at Arizona State University v. Crow*, No. 04-2572 (D. Ariz. Nov. 17, 2004))

In 2018, 2020, and 2022, university staff denied the CLS chapter's application to re-register. After CLS's legal counsel corresponded with the university general counsel, however,

the university agreed to register the CLS student chapter in accordance with the 2004 settlement agreement.

## **California**

### **California State University**

The California State University comprises 23 campuses with 437,000 students. In the 2014-15 academic year, the University withdrew recognition from many religious student associations because they required their leaders to affirm the associations' religious beliefs. Some excluded groups had met for sixty years on Cal State campuses with religious leadership requirements. But under a new university policy, as a Cal State administrator explained, "What they cannot be is faith based where someone has to have a profession of faith to be that leader."

Eventually, Cal State retreated from its position and provided a letter that, under certain circumstances, religious groups' leadership selection processes could include questions about a candidate's religious beliefs. But the problematic policy remains on the books, and the religious groups remain on campus solely at the discretion of university administrators. In the past two years, some religious groups have experienced problems obtaining recognition on particular campuses. Also on the books is a decision by the federal Ninth Circuit that allowed (but did not require) the university to exclude religious groups because they require their leaders to be religious. (*Alpha Delta Chi v. Reed*, 648 F.3d 790 (9<sup>th</sup> Cir. 2011).) This Ninth Circuit opinion leaves 25% of all college students in the nation unprotected.

The 23 California State University campuses are: California State University, Bakersfield; California State University, Channel Islands; California State University, Chico; California State University, Dominguez Hills; California State University, East Bay; California State University, Fresno; California State University, Fullerton; Humboldt State University; California State University, Long Beach; California State University, Los Angeles; California Maritime Academy; California State University, Monterey Bay; California State University, Northridge; California State University, Pomona; California State University, Sacramento; California State University, San Bernardino; ;San Diego State University; San Francisco State University; San Jose State University; California Polytechnic State University, San Luis Obispo; California State University San Marcos; Sonoma State University; California State University, Stanislaus.

### **University of California, Davis**

A nondiscrimination policy at the University of California, Davis protected students regardless of their religious beliefs, unless they held Christian beliefs. The policy said: "Religious/Spiritual Discrimination - The loss of power and privilege to those who do not practice the dominant culture's religion. In the United States, this is institutionalized oppressions toward those who are not Christian." In February 2011, after receiving a letter from a legal group, the university revised its policy.

### **University of California, Hastings College of the Law (now UC College of the Law, San Francisco)**

In 2007, a religious student group was denied recognition because it required its leaders and voting members to agree with its religious beliefs. The law school claimed to have a novel

policy that required all student groups to “allow any student to participate, become a member, or seek leadership positions in the organization, regardless of their status or belief.” The Supreme Court ruled, 5-4, in 2010 that the law school could apply this “all-comers” policy to religious groups, but only if it applied the policy uniformly to all student groups. (*Christian Legal Society v. Martinez*, 561 U.S. 661 (2010)) This decision has created nationwide confusion on college campuses with severe repercussions for religious student groups, because many colleges claim they have this novel policy when they do not and instead are discriminatorily excluding religious student groups from their campuses.

## **Colorado**

### **Aims Community College**

In 2022, students wanted to start a chapter of a national religious organization but were told that they could not because the college had had a negative experience with a prior religious group. The chapter leaders then met with administrators and cited the 2020 federal regulation that protects religious student organizations, and the administrators then agreed to recognize the group.

### **University of Northern Colorado**

In the 2018-19 academic year, a religious student organization was threatened with de-recognition unless it dropped its faith requirement for its leaders and submitted a constitution that in no way indicated that the organization *expected* its leaders to share its religious beliefs. The student leaders sought help from legal counsel. After receiving a letter from the students’ legal counsel, the university claimed it had an “all-comers” policy and said it could not accommodate the group, despite its language referring only to enumerated statuses. The group was eventually recognized.

In 2011, a religious student group was denied funding for a campus event due to a university policy that prohibited funding for “ideological, political, or religious activities.” The policy was eventually changed.

### **University of Colorado, Colorado Springs**

In the 2018-2019 academic year, a religious student organization whose purpose is to articulate Christian apologetics in a campus environment was denied recognition by the University because of its requirement that its leaders agree with its religious beliefs. On November 15, 2018, the group filed a federal lawsuit against the university, which settled in favor of the student group in May 2019.

### **Fort Lewis College**

In 2012, a religious student group was told that a college policy did not allow them to approach other students on campus to discuss spiritual topics. The problem was resolved through correspondence from legal counsel.

## **Florida**

### **Florida Polytechnic**

In 2020, the university refused to recognize an InterVarsity chapter until multiple rounds of engagement with legal counsel caused the university to change its position.

### **University of Florida**

In 2008, the university refused to recognize a religious student group because of its religious requirements for its leaders and members. When the group challenged the policy in court, the university revised its policy to protect the right of religious groups to have religious leadership and membership requirements. The university paid several hundreds of thousands of dollars toward the student group's legal fees. (*Beta Upsilon Chi, Upsilon Chapter at the University of Florida v. Machen*, 586 F.3d 908 (11<sup>th</sup> Cir. 2009), *vacating as moot*, 559 F. Supp. 2d 1274 (N.D. Fla. 2008))

### **University of South Florida**

In 2015, the university implemented a new policy that effectively denied student activity fee funds to student groups with religious leadership requirements.

### **Rollins College**

In 2013, a number of religious groups were de-recognized and could no longer hold Bible studies on campus because college administrators applied a policy that effectively prohibited religious student groups from having religious leadership and membership requirements. When several religious groups sought to once again be recognized in the 2018-2019 academic year, they faced the same challenges.

### **Florida State University**

In 2004, the university threatened not to recognize a religious student group because of its religious leadership requirements. After a letter from a legal organization, the university recognized the group.

## **Georgia**

### **University of West Georgia**

In the summer of 2019, a religious student group was told by university administrators in the Center for Student Involvement that it would not be a registered student organization for the 2019-2020 academic year because of its religious leadership requirements. It had been a registered student group since 2014, although at that time, it had taken several months and the involvement of a legal organization to become a registered student organization. In August 2019, after a legal organization became involved, a high-ranking university official reversed the decision and registered the organization.

### **University of Georgia**

In 2006, the university denied recognition to a religious student group because of its religious leadership and membership requirements. When the group challenged the policy in court, the university revised its policy to allow religious student groups to select leaders and

members based on their religious beliefs. (*Beta Upsilon Chi v. Adams*, No. 3:06-cv-00104 (M.D. Ga. 2006))

### **Georgia Institute of Technology**

In 1997, a university threatened to derecognize a religious student group because of its religious leadership and membership requirements. The Georgia Attorney General issued an opinion that the university was violating the group's free speech rights. The university then recognized the religious organization. (Ga. AG Op. 97-32)

## **Idaho**

### **Boise State University**

In 2008, the university implemented a policy that would not allow religious student organizations to consider religion in selecting leaders. The student government required two religious groups to remove references to the Bible from their constitutions. The groups challenged the policy in court. The university agreed to recognize the religious groups and allow them to "limit leadership positions to students who share the same beliefs, values, and purposes" of the groups. (*Cordova v. Laliberte*, No. 08-543 (D. Idaho 2008)).

In 2012, the university stated that it wished to return to a policy that would prohibit religious groups from having religious leadership requirements. In 2013, the Idaho Legislature protected the ability of religious student groups to have religious leadership requirements. (Idaho Code § 33-107D)

### **University of Idaho College of Law**

In 2001, a law school's student government denied a religious student group's request for student activity fees funding because the religious group required its leaders and voting members to agree with its religious beliefs. In deciding the religious group's appeal, the student judiciary determined that the religious group could receive student activity fees funding while having religious leadership requirements.

In 2021, a CLS student chapter sought recognition as an official student group at the University of Idaho College of Law. The law school student government, which was delegated the authority to recognize student organizations, grilled the CLS student leaders for nearly an hour about their application for recognition. The student government's questions focused on CLS's religious beliefs. After two such student government meetings in which the CLS student leaders defended their religious beliefs, legal counsel for the CLS chapter sent a letter to the University, asking that the CLS student chapter be recognized. The letter relied on the federal campus access regulation, 34 C.F.R. §§ 75.500(d) & 76.500(d). The CLS chapter was recognized.

## **Illinois**

### **Knox College**

In 2019, a student activist group sought to get the Student Senate to derecognize the InterVarsity chapter each year for nearly two years because of the chapter's convictions

regarding sexuality. The Senate approved a campus-wide referendum to vote on the chapter's recognition, a move which was eventually stopped by the administration.

### **Northwestern University**

In 2015, several religious students were found to have violated campus policies against solicitation after university administrators defined "solicitation" as "seeking to gain support for organizations or causes." The administrators concluded that students who initiated spiritual conversations with other students and invited them to a meeting violated university policy. The university punished the religious student group by imposing sanctions on it.

### **University of Illinois**

In 1993, a law school threatened to derecognize a religious student group for its religious beliefs. When a faculty member wrote a letter on behalf of the religious group, the law school allowed the group to remain recognized. (Stephen M. Bainbridge, *Student Religious Organizations and University Policies Against Discrimination on the Basis of Sexual Orientation: Implications of the Religious Freedom Restoration Act*, 21 J.C. & U.L. 369 (1994))

### **Southern Illinois University School of Law**

In 2005, law school administrators revoked a religious student group's recognition because it required its leaders and members to agree with its religious beliefs. The student group challenged the policy in court and won a preliminary injunction. (*Christian Legal Society v. Walker*, 453 F.3d 853 (7<sup>th</sup> Cir. 2006))

## **Indiana**

### **Indiana University**

In August 2015, the university announced that it would change its policy so that religious student groups could no longer require their leaders to agree with the groups' religious beliefs. The university acknowledged that religious groups would not be able to choose their leaders according to their religious beliefs but that fraternities and sororities would be allowed to discriminate on the basis of sex in their selection of members and leaders.

Twenty religious student groups, including Catholic, Muslim, Jewish, and Christian student groups, sent a letter to the administration expressing their concerns about the new policy and its impact on religious groups' ability to choose their leaders according to their religious beliefs. After seven months of communications from students, parents, alumni, donors, and state political leaders, the university announced that it would keep its original policy and allow religious student groups to have religious leadership requirements. In 2022, the Indiana Legislature adopted legislation protecting religious student groups. (Indiana Code 21-39-8-1 *et seq.*)

### **Ivy Tech Community College**

A student group had to seek help from legal counsel for the organization when it faced derecognition due to its religious leadership standards. It had to formally negotiate with school officials in order to become registered.

### **Purdue University**

In 2003, the university threatened to derecognize a religious student housing cooperative because it required its members to agree with the religious beliefs that defined the house. After receiving a letter from a legal organization, the university agreed to continue to allow religious housing cooperatives formed around religious beliefs.

## **Iowa**

### **University of Iowa**

In 2017, the University derecognized a religious student group, which had met on campus for 25 years, because it required its leaders to share its religious beliefs. The group had been previously recognized for its outstanding service to the student body. The group filed a federal lawsuit to regain its recognition and was granted a preliminary injunction in January 2018. The university lost and appealed, also losing the appeal. *Business Leaders in Christ v. University of Iowa*, 991 F.3d 969 (8th Cir. 2021).

In July 2018, the University officially derecognized 38 other student groups, including Muslim, Sikh, Mormon and Christian groups. InterVarsity was among these groups and was told that it could not require its leaders to agree with the group's religious beliefs. The Eighth Circuit Court of Appeals ruled that the University of Iowa officials had violated a clearly established right when they derecognized the religious student organizations, and that they therefore had forfeited qualified immunity. *InterVarsity Christian Fellowship/USA v. University of Iowa*, 5 F.4<sup>th</sup> 855 (8th Cir. 2021).

These court cases were not the first time concerns arose at the University of Iowa. For over a decade, religious groups had been targeted by other student groups for exclusion from campus because they required their leaders to agree with the groups' religious beliefs. In 2004, for example, the law school denied recognition to a religious student group because it required its members and leaders to agree with its religious beliefs. After several letters from a legal organization, the university recognized the group. But over the years, there was a steady drumbeat of opposition to religious student groups on campus. In 2019, the Iowa Legislature adopted a law protecting religious student groups on public university campuses. (Iowa Code § 261H.3(3))

### **Central College**

In 2008, the college threatened to expel a religious student group from campus because it asked its leaders to agree to live according to its religious beliefs. Eventually, the college agreed to allow the group to remain on campus.

### **Cornell College**

In 2011, the college required religious groups to delete their religious leadership and membership requirements from their constitutions in order to remain on campus.

## **Kansas**

### **University of Kansas**



In 2021, the student government denied a funding request for a religious student organization, noting that it could not grant a request if any of the funds would be used for religious purposes. The student leaders sought help from legal counsel for the organization. Legal counsel sent two separate letters requesting changes to the unconstitutional funding policy that singled out religious groups for different treatment. The student government changed its policy and granted the student group funding.

### **Washburn University School of Law**

In 2004-2005, a law school student government voted to punish a religious group for not allowing a student to lead its Bible studies even though the student admitted that he did not agree with the group's religious beliefs. When the religious group sought protection in court, the law school agreed to allow the religious student group to keep its religious leadership and membership requirements. (*Christian Legal Society Chapter of Washburn University School of Law v. Farley*, No. 04-4120 (D. Kan. Sept. 16, 2004).) In 2016, the Kansas Legislature adopted a law protecting religious student groups on public university campuses. (K.S.A. §§ 60-5311 to 60-5313)

## **Louisiana**

### **Louisiana State University**

In 2003-2005, the university denied recognition to a Muslim religious student group that had met on the LSU campus for many years. The university said that a new university policy required all student organizations to state in their constitutions that they would not restrict membership based on religious belief. After receiving a letter from a legal organization, the university restored recognition to the religious student group. In 2016, Louisiana adopted a law protecting belief-based organizations. (LSA-R.S. § 17:3399.33)

## **Maine**

### **Bowdoin College**

In 2014, the college derecognized a religious student group because it required its leaders to agree with its religious beliefs, as it had done for several decades. Despite *The New York Times*' front-page coverage, the college derecognized the religious group.

### **University of Maine, Farmington**

In 2010, the university threatened to deny recognition to a religious student group unless it removed from its constitution that the group's purpose was to evangelize. After fifteen months, the university agreed to restore its recognition.

## **Maryland**

### **University of Maryland – Baltimore County**

In 2022, the Graduate Student Association refused to recognize religious groups (including InterVarsity) because they were religious groups.

### **Towson University**

In 2010, the Student Government Association voted to deny funding to a religious student organization, because it determined that the event that was to be funded was too religious.

## **Massachusetts**

### **Tufts University**

In 2000, the student judiciary voted to derecognize a religious student group because it required its leaders and members to agree with its religious beliefs. After a legal organization sent a letter, the administration restored recognition to the religious group. The issue arose again in 2014.

### **Harvard University**

In 2018, the university placed a religious student group on administrative probation because it required its leaders to agree with its religious beliefs.

### **Springfield Technical Community College**

In 2022, a religious student group was told they could no longer be recognized because their values didn't align with those of the university.

## **Michigan**

### **Eastern Michigan University**

In 2022, a religious student group was told they had to include language stating they would not use religious criteria in the selection of leaders "unless the student organizations' restriction is shown to be specifically allowed by law." The chapter received legal counsel on how to clarify that religious leadership criteria for religious groups is specifically allowed by law, actually enabling religious groups to be treated like other groups in being able to maintain an expressive identity. The group was then recognized. Most groups, however, would not be able to understand their rights, as most would understand the language to except only fraternities and sororities from the policy in relation to their sex-based distinctions.

### **Wayne State University**

In 2017, after several months of trying to reason with the administration, a religious student organization that had been a recognized student group at the university since 1956 was derecognized because it required its leaders to agree with its religious beliefs. After a federal lawsuit was filed, the university restored recognition to the student organization, but continued to fight in court for the right to deny recognition to the group. It lost in district court, with the judge finding that the university had violated the free speech, freedom of association, freedom of assembly, and free exercise rights of the student organization. (*InterVarsity Christian Fellowship/USA v. Bd. of Governors of Wayne State Univ.*, 542 F. Supp. 3d 621 (E.D. Mich. 2021))

### **University of Michigan**

In 2012, the university derecognized a religious student group because it required its leaders to agree with its religious beliefs. In 2013, the university restored recognition to the religious student group. The university has a history, dating back to 1992, of sporadically threatening to exclude a religious group because it requires its leaders to agree with its beliefs.

## **Minnesota**

### **University of Minnesota**

In 2020, the university's Graduate Student Activities office refused to allow religious groups, including InterVarsity, to participate in the activities fair.

In 2003, the university denied recognition when another religious group refused to state in its constitution that its membership was open to all students regardless of religion. The group challenged the university policy. In order to settle the case, the university changed its policy to allow religious student groups to "require their voting membership and officers to adhere to the organization's statement of faith and its rules of conduct." (*Maranatha Christian Fellowship v. Regents of the Board of the University of Minnesota System*, No. 03-5618 (D. Minn. Oct. 24, 2003))

In 1994, the university derecognized a religious student group because it required its leaders and members to agree with its religious beliefs. A professor at the law school led the successful effort to regain recognition for the group. (Michael S. Paulsen, *A Funny Thing Happened on the Way to the Limited Public Forum: Unconstitutional Conditions on "Equal Access" for Religious Speakers and Groups*, 29 U.C. Davis L. Rev. 653, 675 (1996))

### **Minnesota State University, Mankato**

In 2015, a student invited some of her dormitory neighbors to discuss religious ideas. A residential advisor told the student that she was violating a university policy which allowed students to prohibit "religious solicitation" on a dormitory floor by majority vote. Eventually the university repealed its policy.

## **Missouri**

### **Southeast Missouri State University**

In 2015-2016, the university denied a religious student group recognition because it required its leaders to agree with its religious beliefs. The group worked with the administration and the student government to secure a policy that would protect religious groups. In April 2016, the student government voted *not* to adopt a policy that would protect religious groups. After the student government vote, five additional religious groups indicated that they would not be able to remain on campus if they could not require their leaders to agree with their religious beliefs. In October 2016, the university agreed that religious student groups could have religious requirements for their leaders.

## **Montana**

### **University of Montana School of Law**

From 2007-2011, the law school student government denied recognition to a religious group because it required its leaders and members to agree with its religious beliefs. The religious group challenged the policy in court, but the district court ruled against the religious group because it was in the Ninth Circuit. The religious group dismissed its appeal when the law school agreed to implement numerous reforms to bring allocation of student activity fees into

conformity with the First Amendment. (*Christian Legal Society v. Eck*, 625 F. Supp.2d 1026 (D. Mont. 2009), *appeal dismissed*, No. 09-35581 (9<sup>th</sup> Cir., Aug. 10, 2011))

### **Montana State University**

In 2022, the university refused to recognize a religious student organization's chapter because of the chapter's religious leadership requirements. It required the chapter to submit a constitution which did not include an explanation that religious leadership requirements were consistent with the university's nondiscrimination requirement.

In 2014, the university adopted a new policy that effectively prohibited religious student groups from having religious leadership requirements. The religious groups could not persuade the university to allow them to maintain their leadership requirements because of Ninth Circuit precedent.

## **Nebraska**

### **University of Nebraska-Omaha**

In 2010, the university told a religious student group that it must remove from its constitution its requirement that its leaders agree with its religious beliefs. After receiving a letter from a legal organization, the university agreed to recognize the group. The university also had told a different religious group that its students could not meet with students who had filled out a card indicating that they wanted to receive information from the group.

## **New Hampshire**

### **University of New Hampshire Franklin Pierce Law School**

In 2022, the law school's Student Body Association asked inappropriate questions about a religious student organization's religious beliefs, with certain members appearing hostile to the chapter's views. Legal counsel wrote two letters citing federal regulations, 34 CFR §§ 75.500 (d) and 76.500 (d). The group was then granted recognition.

## **New Jersey**

### **Princeton University**

For several years before 2005, the student government denied a religious student group recognition because it was religious. After a letter from a legal organization, the administration eventually granted the group recognition.

### **New Jersey Institute of Technology**

In 2010, the college had a policy creating three tiers of student groups with the third tier automatically denied student activity fee funding, unlike the groups in the first two tiers. The third tier consisted largely of religious student groups.

### **Rutgers University**

In 2021, the Graduate Student Association refused to recognize multiple Christian groups as duplicative (one of which was an InterVarsity chapter). Two years of conversation with the university finally resulted in two Christian clubs being recognized.

In 2002-2003, the university derecognized a religious student group because it would not include language in its constitution that would prevent it from requiring its leaders to agree with its religious beliefs. In response to a court challenge, the university revised its interpretation of its policy to allow religious student groups to keep their religious leadership requirements. (*Intervarsity Multi-Ethnic Campus Fellowship v. Rutgers*, No. 02-06145 (D.N.J. 2002))

## **New Mexico**

### **University of New Mexico**

In 2020, the University refused to recognize a religious student group because of its religious leadership requirements. The student leaders sought help from the national organization, and after multiple conversations with administrators, the University backed down only because the organization reminded them of the federal regulation finalized in 2020 that protected religious student groups, 34 CFR §§ 75.500 (d) and 76.500 (d).

### **University of New Mexico School of Law**

In 2001, the law school denied recognition to a religious student group because it required its leaders and members to agree with its religious beliefs. After receiving a letter from a legal organization, the university revised its policy and recognized the religious group with its leadership and membership requirements.

## **New York**

### **State University of New York, Cortland**

In 2022, a religious student organization submitted revisions to its constitution that included statements that it expected its leaders to demonstrate knowledge of the national organization's teachings, and that the process would include asking applicants about their beliefs. The Student Government Association (SGA) asked the leadership to remove those statements, claiming it went against the SGA policy that said the SGA could oppose recognizing a group if "it is discriminatory in any way...". After legal counsel sent a letter detailing the state of the law and that the chapter wished only to preserve its religious identity, the chapter was re-registered and allowed to include the statements in its constitution.

### **State University of New York, Albany**

In 2016-17, a religious student group had difficulty achieving recognition from the Student Association due to a policy stating that any student must be allowed to be a member and run for office in any student organization, with no eligibility qualifications allowed to ensure suitability, knowledge or experience. The religious student group expressed concern about preserving its religious beliefs and mission and the university's hindering its association rights, but the university continued to insist on the policy and asked for language changes in the constitution. The group achieved recognition after a convoluted process of updating its

constitution, though it remained concerned that it would not be able to uphold its religious beliefs.

#### **New York City College of Technology, Brooklyn**

In 2017, a religious student group seeking to register as a student organization was told that their constitution could not have any leadership requirements other than the basic GPA-type requirements the college has in place. They were asked to remove any such language in their constitution. The group was concerned about its association rights and asked for policies clarifying the requirement further. The administrator refused to give more details, and just demanded that they remove all religious requirements for leaders, or they would not be registered.

#### **State University of New York, Buffalo**

In 2011, the student government derecognized a religious student group because it required its leaders to conform to its religious standards of conduct. After seven months, the student judiciary ordered that the student government restore recognition to the religious group.

#### **North Country Community College**

In 2005, a student was told by university administrators that she could not form a religious student group because of “separation of church and state.” After a letter from a legal organization, the university agreed to allow her to form a religious student group.

#### **Pace University**

The law school denied recognition to a religious student group because it required its leaders and members to agree with its religious beliefs. After eighteen months of correspondence, including letters from a legal group, the law school eventually recognized the religious group with religious requirements for leaders.

#### **State University of New York, Oswego**

In 2001, a religious student group was denied recognition because it required its leaders and members to agree with its religious beliefs. Eventually the university agreed to recognize the group with its religious leadership and membership requirements.

### **North Carolina**

#### **University of North Carolina, Chapel Hill**

In 2005-2006, the university denied recognition to a religious student group because it required its leaders and members to agree with its religious beliefs. The student group challenged the university’s action in court. The university settled the case by adopting a policy that allows all student groups, including religious groups, to have leadership and membership requirements regarding beliefs. (*Alpha Iota Omega Christian Fraternity v. Moser*, No. 04-765, 2006 WL 1286186 (M.D.N.C. May 4, 2006); 2005 WL 1720903 (M.D.N.C. Mar. 2, 2005)) Nonetheless, for the next 8 years, religious groups at UNC were repeatedly told that the policy might be altered to no longer allow religious leadership requirements. In 2014, the North Carolina General Assembly enacted legislation to protect religious student groups on public college campuses. (N.C.G.S.A. §§ 115D-20.1 & 116-40.12)

### **University of North Carolina, Greensboro**

In 2011-2012, the university denied recognition to a religious student group because it required its members to agree with its religious beliefs. The university recognized the group after it challenged the university policy in court.

## **North Dakota**

### **University of North Dakota**

In 2003, the university denied recognition to a religious student group because it required its leaders and members to agree with its religious beliefs. After several months, the university agreed to allow religious groups to take religion into account in selection of their leaders and members and restored recognition to the group. In 2021, the North Dakota Legislature adopted legislation to protect student groups. (N.D. Code § 15-10.4-02(h))

## **Ohio**

### **The Ohio State University Moritz College of Law**

In 2003-2004, a religious group was threatened with derecognition by the law school after a member of another student group demanded that it be derecognized because of its religious leadership and membership requirements. After months of discussions with university administrators, the religious group sought court protection. It dismissed its legal challenge after the university revised its policy to allow religious student organizations to have religious leadership and membership requirements. The religious group then met without problem from 2004 to 2010. (*Christian Legal Society Chapter of the Ohio State University v. Holbrook*, No. C2-04-197 (S.D. Ohio 2004) (dismissed when university changed its policy))

In 2010, the university asked the student government whether the university should discard its policy and no longer allow religious groups to have religious leadership and membership requirements. After several public meetings on the issue, the student government urged the university to drop its protection for religious student groups and “endorse[d] the position that every student, regardless of religious belief, should have the opportunity . . . to apply or run for a leadership position within those [religious] organizations.” Having unleashed anti-religious sentiment on campus, the university eventually tried to compromise and retain protection for religious groups’ leadership requirements but not membership requirements. But the campus controversy continued. Ultimately, the Ohio Legislature resolved the issue by prohibiting public universities from denying recognition to religious student organizations because of their religious leadership and membership requirements. (Ohio Rev. Code § 3345.023)

### **University of Toledo College of Law**

In 2005, the law school refused to recognize a religious student group unless it removed all scriptural references from its constitution. The university also required the group to pledge not to choose its leaders and members on the basis of religion, even though the university actually had a written policy that allowed religious groups to do so. As a result of the group’s challenge in court, the university recognized the group and agreed that student groups could have religious leadership requirements and include references to the Bible in their constitutions and

bylaws. (*Christian Legal Society Chapter of the University of Toledo v. Johnson*, 3:05-cv-7126 (N.D. Ohio June 16, 2005))

### **Case Western Reserve University**

In 2006, the university denied recognition to a religious student group until it received a letter from a legal organization. In 2013, the student government of a graduate school at the university denied recognition to a religious student group because of the “emphasis on God and especially because of the bible sessions” in its application for recognition. After a letter drafted by a legal organization was sent, the graduate school recognized the group.

### **Wright State University**

In 2009, the university denied a religious student group recognition because it required its voting members to agree with its religious beliefs. The religious group had been a recognized student group at the university for 30 years. After receiving correspondence from a legal group organization, the university restored the group’s recognition.

### **Cleveland State University**

In 2018, the university derecognized a religious student group because it required its leaders to agree with the group’s religious beliefs, even after the group brought to the administrator’s attention that Ohio state law prohibited public universities from denying recognition to religious student organizations because of their religious leadership requirements. Eventually recognition of the group was restored.

## **Oklahoma**

### **The University of Oklahoma**

In August 2011, the student government sent a memorandum to all registered student organizations, announcing a re-interpretation of university policy that would prohibit religious student associations from having religious leadership and membership criteria. After receiving a letter from a legal organization, the university agreed that a religious student group could require its leaders to agree with its religious beliefs. In 2012, the university denied recognition to a religious student group because it required its members to agree with the group’s religious beliefs. After receiving a letter from a legal organization, the university agreed to recognize the group. In 2014, the Oklahoma Legislature enacted protection for religious student groups. (70 Okl. St. Ann. § 2119)

## **Oregon**

### **The University of Oregon**

For many years, religious groups have been sidelined and placed under the authority of a separate association. As a result, most groups do not actually register as student organizations, are treated differently in terms of how they can reach out to involve students and get funding. In addition, students don’t have as many opportunities for leadership within religious groups. When a religious group sought recognition as a student organization in 2018, they were told they could not have religious standards for leadership.



## **Pennsylvania**

### **Penn State**

In 2004, the university refused to recognize a Christian student group because the university claimed that its purpose was duplicated by other religious groups. The university had a policy that required all religious groups to be “unique.” The policy would effectively limit the number of Christian groups on the campus. After the group challenged the policy in court, the university recognized the religious student group and deleted its policy requiring “uniqueness.”

In 2005, however, the university adopted a policy that prohibited religious student groups from requiring their leaders to agree with the groups’ religious beliefs and standards of conduct. In response to another court challenge, the university revised its policy to allow religious groups to choose their leaders according to their religious beliefs. (*DiscipleMakers v. Spanier*, No. 04-2229 (M.D. Pa. 2005))

### **Shippensburg University**

A university derecognized a religious student group because its leadership and membership requirements purportedly violated the university’s speech code. After the group filed a court challenge, the university changed its policies to affirm that religious and political groups could choose their leaders and members according to their beliefs.

### **Temple School of Medicine**

In 2013, a religious student group was told by campus administrators that it stood to lose recognition because it required its leaders to lead lives in accordance with its religious beliefs.

## **South Carolina**

### **College of Charleston**

In 2016-17, a religious student organization experienced different treatment than other student organizations because religious groups were required to follow a different process of approval in order to access numerous benefits: getting registered, having access to facilities, and getting funding for their events. The students and religious organization advisors learned to navigate within the system, though they were often frustrated by the process.

### **Charleston School of Law**

The Christian Legal Society chapter was attacked by the Equality Alliance for hosting a speaker who communicated a biblical understanding of marriage and sexual conduct.

### **University of South Carolina**

In 2008, a religious student group was denied access to student activity fee funding that was available to other student groups solely because it was religious. After the group challenged the policy in court, the university adopted a new policy that allowed all student groups to be funded on the same terms.

## Tennessee

### Vanderbilt University

In 2011-2012, Vanderbilt University denied recognition to fourteen religious groups because they required their leaders to agree with the groups' religious beliefs. The university told one religious student group that it must delete five words from its leadership requirements if it wanted to remain on campus: "personal commitment to Jesus Christ." That group left campus rather than recant their core religious belief. The university told another religious student group that it was religious discrimination for the group to state in its constitution that it expected its leaders to lead its Bible study, prayer, and worship. Also, the university claimed it was religious discrimination for the group to require that its leaders affirm that they agreed with the group's core religious beliefs.

In 2013, Tennessee passed a law protecting religious student groups on public university campuses. (T.C.A. § 49-7-156) The law does not apply to Vanderbilt University because it is a private university.

## Texas

### Texas A & M University

In 2009, the university told a religious group that it would no longer be recognized because it required its members to agree with its religious beliefs. After a legal organization sent a letter, the university agreed to recognize the religious group with its religious membership requirements.

In 2011-2012, another religious group was told it must delete its religious requirements for its leaders and voting members from its constitution if it wanted to remain a recognized student group. After several letters from a legal organization, the university agreed to allow the group to be recognized with its religious requirements for leadership and membership.

### University of North Texas Dallas

In 2016-2017, the law school delayed granting a religious student group recognition because of its religious leadership requirements. After 8 months, the university adopted a policy that protects religious groups: "A registered student organization created primarily for religious purposes may restrict officer positions to those members who subscribe to the registered student organization's statement of faith." The religious student group was recognized.

## Vermont

### Middlebury College

In 2016, a religious student group was derecognized because of its theological beliefs.

## Virginia

### University of Virginia

In August 2021, several religious groups at the University of Virginia learned that the Student Council was requiring that all student organizations submit an "Identity Inclusivity

Disclosure Form” in order to participate in the Fall Activities Fair, an important event for student organizations to introduce themselves to incoming students. The Student Council’s form required a student organization to indicate whether it restricted its membership, leadership, programming, or activities based on the enumerated classes in the University’s nondiscrimination policy. Regardless of its responses on the Form, a student organization would be allowed to participate in the Fall Activities Fair. However, if the Council decided that an organization did not respond honestly, an Honor Code charge could be brought, which could result in expulsion of the student officer signing the Form. Recognizing that the Form was targeting them, several religious organizations sent a letter to University leaders voicing their concerns and citing federal regulations, 34 CFR §§ 75.500 (d) and 76.500 (d). The Student Council withdrew the Form several days later.

Earlier in November 2020, the Student Council had adopted a resolution for its lobbyist to seek repeal of the Virginia law that protects religious and political student groups’ right to choose their members and leaders according to their beliefs. To date, the state law has not been repealed. (Va. Code Ann. § 23-9.2:12)

#### **James Madison University**

In the fall of 2016, a religious student group was denied funding to help send students to a conference; in previous years, they had received funding. During the student government meeting addressing the appeal, the student group responded to one claimed basis for the denial. The discussion then turned to whether student activity fees should be used to support Christian beliefs. Many claimed they should not and then voted to deny the appeal. The discussion was lively and heated among student government members. The experience demonstrated a clear lack of understanding of the Supreme Court’s rulings on student activity fees and forums for speech.

#### **Randolph-Macon College**

In 2017, a religious student organization was threatened with derecognition if it did not permit a student who disagreed with the chapter’s theological positions to become a leader.

#### **University of Mary Washington**

In 2005, a student wanted to start a religious student group but could not agree to a university policy that would prohibit it from having religious leadership requirements. In the past, the university had denied recognition to any student group that was religious or political in nature. After receiving a letter from a legal organization, the university recognized the group. In 2013, the Virginia General Assembly passed a law to protect religious and political groups. (Va. Code Ann. § 23-9.2:12)

#### **William and Mary College of Law**

In February 2021, the Christian Legal Society chapter at the William and Mary College of Law invited a religious freedom lawyer to speak at its meeting. Due to the COVID-19 pandemic, the meeting was held on Zoom, and the speaker was located in California. CLS publicized its meeting through the normal campus communication channels. Several student groups, calling themselves the Equality Alliance, published an open letter to the law school, urging the CLS student chapter to disinvite its speaker due to his work on religious freedom cases. CLS students received disturbing and harassing comments from their fellow students.

In an email to the law school community, the administration explained that student groups were allowed to invite speakers, even people whose views other students disliked. The federal campus access regulations, 34 CFR §§ 75.500 (d) and 76.500 (d), may have helped administrators respect the CLS chapter's right to function on campus and prevented an escalation of the situation.

## **Washington**

### **University of Washington**

In 1997, a religious student organization was repeatedly treated differently than other groups because of its religious status. It was denied the opportunity to advertise the way other groups were allowed to do, and its fliers were even removed. It was also subjected to different treatment in how rooms were allocated and was denied an appropriate room for a large event it was having that was routinely given to other groups. The group was also threatened with having its club status removed. After a strongly worded letter from legal counsel, the university stopped targeting the group.

### **Highline Community College**

In 2007, a religious student organization was denied funding allocated for student organizations. The groups was told they were ineligible because the funds could not be used to fund religious activities. After a letter was sent from legal counsel, the college granted the group funding.

## **Wisconsin**

### **University of Wisconsin, Madison**

In 2022, a CLS chapter was seeking to re-register at the law school. They were asked to delete language in their constitution that a leader "must be a Christian." The group was told that they could require agreement with beliefs, based on the Regents' Policy 30-6, but could not require identification with a particular religion. This nonsensical distinction was confusing to the student leaders. After receiving a letter noting federal regulations, 34 CFR §§ 75.500 (d) and 76.500 (d), the chapter was able to re-register. Administrators, however, informed the chapter that its registration was "provisional."

In 2006, the university derecognized a religious student group in part because of its religious leadership and membership requirements. When the group challenged its policy in court, the university had to change its policy. (*Madison Roman Catholic Found. v. Walsh*, 2007 WL 1056772 (W.D. Wis. Apr. 4, 2007)) The university then denied student activity fee funding to the religious group because its speech included prayer and religious instruction. The religious group won its court challenge to this viewpoint discrimination. (*Badger Catholic v. Walsh*, 620 F.3d 775 (7<sup>th</sup> Cir. 2010))

**Milwaukee School of Engineering**

The student government refused to renew recognition of a Christian student group because of its religious standards of conduct. After a legal organization sent a letter, the student government restored recognition to the group, as well as to a Muslim student group.

**University of Wisconsin, Superior**

A university refused to recognize a religious student group because it required its leaders to agree with its religious beliefs. After a court challenge, the university recognized the religious student group with its religious leadership requirements. (*Badger Catholic v. Walsh*, 620 F.3d 775 (7<sup>th</sup> Cir. 2010)).