Sexuality and Gender Law Clinic
Morningside Heights Legal Services, Inc.
Columbia University School of Law
435 West 116th Street • New York, NY 10027
Tel: 212-854-4291 Fax: 212-854-3554

STRATEGIES FOR LGBT STUDENTS, FACULTY, AND STAFF FACING DISCRIMINATION AT RELIGIOUSLY AFFILIATED LAW SCHOOLS

by

Columbia Law School Sexuality and Gender Law Clinic (SGLC)
A.J. Garcia
Kimber Hargrove
Sara Nies
Matheus Oriolo
Jackie Rios
Michael Ruthenberg-Marshall
Rosie Wang
Helen Yoon
Supervised by Professor Suzanne Goldberg

A research and advocacy paper submitted for the use of the Society of American Law Teachers

December 24, 2012

TABLE OF CONTENTS

I. INTRODUCTION 4
A. This paper addresses one exemplary conflict between LGBTA students and religiously affiliated law school administrations, but also acknowledges that LGBTA students often enjoy a positive relationship with those administrations. 5
B. The anti-discrimination policies of religiously affiliated law schools impact LGBT students and employees. 6

II. LEGAL RIGHTS & REMEDIES 15
A. Federal law does not provide assistance for students, faculty, or staff who are discriminated against by religiously affiliated law schools based on sexual orientation. 15
B. Despite the lack of protection under federal law, state & local laws can provide rights and remedies for LGBT students, faculty, and staff. 18
C. Although ABA and AALS policies mandate nondiscrimination, they are of limited utility to LGBT students and employees. 23
D. If a religiously affiliated law school fails to warn students and staff about discriminatory treatment of the LGBT community, students and staff may be able to claim that the school breached an enforceable contract. 26

III. NON-LEGAL STRATEGIES & PERSUASIVE ARGUMENTS 29
A. Students can focus on improving law school student organization policies or try to work within the guidelines of current policies to create or promote LGBTA student organizations. 29
B. LGBTA student groups seeking recognition or resources from their religiously affiliated schools can highlight their organization's educational focus. 32
C. The Equal Access Act does not provide a remedy for LGBT law school students, faculty, and staff but may be used rhetorically. 34
D. Gay student organizations at public universities have obtained recognition through courts, and these cases provide guidance on law-related arguments that students can make to their administrations. 35
E. Students, faculty, and staff have multiple options for effectively publicizing their efforts to change school practices. 37
F. Alumni Donors are a potential source of support and advocacy. 39

IV. POTENTIAL REACTIONS FROM RELIGIOUSLY AFFILIATED LAW SCHOOLS 41
A. If LGBT students sue their law school to allow them to form a group, religiously affiliated law schools can raise constitutional defenses. 42
B. Law school administration and individuals within the school may react negatively even if they take no legal action. 44

V. CONCLUSION 46

VI. APPENDICES 47
Appendix A: Religiously Affiliated Law Schools' Anti-discrimination Policies 52
Appendix B: State Anti-discrimination Laws 63
Appendix C: Law School – Religious Affiliation – LGBTA Group – Nondiscrimination Law in Jurisdiction 70
Appendix D: SGLC Questionnaire Highlights 74
Appendix E: Resources for research, organization, and coalition building 79

I. INTRODUCTION

This policy paper provides guidance to LGBTA[1] (lesbian, gay, bisexual, transgendered, and allied) students and employees[2] navigating conflicts with religiously affiliated law schools. The discussion in these pages offers a wide range of information and perspectives designed to be of use to LGBTA individuals and organizations encountering disparate treatment or other challenges at religiously affiliated law schools.

Most religiously affiliated law schools have LGBTA student organizations. Of the two hundred and two American Bar Association (ABA)-approved law schools—including the fifty-seven religiously affiliated law schools we examined—only fifteen do not have LGBTA student groups.[3] Even if an LGBTA student organization exists, however, it may be subject to disparate treatment by the school administration compared to other student organizations or may operate in an unwelcoming environment.

This introductory section briefly addresses the paper's scope and then provides empirical information on relations between religiously affiliated law schools throughout the United States and their LGBTA students and employees. The second section examines federal, state, and local laws, as well as American Bar Association and the Association of American Law School policies concerning LGBT students and employees at religiously affiliated law schools. The second section also provides a research guide for LGBT students and employees unsure of the law in their specific jurisdictions. The third section catalogues non-legal strategies and arguments for

[1] Throughout this paper, both "LGBT" and "LGBTA" are used. Because much of this paper deals with attempts to found LGBTA student organizations, where membership is inclusive of allies as well as LGBT individuals, we have used "LGBTA" when discussing student groups. For most other contexts, we have used "LGBT."

[2] The term "employees" refers to all individuals who work for law schools; the term "staff," used later in this paper, refers only to those employees that schools do not consider to be faculty.

LGBTA students and employees to consider using when interacting with school administrations. Finally, the fourth section examines potential negative responses by religiously affiliated law schools to the strategies and arguments outlined in the earlier sections.

A. This paper addresses one exemplary conflict between LGBTA students and religiously affiliated law school administrations, but also acknowledges that LGBTA students often enjoy a positive relationship with those administrations.

LGBTA students and employees interact with religiously affiliated law schools in many ways, some positive and some not. When problems arise, this paper aims to serve as a source of advice and guidance to which LGBTA students and employees may turn.

For the sake of simplicity, this paper adopts as its "typical" problem one that LGBTA students and employees at conservative religiously affiliated law schools might encounter: administrations' refusal or reluctance to recognize LGBTA student organizations. This paper will give suggestions for achieving recognition or equal treatment of such organizations, while also providing generally applicable advocacy suggestions and research advice.

Of course, LGBT students and employees may experience difficulties with religiously affiliated law schools in many other areas. In particular, religiously affiliated law schools may be reluctant to recognize same-sex couples' relationships or provide appropriate housing and other benefits to same-sex couples. Religiously affiliated law schools may also be reluctant to permit LGBTA speakers on campus, offer LGBT focused classes, or take steps to prevent anti-LGBT harassment on campus. Where appropriate, this paper notes strategies or arguments specific to these issues. LGBTA students and employees dealing with these roadblocks should be aware that many of the tools they can use to seek recognition or equal treatment of student organizations can also be used for these other issues.

Also, while this paper focuses on conflicts between religiously affiliated law schools and LGBT students, faculty, and staff, it does not presume or suggest that conflict is the natural state of relations between the two. As demonstrated below, relations between religiously affiliated law schools and LGBTA students and employees can be, and often are, unambiguously positive.

B. The anti-discrimination policies of religiously affiliated law schools impact LGBT students and employees.

Anti-discrimination policies[4] at religiously affiliated law schools are worded differently across the spectrum of these schools.[5] While some religiously affiliated law schools provide protection and safeguards against sexual orientation discrimination, others implicitly or even explicitly discriminate against LGBT students and employees.

Yet even schools with anti-discrimination policies vary in how they apply their policies. There are instances, for example, in which some schools that prohibit discrimination based on sexual orientation refused to recognize LGBTA student organizations—citing the "school's religious beliefs" as the basis for rejection. Likewise, some students have reported unequal treatment by school administration based on students' sexual orientation, contrary to their schools' anti-discrimination policies.

In this section, we will first discuss anti-discrimination policies in relation to students, and then we will discuss anti-discrimination policies in relation to employees.

1. Anti-discrimination policies for students can be classified into three categories.

While law school policies are diverse, typical anti-discrimination clauses fall into three general categories: (1) policies that explicitly prohibit discrimination based on sexual orientation;

[4] For consistency, we will refer to school's policies as "anti-discrimination" policies, regardless whether they call them anti-discrimination or non-discrimination policies.

[5] *See* Appendix A for a compilation of anti-discrimination policies of the fifty-seven religiously affiliated law schools we investigated).

(2) policies that do not mention sexual orientation in the anti-discrimination clause; and (3) policies that mention sexual orientation but include a status-conduct distinction. We will examine each—providing examples and analyzing the potential impact on students.

a. Students may still experience discrimination despite policies that explicitly prohibit discrimination based on sexual orientation.

The first category of policies—anti-discrimination policies that explicitly prohibit discrimination based on sexual orientation—is most accommodating of LGBT students. These types of policies typically provide that the religiously affiliated law school will *not* discriminate based on sexual orientation in any capacity. For example, Texas Wesleyan University School of Law's anti-discrimination policy says: "It is the policy of the Career Services Office (CSO) as part of the Texas Wesleyan University School of Law not to discriminate on the basis of race, color, religion, national or ethnic origin, sex, age, handicap or disability, or *sexual orientation.*" (emphasis added).[6] Texas Wesleyan has an LGBTA student organization called "Out Law;"[7] the group's existence suggests that the school's administration acted in accordance with its anti-discrimination policy.

While the existence of an LGBTA student organization is not dispositive of whether LGBT discrimination occurs at a law school, it suggests an environment that is relatively favorable for LGBT students. Because of the lack of available sources and evidence, it is difficult to know what actually occurs at each religiously affiliated law school and the nature of each student's experience with school administrations. Likewise, the absence of LGBTA student groups may be a general symptom of a deeply rooted problem.

[6] We have compiled law school anti-discrimination policies in Appendix A.
[7] Appendix C.

Yet, LGBT students still face discrimination from administrations at schools that prohibit discrimination in their policies. For example, Belmont College of Law's anti-discrimination policy says, "The College of Law is committed to the principles of non-discrimination and equal opportunity for all students without regard to race, color, veteran status, religion, national or ethnic origin, political affiliation, gender, *sexual orientation*, age, or disability." (emphasis added).[8] Nonetheless, in 2010, Belmont College of Law's administration rejected a proposal for the formation of a recognized LGBTA student group.[9] As of this semester, Belmont College of Law's recognized student organization page does not list an LGBTA-affiliated group.[10] Similarly, Mississippi College of Law claims to not discriminate on the basis of sexual orientation. In 2011, however, the school administration rejected a proposal to form a LGBT student organization, citing the school's "religious beliefs" as the motivation behind the decision.[11] These decisions demonstrate that even though religiously affiliated law schools may claim to prohibit discrimination based on sexual orientation in their school policies, some schools still discriminate against LGBT students in reality.

Administrative decisions at Belmont College of Law and Mississippi College of Law demonstrate that these schools draw a *de facto* status-conduct distinction, similar to the one we will discuss below in this section—where schools say they will not discriminate on the basis of sexual orientation, yet reserve the right to discriminate on the basis of sexual conduct.

---

[8] Appendix A.

[9] William Williams, *Belmont Administration to Gay Student Group: Not Here*, Nashville City Paper, Dec. 3, 2010, *available at* http://nashvillecitypaper.com/content/city-news/belmont-administration-gay-student-group-not-here.

[10] *Student Organizations,* Belmont University, http://www.belmont.edu/organizations/list/index.html.

[11] *Law Student Claims School Discriminated Against Him: Mississippi College Student Says School Won't Let Him Start Gay Law Organization*, WAPT News, Sept. 21, 2011, *available at* http://www.wapt.com/Law-Student-Claims-School-Discriminated-Against-Him/-/9157628/5988114/-/ctr32uz/-/index.html#.

b. Anti-discrimination policies that do not mention sexual orientation raise additional concerns about sexual orientation discrimination.

The second category of policies is the policies of schools that do not expressly prohibit discrimination based on sexual orientation. It is difficult to generalize how prevalent discrimination is among schools with these policies because each school treats LGBT students and LGBTA student organizations differently. However, because "sexual orientation" is not in the school's anti-discrimination policy, schools appear to be reserving the right to discriminate against LGBT students and LGBTA student organizations.

The majority of schools that do not list sexual orientation as a protected basis lacks LGBTA student organizations.[12] For example, Notre Dame Law School's policy provides, "The University of Notre Dame does not discriminate on the basis of race, color, national or ethnic origin, sex, disability, veteran status, genetic information, or age in the administration of any of its educational programs, admissions policies, scholarship and loan programs, athletic and other school-administered programs or in employment."[13] Perhaps not surprisingly, the school also does not have an LGBTA student organization. As of this semester, Notre Dame does not list an LGBTA group in its list of recognized student organizations.[14]

However, other schools formally recognize LGBTA student organizations despite the absence of sexual orientation from their anti-discrimination policies. For example, SMU Dedman School of Law's policy says, "SMU Dedman School of Law will not discriminate in any employment practice, education program, or educational activity on the basis of race, color,

---

[12] *See* Appendix C.
[13] Appendix A.
[14] *Student Organizations,* University of Notre Dame: The Law School, http://law.nd.edu/student-life/organizations/.

religion, national origin, sex, age disability or veteran status."[15] Even though sexual orientation is absent from its discrimination policy, SMU Dedman has an LGBTA student organization called "OUTlaw." But it is important to note that SMU Dedman School of Law's recognition of the LGBTA student organization was discretionary and not mandatory. LGBTA student group recognition and treatment of LGBT students lie in the hands of administrators at these schools—students cannot rely on a school policy for protection. Also, without protection from discrimination on the basis of sexual orientation in schools' policies, students and administrators could discriminate against any specific student—and not just a student organization—because of his or her sexual orientation or gender identity.

c. Schools that expressly discriminate against LGBT students typically make a status-conduct distinction.

The third category of anti-discrimination policies acknowledges that the religiously affiliated school will not discriminate on the basis of sexual orientation, but says the school reserves the right to discriminate based on sexual conduct.

Schools with these policies demonstrate that school administrations will protect LGBT students against discrimination based on sexual orientation but school administrations reserve the right to discriminate against activities or organizations that might give rise to sexual conduct. For example, Liberty University School of Law's anti-discrimination policy provides, "The School of Law *does not discriminate on the basis of sexual orientation but does discriminate on the basis of sexual misconduct*, including, but not limited to, non-marital sexual relations or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University." (emphasis added).[16] This demonstrates that the law

[15] Appendix A.
[16] Appendix A.

school may discriminate against LGBT students if it traces the students' actions or activities to sexual conduct. Similarly, Brigham Young University J. Reuben Clark Law School's anti-discrimination policy provides, "Because of the Law School's religious affiliation and purpose, ABA standards and AALS regulations as applied to the Law School *require equal opportunity on the basis of sexual orientation but not on the basis of conduct*." (emphasis added).[17] This similarly suggests that if students at BYU Law School engage in activities that the school can somehow link to conduct, the school may discriminate against them. Schools like Liberty and BYU might use this as an excuse to prohibit the formation of LGBTA student groups—arguing that recognizing LGBTA student organizations encourages sexual "misconduct" by facilitating social interaction. Liberty and BYU do not have LGBTA student organizations, but we are unaware of any petition by students to start one.

Other schools with these policies recognize LGBTA student organizations. For example, Pepperdine University Law School's anti-discrimination policy says, "The School of Law does not discriminate against any person on the basis of any sexual orientation which such person may have. *However, sexual conduct outside of marriage is inconsistent with the school's religious traditions and values*. Therefore, as a matter of moral and faith witness, the faculty, staff, and students of the School of Law are expected to avoid such conduct themselves and the encouraging of it in others." (emphasis added).[18] However, Pepperdine University Law School *does* recognize an LGBT student organization called the "LGBT Legal Society."[19] Many Catholic schools have a similar policy and an LGBTA student organization. It is unclear whether these schools permit LGBT student organizations because the school administration does not

[17] Appendix A.
[18] Appendix A.
[19] Appendix C.

view them as encouraging sexual conduct or because the school administration waived its right to discriminate based on sexual conduct in this instance.

2. Anti-discrimination policies for employees of religiously affiliated law schools typically mirror or are included in student anti-discrimination policies.

Employee anti-discrimination policies typically mirror schools' student anti-discrimination policies. Some schools, like Faulkner Law School, consolidate students and employees into one anti-discrimination policy. Faulkner Law School's policy states, for example, "Faulkner University's Thomas Goode Jones School of Law does not discriminate . . . in any of its educational policies, admissions, financial aid, *employment,* educational programs, or activities." (emphasis added).[20] The protections for Faulkner Law School's LGBT employees are, thus, the same as for students.

Other schools separate their policies for students and employees, but no school prohibits sexual orientation discrimination for one group but not the other. For example, the Regent University School of Law student policy states, "Regent University admits students of any race, color, disability, gender, religion, national or ethnic origin, to all the rights, privileges, programs, and activities generally accorded or made available to students at the school," and the employee policy reads, "Qualified prospective employees will receive consideration without discrimination because of race, color, gender, age, national origin or disability."[21] The employee's provision mirrors the student policy in failing to protect students or employees on the basis of sexual orientation. In other words, either the student and employee clauses both prohibit discrimination based on sexual orientation or both permit it. Of the fifty-seven anti-discrimination policies we

[20] Appendix A.
[21] Appendix A.

examined, we could not find an instance where a school had a different policy for employees than students.

3. Members of LGBTA student groups at religiously affiliated law schools report both positive and negative experiences with their administrations.

In response to a questionnaire developed and distributed by the Columbia Law School Sexuality and Gender Law Clinic (SGLC Questionnaire) in late November 2012, student members of LGBTA affinity groups at religiously affiliated law schools reported a wide range of reactions from law school administrations. While some indicated that their organizations have encountered no problems, others reported extreme hostility and resistance.

The questionnaire sought to examine relations between LGBTA affinity groups and religiously affiliated law schools. Questions included whether the LGBTA organizations experienced discriminatory treatment from administrations; whether the students anticipated clashes with administrations in the coming years; how organizations had responded to earlier conflicts with administrations; and what advice students would give to their counterparts at religious law schools seeking to establish LGBTA organizations. Responses to the survey came from schools in eight states and from Catholic, Baptist, and Methodist institutions.

Many of the most interesting and useful responses to the questionnaire are reproduced in Appendix D. Most students reported that LGBTA organizations, once founded, were funded and treated similarly to other organizations. Likewise, most students anticipated no major conflicts with their administrations in the coming years. Almost every organization had invited guest speakers and hosted LGBT social or professional development events within the past two years. Many groups had also organized protests of either school or governmental anti-gay policies.

The students also indicated, however, that some of their organizations had encountered significant problems with law school administrations. One organization reported that it was only

permitted to hold educational rather than social events. Another organization also reported that its law school administrators developed a more skeptical attitude towards its programming after a national news outlet reported on an event, prompting angry communications from dissatisfied conservative alumni.

Of the schools surveyed, the Catholic schools stood out for the diversity of the relationships between LGBTA organizations and school administrations. Some organizations at Catholic schools reported a virtually perfect relationship in which the organization had everything it wanted and needed. Other organizations at Catholic schools reported that they were relegated to a second-class status in which the administration second-guessed and scrutinized any type of meeting or event they attempted to put on. These responses demonstrate a wide disparity that exists among Catholic law schools—while Georgetown Law has had an LGBT group since the 1970s and noted queer activist Dean Spade is a professor at Seattle University School of Law, Ave Maria School of Law is regarded as one of the most conservative law schools in the United States.

Many students attributed their organization's successes to relationships they had cultivated with other people or groups in the school, including members of the administration, faculty members, and other student groups. One organization highlighted a successful partnership with the Federalist Society in which they jointly hosted a debate over same-sex marriage.

Finally, students stressed the importance of perseverance, highlighting a willingness to loudly and often make the case for LGBT organizations as a critical element of success.

II. LEGAL RIGHTS & REMEDIES

This section addresses the rights and remedies for students and employees at religiously affiliated law schools that arise under positive law and policies, including federal, state, and municipal laws and the governing bodies that control law schools. The first sub-section opens with a discussion of the federal landscape. The second sub-section explains the different types of state and local anti-discrimination laws and the ways that students, faculty, or staff can use them and find more information about them. Finally, the third sub-section addresses the ABA and AALS's policies concerning nondiscrimination as well as ways that students or employees could invoke those policies to prevent or challenge discrimination.

A. Federal law does not provide assistance for students, faculty, or staff who are discriminated against by religiously affiliated law schools based on sexual orientation.

1. There is no direct federal remedy for discrimination based on sexual orientation.

Federal anti-discrimination law does not explicitly protect against discrimination based on sexual orientation. Yet, Congress has refused thus far to add sexual orientation to federal employment statutes and federal courts have generally been reluctant to construe Title VII's sex discrimination to include claims of antigay discrimination.[22]

The limits of anti-discrimination law do not entirely preclude claims from LGBT faculty and staff at religiously affiliated law schools, however. In limited contexts, courts have interpreted Title VII's sex discrimination prohibition to prohibit harassment and discrimination based on an employee's not conforming to stereotypical gender roles.[23] As Title VII only applies

[22] *See, e.g.*, *Vickers v. Fairfield Med. Ctr.*, 453 F.3d 757 (6th Cir. 2006) (sexual orientation is not one of the protected classes of Title VII).

[23] *See, e.g., Oncale v. Sundowner Offshore Servs., Inc.*, 523 U.S. 75, 79–80 (1998); *Nichols v. Azteca Restaurant Enterprises, Inc.*, 256 F.3d 864, 874 (9th Cir. 2001) (ongoing systemic abuse of an employee was sex discrimination when it referred to him as effeminate and "reflected a belief that [he] did not act as a man should act").

to employment discrimination, students would not have access to this theory. Law school employees would not have a claim based on sexual orientation, but would instead have to establish a gender non-conformity claim through the statements and/or conduct of those who discriminate against them.

There are two important caveats to bear in mind for sex stereotyping claims. The first is that a sex stereotyping claim is unlikely to cover discrimination based on stereotypical sexual attractions and behaviors; e.g., in most jurisdictions, a plaintiff cannot claim that he is the victim of sex stereotyping because the stereotypical man is attracted to women and the plaintiff is not. The second point to remember is that some judges are wary that plaintiffs might be using sex stereotyping as a way to "bootstrap" sexual orientation onto federal employment discrimination law. As a result, courts in some jurisdictions may not even consider the sex stereotyping theory if either party admits that the harassment was related to sexual orientation. Individuals seeking to bring this claim should research the law in the relevant jurisdiction.

When facing a legal claim, religiously affiliated schools may respond by claiming the ministerial exception as an affirmative defense. Based in the religion clauses of the First Amendment, the ministerial exception stands for the idea that the government may not "interfer[e] with the decision of a religious group to fire one of its ministers."[24]A school may claim that the ministerial exception applies because professors and staff are functionally equivalent to ministers. Courts will consider four factors to determine whether an employee falls within the exception: (1) the formal title given by the Church; (2) the substance reflected in that

[24] *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. E.E.O.C.*, 132 S. Ct. 694, 702 (2012).

title; (3) the employee's own use of that title; and (4) the important religious functions the employee performed for the church.[25]

District courts have held that requiring teachers to be role models for religious behavior is insufficient to fold college instructors into the ministerial exception.[26] Faculty, other than teachers of religious law, can easily prove that the ministerial exception does not apply to their positions, and staff members will have a similarly straightforward claim, assuming they do not perform religious services for their position. The religious authority affiliated with the law school does not grant faculty and staff formal titles that reflect religious substance; faculty or staff will be unlikely to use a title for personal gain (such as claiming tax exemptions); and law professors and other administrative staff at a law school do not, at least in ordinary circumstances, fulfill religious functions.

2. Even after *CLS v. Martinez*, LGBTA student groups will not win a federal suit against a religiously affiliated law school if their group does not receive the same level of recognition or resources as non-LGBTA groups.

Student groups that have experienced disparity in treatment compared to other groups at their religiously affiliated law school will not find a meaningful remedy in federal law. The First Amendment's clauses covering religious freedom and freedom of association do not extend to non-state actors, and so students may not rely on the First Amendment to claim school resources. In *Christian Legal Society v. Martinez*,[27] the Supreme Court held that a religiously affiliated student organization at a public law school had to hold itself open to all students in compliance with the school's anti-discrimination policy. The Court held the anti-discrimination policy was

[25] *Id.* at 706–708.
[26] *EEOC v. Mississippi College*, 626 F.2d 477, 485 (5th Cir. 1980) (holding that a contract requirement that teachers act as "exemplars of practicing Christians" does not make their employment part of church administration).
[27] 130 S. Ct. 2971, 2978 (2010).

reasonable because it was viewpoint neutral and allowed equal access to the university forum.[28] This same relief, however, is unavailable to students, and employees seeking to change anti-discrimination policies at religiously affiliated law schools. Because religiously affiliated law schools are private actors, their policies do not need to be viewpoint neutral or provide equal access to forums.

Although some critics fear that forcing student organizations to accept all comers or lose recognition from schools will create a slippery slope that leads to the undermining of religions with strong beliefs,[29] this will not be the case with religiously affiliated law schools. Some private universities may voluntarily adopt policies equivalent to state school policies, but that is not the same thing as the federal government requiring that all schools give resources equally to "all comers." When not seeking federal recognition or state resources, private actors retain their First Amendment freedom of association and religious freedom rights, and so religiously affiliated law schools can, under federal law, still allocate resources in any way they choose.

B. Despite the lack of protection under federal law, state & local laws can provide rights and remedies for LGBT students, faculty, and staff.

1. Students, faculty, and staff at religiously affiliated law schools should seek solutions through state or local law because those laws may protect against discrimination based on sexual orientation.

One case—brought by the Gay Rights Coalition of the Georgetown Law Center in 1987—provides hope that local anti-discrimination laws might provide some relief for students, faculty, and staff seeking equal recognition or elimination of discrimination by religiously affiliated law schools. In the Coalition's case, the D.C. Circuit held that while Washington DC's anti-discrimination ordinance, which covered sexual orientation, did not require the law school to

[28] *Id.*
[29] *See* Robert Shibley, *The Fallout from* Christian Legal Society, National Review (Feb. 6, 2012, 4:00 A.M), http://www.nationalreview.com/articles/290199/fallout-ichristian-legal-societyi-robert-shibley#.

grant official recognition to the group, it did require that the school provide the gay student organization with same "tangible benefits" as other student groups.[30] As discussed elsewhere in this paper, although filing a lawsuit is not the only option for students, faculty, and staff whom experience discrimination by their law school are best advised to research their local and state law options.

As mentioned above, students, faculty, and staff have no explicit federal legislative remedy if religiously affiliated law schools discriminate against them based on their sexual orientation. Nevertheless, students and employees may be able to bring a claim under one of the many state and local laws that prohibit sexual orientation discrimination.[31]

States and municipalities first passed human rights laws recognizing LGBT rights in the early 1970s.[32] Since then, the number of laws prohibiting discrimination on the basis of sexual orientation has significantly increased: thirty-one states and even more municipalities have adopted laws that ban at least some types of discrimination based on sexual orientation.[33] For example, Wisconsin was the first state to ban employment discrimination based on sexual orientation in 1982. Following Wisconsin's example, twenty other states and the District of Columbia have enacted similar laws.[34]

---

[30] *Gay Rights Coalition of Georgetown Univ. Law Ctr. v. Georgetown Univ.*, 536 A.2d 1, 5 (D.C. Cir. 1987).

[31] The cited state and municipal laws were accurate as of November 14, 2012. Before claiming a right under state and local law, please check for the most updated version. City and county regulations are especially subject to frequent change.

[32] *See* State of Connecticut Government, *Timeline of LGBT History,* available at http://www.ct.gov/dcf/lib/dcf/wmv/pdf/timeline_of_lgbt_history.pdf (last visited Nov. 26, 2012).

[33] American Civil Liberty Union, *Non-Discrimination Laws: State by State Information – Map*, available at http://www.aclu.org/maps/non-discrimination-laws-state-state-information-map (last visited Nov. 26, 2012).

[34] *See* State of Wisconsin Legislative Reference Bureau, *Fair Employment, Anti-discrimination, and Worker Protection Laws in Wisconsin*, available at http://legis.wisconsin.gov/lrb/pubs/ib/08IB1.pdf (last visited Nov. 26, 2012); *see also* Human Rights Campaign, *Statewide Employment Law and*

Thus, students, faculty, and staff seeking recognition and fearing discrimination from their religiously affiliated school should look to state and local laws for support. At least 10 religiously affiliated law schools are in states or cities with laws that protect against sexual orientation discrimination.[35]

2. Anti-discrimination state and local laws vary, and students, faculty, or staff should verify the scope of any law they intend to invoke.

Anti-discrimination state and local laws have different wording and application. State and local laws may apply in diverse contexts. For example, local laws may have a narrow scope, as in Jackson, Mississippi, where the law is written only to apply to taxi pickups.[36] Also, different state anti-discrimination laws, while broader, may be applicable in very different contexts, such as relationship recognition, hospital visitation, housing, second parent adoption, joint adoption, employment, marriage equality and other relationship recognitions, marriage prohibition, hate crimes, school anti-bullying, and school non-discrimination.[37]

States and municipalities have also created remedies that apply to specific state or local jurisdictions. Minnesota, for example, has enacted an LGBT inclusive anti-discrimination law, outlined in the Minnesota Human Rights Act, which applies in the employment and educational context and explicitly applies to private institutions of higher education, without an exemption for religiously affiliated schools. As another example, the District of Columbia and sixteen states[38] ban discrimination based on sexual orientation and gender identity and five states[39] ban

---

Policies, available at http://www.hrc.org/files/assets/resources/Employment_Laws_and_Policies.pdf, (last visited Nov. 26, 2012).

[35] Appendix B contains a chart of the anti-discrimination laws in all states and municipalities with religiously affiliated law schools.

[36] Sec. 126-61.

[37] *See* Human Rights Campaign, *Maps of State Laws & Policies*, available at http://www.hrc.org/resources/entry/maps-of-state-laws-policies (last visited Nov. 26, 2012).

[38] California, Colorado, Connecticut, Hawaii, Illinois, Iowa, Maine, Massachusetts, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington.

discrimination based on only sexual orientation.[40] In contrast, Omaha, Nebraska, has an LGBT inclusive anti-discrimination law that applies to employment, but contains an exemption that allows religiously affiliated law schools to discriminate on the basis of sexual orientation. Some states provide explicit protection against harassment and discrimination, but most do not include sexual orientation as a protected classification.

Local and state laws change with some frequency, so students, faculty, and staff wishing to benefit from local anti-discrimination law should pay careful attention to the current state of the law. The Hawaiian anti-discrimination law, for example, illustrates dramatically the extent to which one law can change in twenty years. In 1991, Hawaii first enacted a law banning employment discrimination based on sexual orientation. Fourteen years later, in 2005, the state extended sexual orientation and gender identity protections to housing. The following year, Hawaii added protections based on sexual orientation and gender identity to a law covering public accommodations. Last year, in 2011, Hawaii also added protection against gender identity discrimination to the employment context.[41]

More generally, because we are currently witnessing a reform in LGBT rights, law students or employees facing discrimination from their religiously affiliated law schools should verify the current status of the relevant state and local legislation before beginning their advocacy with a school's administration. They should first ensure that there is an anti-discrimination law in either the state or the municipality where the school is based. Students should then search the relevant statutes, codes, and case law for a religious exemption and ensure the anti-discrimination principle is applicable to private institutions of higher education.

---

[39] Delaware, Maryland, New Hampshire, New York, and Wisconsin.
[40] National Gay and Lesbian Task Force Foundation, *State Nondiscrimination Laws in the U.S.*, available at http://www.thetaskforce.org/downloads/reports/issue_maps/non_discrimination_1_12.pdf (last visited Nov. 26, 2012).
[41] *Id.*

Students, faculty, and staff should also check the exact wording of the relevant statute, since state and local anti-discrimination laws vary greatly in how they define sexual orientation. For instance, the Illinois Human Rights Act defines sexual orientation as "actual or perceived heterosexuality, homosexuality, bisexuality, or gender-related identity, whether or not traditionally associated with the person's designated sex at birth."[42]

Anti-discrimination laws also vary in the scope of their coverage. Consider Michigan, for example, where there is no LGBT-inclusive anti-discrimination policy, while in Detroit, the largest city in that state, there is an LGBT- inclusive policy that explicitly applies to schools, including private institutions:

> "It shall be unlawful for any educational institution, public or private, or any person acting as director or principal, or who is otherwise in charge or control of such institution, or any agent of such persons, or any person connected with teaching or rendering any other service in such institution, or any employee thereof, to discriminate in any manner against any student, parent of such student, school employee or applicant, or other individual because of race, color, religious beliefs, national origin, age, marital status, disability, public benefit status, sex, sexual orientation, or gender identity or expression."[43]

Notably, the scope of employment discrimination law also varies by jurisdiction. Although several states and municipalities have banned employment discrimination based on sexual orientation for public and private workplaces, other states protect only government employees.[44] When faced with a hostile or uncooperative administration, LGBT students and staff should know their rights and remedies under state and local law.

3. A variety of resources can assist in researching state and local laws.

In addition to the familiar research tools of Westlaw and Nexis, Municode (http://www.municode.com) can be an excellent source for finding municipal codes as well as

[42] Illinois Anti-discrimination Bill SB3186.
[43] Ord. No. 330-H, § 1(2-7-5), 1-24-79; Ord. No. 09-08, § 1, 4-9-08.
[44] Appendix B.

decisions applying local law. If the information is not available online, students might also consider speaking to individuals in the local legal community for guidance and information. Sympathetic professors may also be a useful source of information.

National advocacy organizations' websites will also have generalized information. Please see Appendix E for an illustrative, not exhaustive, list with suggestions for initial research.

C. Although ABA and AALS policies mandate nondiscrimination, they are of limited utility to LGBT students and employees.

The American Bar Association (ABA) and the Association of American Law Schools (AALS) have the ability to pressure religiously affiliated law schools to provide equal treatment to students and employees regardless of sexual orientation. But because the ABA and the AALS strive to accommodate the values of religiously affiliated law schools and have previously been unwilling to take a hard stance against anti-LGBT discrimination at these schools, potential for relief from these organizations is limited.

1. The ABA requires all approved schools to comply with the ABA's policy of nondiscrimination based on sexual orientation but exempts religiously affiliated law schools from this requirement.

The ABA Standards and Rules require all member schools to foster equal opportunities in legal education without discrimination based on sexual orientation.[45] While ABA-accredited law schools cannot expressly discriminate based on sexual orientation, religiously affiliated law schools can nonetheless implement policies that seek to protect their religious values.

a. The ABA permits religiously affiliated law schools to maintain policies in line with their fundamental religious values.

[45] ABA Standards for Approval of Law Schools, Standard 211(a) (2012-2013).

The ABA standards explicitly permit member schools to have a religious affiliation or purpose.[46] Religiously affiliated law schools are also allowed to adopt and apply policies directly related to their religious beliefs "so long as (i) notice of these policies has been given to applicants, students, faculty, and staff before their affiliation with the law school, and (ii) the religious affiliation, purpose, or policies do not contravene any other Standard, including Standard 405(b) concerning academic freedom."[47] These policies may also provide a preference in hiring for persons adhering to the religious affiliation or purpose of the law school.[48]

Further, in its interpretative guidelines to Standard 211, the ABA expressly states that religiously affiliated schools are not required to recognize or fund LGBT student organizations.[49] If a student organization's purpose with respect to sexual orientation "conflict[s] with the essential elements" of the religious beliefs held by the school, the school need not "act inconsistently" with its religious values.[50]

b. Students and employees can file complaints with the ABA alleging their religiously affiliated schools' noncompliance with the ABA Standards.

Any person affiliated with an ABA-accredited law school can file with the Consultant on Legal Education a written complaint alleging that their school is discriminating against them based on sexual orientation, in violation of the ABA policies.[51] The Consultant on Legal Education directs the administration of the ABA's program of law school accreditation. Once a complaint has been filed, the Consultant will investigate the issues raised in the complaint.

The effectiveness of the complaint procedure, however, is unclear. For example, a student at Mississippi College School of Law alleged that he had not been notified of the law school's

[46] Standard 211(a).
[47] Standard 211(c).
[48] *Id.*
[49] Interpretation 211-2.
[50] *Id.*
[51] ABA Rule of Procedure for Approval of Law Schools, Rule 24(b) (2012-2013).

anti-gay policies.[52] He also claimed that he did not have equal access to resources at the school and the classroom atmosphere was not conducive to the free exchange of ideas.[53]After investigating the student's complaint, the ABA found that the school had not given him notice of its discriminatory policies but dismissed all other claims.[54] No disciplinary action was taken against the Mississippi College School of Law. Therefore, students and employees considering pursuing this route should be aware that a victory in this context may be a moral victory only.

2. The AALS bylaws also prohibit all member schools from discriminating based on sexual orientation but allow religiously affiliated schools to discriminate based on "conduct."

The AALS mandates a policy, similar to that of the ABA, of nondiscrimination based on sexual orientation for its member schools.[55] For religiously affiliated law schools, given the "unique context of religious liberty," the AALS states that this bylaw should be interpreted to "permit the regulation of conduct when that conduct is directly incompatible with the essential religious tenets and values of a member school."[56]

a. The AALS allows religiously affiliated law schools to regulate individual or organizational conduct that conflicts with the schools' religious beliefs.

The AALS recognizes that no individual or organization of students, faculty, or staff should be disadvantaged solely because of the individual's sexual orientation or the organization's focus on issues regarding sexual orientation. If the school finds that the "conduct" of an individual or an organization conflicts with the religious values of the school, however, the

---

[52] Andrew Stankevich, *The American Bar Association needs to forbid all discrimination against LGBT law students in ABA accredited law schools*, Education News (May 27, 2011), http://www.educationnews.org/higher_education/campus_views/157075.html.
[53] *Id.*
[54] *Id.*
[55] Bylaws of the Association of American Law Schools, Inc., Section 6-3(a) (1971).
[56] AALS, *Interpretive Principles to Guide Religiously Affiliated Member Schools as They Implement Bylaw Section 6-3(a) and Executive Committee Regulation 6-3.1* (August 5, 1993), http://www.aals.org/about_handbook_sgp_rel.php

bylaws allow religiously affiliated schools to regulate that conduct as long as they make a "good faith" effort to accommodate the rights of these individuals or organizations. The AALS does not provide guidance on what constitutes a "good faith" effort at accommodation.

b. Some AALS religiously affiliated law schools are not subject to the nondiscrimination policy because they are non-member fee-paid schools.

Religiously affiliated law schools can completely avoid the requirements of nondiscrimination for member schools, while still receiving some of the services provided by the AALS, by becoming non-member, fee paid schools. Although these schools are not listed as member schools, they have access to AALS publications and services upon payment of a fee. Some of the more conservative religiously affiliated law schools, such as Ave Maria School of Law, Liberty University School of Law, and Regent University School of Law, are currently fee-paid, non-member schools.

c. Although the AALS can sanction and censure schools, it prefers to work with its member schools to help them comply with the AALS policies.

The AALS is unlikely to sanction its member schools for noncompliance with the nondiscrimination policy because it believes in working with schools toward a collaborative, amicable solution. Bylaw Article 7 on "Sanctions" states that "[p]rior to imposing or recommending a sanction, the Executive Committee shall, to the extent feasible, provide a member school with reasonable opportunity to correct noncompliance with the requirements of membership."[57]

D. If a religiously affiliated law school fails to warn students and staff about discriminatory treatment of the LGBT community, students and staff may be able to claim that the school breached an enforceable contract.

[57] Section 7-1; *see also* Barbara J. Cox, *AALS as Creative Problem-Solver: Implementing Bylaw 6-4(A) to Prohibit Discrimination on the Basis of Sexual Orientation in Legal Education*, 56 J. Legal Educ. 22 (March 2006) (noting the reluctance of the AALS to impose sanctions).

Some courts have held that the relationship between students and the private universities they attend is contractual in nature, and that certain school publications form a part of that contract.[58] The reasoning is that students have a right to rely on statements the school makes through its publications.[59] These publications include "brochures, course offering bulletins, and other official statements, policies, and publications of the institution."[60] If the school policies contain an anti-discrimination clause, LGBT students who suffer discriminatory treatment may bring an action for breach of contract.

1. The enforceability of student and faculty handbooks as contracts depends on the relevant state law.

Students should research their university's non-discrimination policy, law school's non-discrimination policy, and student organization formation policy. Student organization policies usually appear in student handbooks, the student code of conduct, or in student government policies. Law schools may have different student organization policies than other schools in the same university or even different policies than the university as an umbrella institution, so students should be sure to locate the most specific policy applicable to law students.

---

[58] *Corso v. Creighton Univ.*, 731 F.2d 529, 531 (8th Cir. 1984) (holding student found to have engaged in academic dishonesty was entitled to the hearing promised by student handbook before being expelled from medical school); *see also, e.g.*, *Kimberg v. Univ. of Scranton*, 411 F. App'x 473, 479 (3d Cir. 2010) (finding that the contract between a university and a nursing student was "comprised of written guidelines, policies, and procedures as contained in the written materials distributed to the student over the course of their enrollment in the institution."); *Mangla v. Brown Univ.*, 135 F.3d 80, 83 (1st Cir. 1998) (finding that a university did not breach the contract contained in school manuals and registration materials in refusing admission to student attending on a probationary status).

[59] *Babcock v. New Orleans Baptist Theological Seminary*, 554 So.2d 90, 95 (La. Ct. App. 1989) (holding that theological seminary could not dismiss student for marital difficulties without due process described in student handbook).

[60] *Fellheimer v. Middlebury Coll.*, 869 F. Supp. 238, 242 (D. Vt. 1994); *see also Pride v. Howard Univ.*, 384 A.2d 31(D.C. 1978) (assuming that code of conduct is a contract); *Giles v. Howard Univ.*, 428 F. Supp. 603, 606 (D.D.C. 1977) (assuming that policy setting requirements for freshman to be promoted to the next class is a contract).

Before bringing a breach of contract claim, students must determine whether their university is in a state where faculty and student handbooks are enforceable contracts. In *Tacka v. Georgetown University*,[61] the court held that a faculty handbook constitutes an enforceable contract and was to be interpreted through a "common sense reading" and what it "may be fairly read to require." In *Atria v. Vanderbilt University*,[62] the court similarly held that under Tennessee law, the Honor Council's procedural rules outlined in the Vanderbilt student handbook constituted an enforceable contract.

In other states, however, these materials do not constitute enforceable contracts. Some of these decisions arise from disputes by students who had been expelled by their university for disciplinary or academic reasons.[63]

Additionally, in the context of termination, faculty employed at-will may not be able to appeal to the faculty handbook. For example, in *Hartz v. Administrators of Tulane Educational Fund*, the court observed that a faculty handbook was not a contract under Louisiana law and did not override employment at-will. [64]

Finally, students seeking to start LGBTA groups should also examine the relationship between narrow anti-discrimination policies and broad statements of university values. At religiously affiliated law schools, mission statements about the schools' religious values may be applied in a way that trumps the schools' policies against discrimination on the basis of sexual orientation.[65]

---

[61] 193 F. Supp. 2d 43, 47 (D.D.C. 2001).
[62] 142 F. App'x 246 (6th Cir. 2005)
[63] *See Slaughter v. Brigham Young Univ.,* 514 F.2d 622, 626 (10th Cir. 1975) (holding that in the specific disciplinary context, there was no contract between a student and university, but the relationship between the two parties is unique and cannot be encapsulated in one doctrine).
[64] 275 F. App'x 281, 285 (5th Cir. 2008).
[65] *See Romeo v. Seton Hall Univ.*, 875 A.2d 1043, 1048 (N.J. App. Div. 2005) (a private religious university denied students permission to start an LGBTA club because while the school disallowed

2. Students must determine if the policies, as outlined in the handbook, address sexual orientation and if they were given notice of these policies.

Students who do not receive notice of anti-gay policies can argue that the religiously affiliated law school's failure to inform them of these policies falsely induced their contractual relationship with the school. Mississippi Law School student Andrew Stankevich obtained a finding from the ABA that he was not given adequate notice of his school's "anti-gay policies."[66] This allowed him to file another complaint with the ABA alleging that he is unable to receive an equal education because of harassment targeting his sexual orientation.[67]

Students or employees looking to make such a claim should not become discouraged if a school policy is somewhat ambiguous, because the standard that governs contractual terms between a student and their university is one of "reasonable expectation."[68] Even without explicit protection against discrimination based on sexual orientation, a student could bring a claim against the university if the policy contains language that a prospective student could reasonably rely on as preventing discriminatory treatment based on LGBT identity.

III. NON-LEGAL STRATEGIES & PERSUASIVE ARGUMENTS

A. Students can focus on improving law school student organization policies or try to work within the guidelines of current policies to create or promote LGBTA student organizations.

1. General non-discrimination policies may not apply to student organization formation.

---

discrimination on the basis of sexual orientation , students' rights were constrained by a parallel obligation to "respect the values and mission of the University").

[66] Andrew Stankevich, *The American Bar Association needs to forbid all discrimination against LGBT law students in ABA accredited law schools*, Education News (May 27, 2011), http://www.educationnews.org/higher_education/campus_views/157075.html.

[67] Valerie Wells, *Andrew Stankevich*, Jackson Free Press (Sept. 16, 2011), http://www.jacksonfreepress.com/news/2011/sep/16/andrew-stankevich/. (It is thus far unclear if the ABA has addressed his second complaint.)

[68] *Mangla v. Brown Univ*., 135 F.3d 80, 83 (1st Cir. 1998).

The non-discrimination policies discussed above may not apply to the policies governing student organization formation or, if an organization has been formed, its treatment by the law school administration.

For example, schools may make LGBTA groups meet additional procedural requirements or limit the kinds of student organizations that can exist, implicitly excluding LGBTA groups. Along these lines, some religiously affiliated law schools that do prohibit discrimination based on sexual orientation make a status-conduct distinction and allow for discrimination based on sexual conduct, but not for sexual orientation as an identity or status. This distinction is used as a foundation for the argument that the refusal to recognize LGBTA student groups is part of discouraging sexual misconduct and is not discrimination based on identity or status.

2. Practices vary among schools within a university and across denominations.

The policies and practices of the larger university and the law school can be markedly different. For example, the law school's policy might be more accepting of LGBTA student organizations than policies in other parts of the university. Within the same university, students and LGBTA organizations in different schools with varying organization formation policies can collaborate in order to host events and form a community for LGBTA students across campus. A student at a Midwestern law school, for example, discussed how the law school LGBTA organization advocates and organizes events with the undergraduate LGBTA group when the undergraduate organization faces resistance from the undergraduate administration.[69]

3. An exclusionary or restrictive policy does not necessarily preclude student organizing.

LGBTA student groups can form even in the face of seemingly exclusionary or restrictive administrative policies. Current students at religiously affiliated law schools provided examples

[69] SGLC Questionnaire.

of how they worked within the confines of restrictive policies, uncertain community acceptance, and administrative red tape. A Southern law school student attributed the success of their school's LGBTA organization to the group's anonymity policy that establishes a confidential space and does not list the name of participants or members.[70] Another student described how, despite the larger university's prohibition on LGBTA groups in the undergraduate program, law school students were able to form a group, with the caveat that it focus on "educational" rather than "social" events.[71]

These student responses provide intriguing avenues for student organizing. Law students hoping to start an organization may want to emphasize their group's focus on drawing student awareness to matters of political, cultural, social, and national importance. This framing distances LGBTA organizations from accusations of "advocacy" or "encouragement" of sexual conduct and refocuses the role of LGBTA groups as part of the learning process. Other students suggested that school administrations might be more receptive to a monetary argument that focuses on law school competition.[72] This argument uses declining law school enrollment to encourage schools to adopt comprehensive anti-discrimination policies to keep pace with the expectations of young prospective students and a shifting national culture. Many students, however, noted a difference in the levels of acceptance between administrators and classmates, although these students did not observe that one group was more likely to be accepting than another.[73] Still, students suggested working with other groups, like the Federalist Society, to develop support among students.[74]

---

[70] *Id.*
[71] *Id.*
[72] *Id.*
[73] *Id.*
[74] *Id.*

4. Students attending law schools that include sexual orientation in anti-discrimination policies (without a status-conduct distinction), have more options available to advocate for inclusive practices.

Students at religiously affiliated law schools with inclusive anti-discrimination policies may still face roadblocks from school administrators, however those differences in treatment can highlight how inclusive language on paper is not enough. The policy-practice difference is illustrated by a Western law school student's description of how the LGBTA organization there was required to meet with multiple administrators before receiving official club approval, even though the written policy for organization formation does not require such steps. After the approval, the group still faces restrictions on what speakers, group literature, and fundraising the group can access.[75]

Inclusively written group recognition policies provide groundwork for advocacy by students, alumni, and staff because students may show directly how administrative practices differ from the text of the policy. Written policies may also provide assistance to those wishing to form an LBGTA organization if the environment of the school is generally unwelcoming. While administrators may remain unreceptive to the formation or promotion of LGBTA organizations, other advocacy or publicity efforts may benefit from contrasting written statements of an inclusive policy with current discriminatory practices and experiences.

The GSA cases and Equal Access Act discussion below will provide helpful arguments that students may analogize to when trying to improve student organization policies.

B. LGBTA student groups seeking recognition or resources from their religiously affiliated schools can highlight their organization's educational focus.

If an LGBTA student group faces hostility or resistance from a religiously affiliated law school administration, its leaders can emphasize that the group's focus is education, service, or

[75] SGLC Questionnaire.

other related issues. For example, LGBTA student organizations can offer educational activities such as hosting guest speakers and debates, and also promote service-oriented activities such as organizing HIV tests, providing assistance to LGBT-focused homeless shelters, or developing legal responses to anti-LGBT school bullying. More specifically, students can draft organization bylaws or mission statements that stress the goals of providing community service and an environment for intellectual discussion, as well as the more traditional LGBTA group mission of fostering a community within the law school for like-minded and similarly-situated students. Nascent organizations with bylaws or mission statements that clearly lay out educational or service missions can demonstrate to skeptical administrators that recognition of their group is consistent with the overall mission of religiously affiliated law schools.

Students should be aware, however, that even if they promote the educational and service aspects of their organization, administrators may be wary that the formation of an LGBTA group would create an environment leading to illicit sexual activity. While the status-conduct distinction discussed in section I.B.1.c. may loom large in the minds of administrators, students should remember that an LGBTA group is no more likely to lead to sexual activity than any other student club. After all, while two law students of the same sex can meet through an LGBTA group and thereafter engage in sexual conduct, two unmarried law students of the opposite sex can just as easily meet at a Federalist Society lecture or a wine tasting event and later engage in sexual conduct. For religions that purport to make no distinction between extramarital sexual conduct between members of the same sex and between members of the opposite sex, this argument may be especially persuasive.

Students seeking additional arguments to rebut administrators' notion that LGBTA groups exist to promote sexual conduct outside of marriage may look to a line of federal cases

from the 1970s and 1980s, discussed in more detail below. That line of cases held that public universities must recognize gay student organizations by the same standards as other organizations, even when many states criminalized sodomy. A law school might argue that merely providing a forum for LGBT students and encouraging their interaction will lead to forbidden sexual conduct, but federal courts solidly rejected that argument on multiple occasions.

Again, LGBTA student groups should be familiar with their school's specific policies and the tenets of the religious group affiliated with the school before attempting this argument. Certain religions may frown upon potential service activities of an LGBT group, such as organizing HIV tests on campus. Some religious groups may not even make a status-conduct distinction—they may view the status of *being gay* as inherently sinful, as opposed to condemning any extra-marital sexual activity. If a law school permits discrimination based on the status of being gay, students might consider first attempting to change that policy through one of the other methods mentioned in this section. Even students at such strict law schools can make persuasive arguments that administrators ought to recognize them.

C. The Equal Access Act does not provide a remedy for LGBT law school students, faculty, and staff but may be used rhetorically.

1. The Equal Access Act only applies to public secondary schools.

The Equal Access Act does not provide any relief to law students enrolled in private law schools. The Act only requires *public* secondary schools to provide equal access for extracurricular clubs, regardless of the religious, political, philosophical, or other subject matters

discussed at the meetings.[76] Courts have found that the Equal Access Act applies to student-led groups in public secondary schools that address LGBT-related issues.[77]

2. The Equal Access Act, while inapplicable to religiously affiliated law schools, provides rhetorical force to the arguments in favor of allowing LGBT student organizations on campus.

Although the Equal Access Act is not directly applicable to law schools, it demonstrates the importance the government places on equal treatment of all students and diversity of viewpoints. The United States Secretary of Education wrote in a "Dear Colleagues" letter that organizations like the Gay-Straight Alliances protected by the Equal Access Act help create a more welcoming learning environment.[78] Moreover, by "allowing students to discuss difficult issues openly and honestly, in a civil manner," schools become "forums for combating ignorance, bigotry, hatred, and discrimination."[79] Students can harness this argument to argue the importance of acceptance within institutions of higher learning.

D. Gay student organizations at public universities have obtained recognition through courts, and these cases provide guidance on law-related arguments that students can make to their administrations.

1. Successful challenges to public universities' discriminatory policies are not directly applicable here because religiously affiliated law schools are private actors.

In a string of cases in the 1970s and 1980s, gay student organizations that were denied recognition by public universities sued their schools and won. Universities attempted to defend their discrimination in a number of ways, most notably claiming that the existence of these groups would lead to an increase in sodomy, which was a crime in some states prior to the

---

[76] 20 U.S.C. § 4071(a).
[77] *See, e.g.*, *Straights and Gays for Equality v. Osseo Area Schools-Dist. No. 279*, 540 F.3d 911 (8th Cir. 2008); *Gonzalez through Gonzalez v. Sch. Bd. of Okeechobee Cnty.*, 571 F. Supp. 2d 1257 (S.D. Fla. 2008).
[78] *See* Arne Duncan, *Key Policy Letters from the Education Secretary and Deputy Secretary*, U.S. Department of Education (June 14, 2011),http://www2.ed.gov/policy/elsec/guid/secletter/110607.html.
[79] *Id.*

Supreme Court's 2003 decision in *Lawrence v. Texas* (539 U.S. 558 (2003)).[80] Other rationales included claims that LGBTA groups do not promote the primary purpose of universities.[81] In these cases, the courts held that public universities' refusal to recognize gay student organizations violated students' First Amendment rights. All of these decisions, however, were predicated upon the fact that public universities were state actors and thus could not deny a particular student group access to a public forum because of the group's viewpoint. Students at religiously affiliated law schools, by contrast, do not seek access to governmentally-created fora.

2. Although these cases do not apply to private law schools, they show that there is no legitimate justification for denying recognition of LGBTA student groups.

While *Lawrence v. Texas* rendered the status-conduct distinction obsolete in most legal contexts, the distinction retains relevance in some religious contexts. In the gay student organization cases cited above, the courts flatly rejected the argument that having gay student organizations would increase same-sex sexual relations. Therefore, students seeking to start a gay student organization might attempt a strategy in which they state that the goal of the proposed organization is not to engage in or promote any sexual conduct, but instead to foster discussions and raise awareness about LGBT-related issues. To allay the potential concerns of some school administrations that social events may promote sexual conduct, students may also consider presenting their organization as a solely educational group.

Further, most religiously affiliated law schools that currently lack gay student organizations purport to discriminate based only on sexual conduct rather than sexual orientation alone. Students can emphasize that denying recognition to gay student groups is a clear violation

[80] *See, e.g.*, *Gay Student Servs. v. Texas A & M Univ.*, 737 F.2d 1317 (5th Cir. 1984); *Gay Alliance of Students v. Matthews*, 544 F.2d 162 (4th Cir. 1976); *Gay Students Org. v. Bonner*, 509 F.2d 652 (1st Cir. 1974).
[81] *Wood v. Davison*, 351 F. Supp. 543 (N.D. Georgia 1972).

of these schools' anti-discrimination policy because the focus of these groups, as multiple courts have affirmed, is the status of sexual orientation and not sexual conduct.

E. Students, faculty, and staff have multiple options for effectively publicizing their efforts to change school practices.

1. LGBT advocacy efforts by students, faculty, and staff should be tailored to the environment of the specific law school.

Before discussing ways that LGBTA students, faculty, and staff might use publicity to modify their school's policies, it is important to note that every community and administration is different. While public advocacy can be an effective tool for influencing school policies, students, faculty, and staff should recognize that what has worked at one religiously affiliated law school may not work at their own school. For example, advocacy efforts that prove successful at a place like Fordham Law School, located in a state and city where sexual orientation is included in anti-discrimination laws, may not be appropriate at a school like Regent University School of Law, where state and city protections are lacking. Advocacy, however, need not be confined to marches, protests, and speakers. Sharing student experiences and stories can be a powerful way to raise awareness about how a school's administration affects the LGBT members of its community.

In considering an advocacy strategy, activists should also be mindful of safety, especially in unwelcoming or hostile environments. The physical, emotional, and mental health of students, faculty, and staff are paramount, and activists should also be cognizant of the potential for backlash, which will be discussed below.

2. Publicity efforts should seek to maintain current relationships and preserve the potential for future collaboration.

LGBT students, faculty, and staff of religiously affiliated law schools each have unique relationships to the law school that will determine the suitability of different advocacy efforts.

Students may be able to rely on publicity more heavily because of the interdependence between students and schools. Staff, by contrast, may face challenges in using publicity, especially if their employment is at-will. Tenured or non-tenured faculty members will have to consider still other factors before publicizing their employer's anti-LGBT attitude, particularly if damage to the school's overall reputation could damage their personal academic reputations. Even though students, faculty, and staff have different relationships with the school, they share an interest in finding allies in the school's administration, because those allies can be key to finding remedies for discrimination. Similarly, students, faculty, and staff share an interest in maintaining goodwill with allies within a school community, and thus may find it appropriate to exercise their publicity efforts cautiously so as not to alienate those allies.

Allies within and outside of the law school—such as sympathetic students and administrators and outside advocacy organizations—can help spread messages and gain access to resources beyond what individual students, employees, or groups can achieve on their own. The goals of allies, administrators, and outside organizations, however, can conflict with the goals of students and employees, so those most directly affected by the policies and practices in question should assess and direct their publicity efforts with their overall goals firmly in mind.

Strategically, consistency with a religious institution's goals may be beneficial for publicity and message content. For example, advocates may find success through emphasizing community and tolerance as religious principles, especially when the message is linked to student and employee safety, anti-bullying, and mental health. While it is true that some religious organizations will never fully endorse LGBT sexual identities, statements supporting tolerance can still be powerful for advocacy efforts.

The considerations discussed in this section represent important starting points for pro-LGBT movements on campus. Appendix E provides a more comprehensive list of publicity ideas and strategies for activists considering this route. Creative, well-crafted publicity efforts can open up new possibilities for collaboration, support, and advocacy. One particularly beneficial—or harmful—group that may be susceptible to such efforts is alumni, discussed in detail in the next section.

F. Alumni Donors are a potential source of support and advocacy.

LGBTA students, faculty, and staff should consider the possibility of finding supporters among alumni who are donors or potential donors to the school. Friendly alumni can help convince school administrations to recognize or treat LGBTA organizations equally. Because of the significant financial interests law schools have in satisfied alumni, they may be more responsive to concerns voiced by a coalition of current students and alumni, rather than those same concerns raised solely by current students.

Law students and faculty can find the names and contact information of alumni through a variety of methods. Many law schools list the names of their donors by year of graduation on the school website.[82] Students, staff, and faculty can also refer to alumni databases accessible to members of the school community. Once students create a list of alumni names, they can look up the contact details of many practicing lawyers on employers' websites and social media such as LinkedIn. Students can also ask other recent alums with whom they are acquainted to share their contacts.

[82] *See, e.g.*, *2012-2013 Donor List,* Loyola Law School Los Angeles, available at http://alumni.lls.edu/donors/12-13.html (last visited Dec. 12, 2012).

In addition, students and faculty may attend alumni networking and social events to appeal to alumni in person. This approach has the advantage of meeting alumni who are invested in maintaining ties to the law school community.

Students who wish to pursue a more targeted approach can consult the LGBT Bar Association and LGBT-specific law firm diversity committees. These resources offer lists of members who may be alumni. Similarly, students and faculty can ask supportive professors, mentors, and fellow students if they know of any graduates who would likely be supporters.

One potential drawback to this strategy of alumni outreach is that alumni are not a monolithic group. While LGBTA students, faculty, and staff may find support among wealthy alumni, alumni at some schools may be much more socially conservative than the student body. For example, an LGBTA group at a Western religiously affiliated law school reported that some alumni had mobilized to oppose their programming in the past.

Conversely, students should keep in mind that alumni donors willing to advocate on behalf of LGBT law students may sometimes be found in unlikely places. Therefore, students should not foreclose any opportunities to reach out to groups not usually known to be supporters.

Once students and faculty have collected a list of alumni willing to support the establishment of an LGBTA student group, they should consider various ways to organize and mobilize their support. One method involves drafting and circulating a letter for alumni to sign. This approach, because it requires very little work on the part of alumni, may succeed in involving a large number of alumni, thus emphasizing the breadth of support behind the LGBTA student group. The tradeoff, however, is that this tactic lacks the emotional force of more personal expressions of dissatisfaction.

A second strategy would call for individual alumni to contact the law school personally, expressing that their support of the law school is contingent upon the law school's support of LGBTA students. This strategy requires a higher level of personal involvement, probably reducing the number of alumni willing to become involved, but increasing the effectiveness and strength of the individual contacts.

A similar strategy would be to ask LGBTA alumni to speak during alumni or other law school events. When friendly alumni speak at these events, they can directly reach out to other alumni donors, as well as important figures in the school administration or members of the board of trustees, with a pro-LGBT message. This tactic requires the highest level of alumni involvement, but can be the most effective. The message delivered face-to-face by passionate supporters who emphasize the revenue at stake for the university may create a sense of immediacy and personal responsibility within the administration in regards to making changes. Students and faculty should consider which combination of these strategies is best suited for their specific circumstances.

IV. POTENTIAL REACTIONS FROM RELIGIOUSLY AFFILIATED LAW SCHOOLS

Religiously affiliated law schools' responses to initiatives to form LGBTA student groups will fall along a spectrum of accommodation and opposition. As noted earlier, many religiously affiliated law schools are tolerant or supportive of LGBTA student groups. For example, the Fordham University Multicultural Affairs Office organizes an LGBT and Ally Network of Support,[83] and the law school administration has welcomed LGBT student

[83] *LGBT Resources*, Fordham University, http://www.fordham.edu/student_affairs/multicultural_affair/lgbt_resources_74778.asp (last visited Dec. 9, 2012)

organizations.[84] Thus, students should not assume conflict is inevitable, but should research their law school and speak with members of the administration. However, if a law school does react antagonistically to students seeking to form an LGBTA student group, this section anticipates steps the law school might take.

A. If LGBT students sue their law school to allow them to form a group, religiously affiliated law schools can raise constitutional defenses.

Religiously affiliated law schools can raise two constitutionally based defenses to lawsuits seeking group recognition. The First Amendment provides two separate defenses: one based on the Free Exercise Clause and the other on the right to freedom of expressive association.

1. The Free Exercise Clause may protect religiously affiliated law schools from recognizing or supporting groups that they do not approve.

Religiously affiliated law schools have a constitutionally protected interest in not encouraging behavior that runs counter to their religious tenets, and any court decision would weigh that interest against the state's interest in anti-discrimination. The Free Exercise Clause states that "Congress shall make no law . . . prohibiting the free exercise of religion."[85] To harness this defense, religiously affiliated law schools must show that, first, the government would mandate an obligation on the law school and second, that the obligation would impose a burden on the law school's religious exercise. To use the Free Exercise Clause to avoid a government-mandated obligation, a school "must initially establish that forced compliance with

[84] SGLC Questionnaire.
[85] U.S. Const. amend. I.

the regulation will impose a burden on [its] religious exercise."[86] The government (or, in this case, the LGBT party to the suit) can show that there is an overriding compelling state interest.[87]

Gay Rights Coalition of Georgetown University Law Center analyzed these three questions in the context of Washington D.C.'s Human Rights Act. In the Georgetown case, the court held that the Human Rights Act mandated that Georgetown could not discriminate on the basis of sexual orientation by refusing to officially recognize the formation of an LGBT student group. The court concluded that although Georgetown's obligation under the Human Rights Act legitimately burdened its religious exercise, the legislature had a compelling interest in "eradicating sexual orientation discrimination."[88]

While *Georgetown* is heartening for many LGBT students looking to organize, challenges to organization non-recognition at other law schools will not necessarily follow this model for at least two reasons. First, *Georgetown* was brought under Washington, D.C.'s Human Rights Act, a local law that prohibited sexual orientation discrimination. As discussed above, without such a law protecting against discrimination based on sexual orientation, Georgetown would have been able to deny recognition of the group.[89] Second, the *Georgetown* case is a D.C. Circuit decision, meaning that it has persuasive but not precedential value to courts in other jurisdictions faced with similar facts. Another court might weigh the interests of the parties differently; it could determine, for example, that the law school's free exercise interests outweigh the government's interest in preventing discrimination.

---

[86] *Gay Rights Coal.of Georgetown Univ. Law Ctr. v. Georgetown Univ.*, 536 A.2d 1, 31 (D.C. 1987).
[87] *Id.*
[88] *Id.* at 38.
[89] Guidance on locating state and local anti-discrimination laws to find whether a particular law school lies within a jurisdiction with a ban on sexual orientation discrimination can be found in Section II.B above.

2. Religiously affiliated law schools may invoke the right to freedom of expressive association but that argument is unlikely to succeed.

Religiously affiliated law schools could raise freedom of expressive association as a defense against recognizing LGBTA groups, claiming that recognition of student organizations that advocate for LGBT rights forces them to associate with a group that the law school wishes to exclude. The right to freedom of expressive association includes the right for private groups to exclude whomever they wish,[90] but the doctrine is not expansive. Nor is the doctrine explicit about what exactly constitutes freedom of expressive association; there is no easily applied test, only the statement that laws that mandate forced inclusion are prohibited under the First Amendment.[91] "The forced inclusion of an unwanted person in a group infringes the group's freedom of expressive association if that person's presence affects in a significant way the group's ability to advocate public or private viewpoints."[92]

In LGBTA organization cases, a forced inclusion argument is unlikely to succeed. Freedom of expressive association cases have clear "outsiders" and "insiders," and those lines are not as clearly drawn in LGBTA student organization cases. Each student or employee taking issue with a religiously affiliated law school's policy presumably has already been accepted or hired by the law school. Therefore they are already included in the larger organization; no "forced inclusion" is at issue. Because LGBT students are already included in the law school community, this argument is less compelling than a Free Exercise defense.

B. Law school administration and individuals within the school may react negatively even if they take no legal action.

---

[90] *Rumsfeld v. Forum for Academic and Inst. Rights, Inc.,* 547 U.S. 47, 69 (2006).
[91] *Healy v. James*, 408 U.S. 169, 180 (1972).
[92] *Boy Scouts of America v. Dale*, 530 U.S. 640, 648 (2000).

1. The law schools' administrations may allow students to organize events but express disapproval by being less cooperative with the LGBTA group as compared to other student groups.

If religiously affiliated law schools allow LGBTA groups to form, they still may throw administrative roadblocks in the group's way or treat the LGBT groups differently from other recognized clubs. At one religiously affiliated law school that currently has an LGBTA group, students had to go all the way to the law school's board of directors for approval. Even then, the administration only allows the group to host "educational" programs, and not the social events that other student groups are allowed to organize.[93] Similarly, another student group met with all three deans of its law school in order to obtain permission to form an official LGBTA student group; the same student leaders also mention that the administration makes the LGBTA organization "jump through hoops" that other organizations do not face. Students at the same school had a difficult time convincing the administration to allow them to invite a guest speaker, while other student groups are able to host "anti-equality, homophobic speakers that say things most would consider hate speech."[94]

2. Other students or the outside community could react negatively toward LGBTA groups or events.

LGBTA groups should also be mindful of the potential for community backlash. Regardless of the administration's support, the student body and the surrounding community may have intolerant views. For instance, a Western law school's LGBTA group recently put on an event regarding marriage rights for same-sex couples. After media coverage, the local bishop

[93] SGLC Questionnaire.
[94] SGLC Questionnaire.

received phone calls from all over the country complaining about the guest speaker, causing the law school's administration to try to cancel other LGBTA student events.[95]

Retaliation against individuals may also occur. Students and employees who think that school administrators may be retaliating against them personally should find outside help if possible and document each instance of retaliation.

3. Law schools could remove themselves from affiliation with organizations, such as the AALS, which attempt to protect the rights of LGBT students, faculty, and staff.

If students, faculty, and staff petition the AALS to force law schools to comply with the AALS's nondiscrimination policies, the pressured law school may leave the AALS rather than comply with policies that run counter to their religious beliefs. Students and employees could lose what little protection they have. However, it is unlikely that the AALS would mandate strict compliance, fearing that religiously affiliated law schools might retreat en masse from the AALS.

V. CONCLUSION

The rights of LGBT students and employees at religiously affiliated law schools depend on the school, state, and municipality in which the student resides. Even at schools with LGBTA student groups, LGBT students and student organizations may experience discrimination by the school administration in spite of the school's anti-discrimination policy. While state and local laws treat discrimination based on sexual orientation very differently LGBT students' rights advocates can take concrete steps that utilize both legal and non-legal strategies to ensure LGBT student do not face discrimination at any law school.

[95] SGLC Questionnaire.

VI. APPENDICES

Notes on Appendices

The following appendices are meant to serve as a starting point for research. They are not a complete or definitive analysis of the state of the law or of school anti-discrimination policies. Interested parties should still do their own research to find the current state of the school's policies and the current state of the law in their municipality and state.

Appendix A: Religiously Affiliated Law Schools' Anti-discrimination Policies

ALABAMA

Faulkner Law School

Faulkner University's Thomas Goode Jones School of Law does not discriminate on the ground of race, color, national origin, sex, age, disability or sexual orientation in any of its educational policies, admissions, financial aid, employment, educational programs, or activities. Although the university does not discriminate on the basis of sexual orientation, sexual conduct outside of marriage is inconsistent with the University's religious traditions, values, affiliation, and purpose. In accordance with ABA Standard 211 and Interpretation 211-2, the School of Law expects its students to avoid using the School of Law's (or University's) facilities, resources, or names to advocate such conduct. Inquiries regarding compliance with Title IX of the Education Amendments or any federal access/equal opportunity law or regulation should be directed to Dr. Billy D. Hilyer, President, Faulkner University, 5345 Atlanta Highway, Montgomery, Alabama 36109.

Cumberland School of Law

Except as specifically exempted by federal law requirements, Samford does not discriminate on the basis of race, color, sex, national or ethnic origin, disability, or age in the administration or application of its educational programs and policies, admission policies, employment policies, or scholarship and loan programs. Inquiries concerning compliance with these laws and the regulations thereunder should be directed to the vice president and dean of students or the vice president for business affairs, Samford University, 800 Lakeshore Drive, Birmingham, Alabama 35229.

CALIFORNIA

Pepperdine University

Pepperdine University School of Law does not unlawfully discriminate on the basis of any status or condition protected by applicable federal or state law in administration of its educational policies, admissions, financial aid, employment, educational programs, or activities. This includes discrimination on the basis of race, color, national origin, religion, sex, age, disability, or veteran status. The School of Law does not discriminate against any person on the basis of any sexual orientation which such person may have. However, sexual conduct outside of marriage is inconsistent with the school's religious traditions and values. Therefore, as a matter of moral and faith witness, the faculty, staff, and students of the School of Law are expected to avoid such conduct themselves and the encouraging of it in others. This also includes unlawful sexual harassment, which is a violation of University standards as well as state and federal laws. I state that our employment practices do not violate Pepperdine University School of Law's Equal Employment Opportunity Policy.

University of La Verne College of Law
The University of La Verne College of Law is committed to a policy that opposes discrimination on the basis of gender, age, race, religion, color, medical condition, handicap or disability, sexual orientation, national or ethnic origin in the administration of its educational policies, admissions policies, employment-related matters, financial aid programs, or other such University-administered programs. The University of La Verne is an equal opportunity educational institution.

University of San Diego School of Law
The University of San Diego is committed to upholding standards that promote respect and human dignity in an environment that fosters academic excellence and professionalism. It is the policy of the university to maintain an educational and work environment free from all forms of unlawful discrimination and harassment. To that end, the university prohibits and does not tolerate unlawful discrimination against or harassment of its employees, students or applicants for employment or admission on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression, marital status, pregnancy, age, physical disability, mental disability, or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position. All members of the university community are expected to uphold this policy. Engaging in unlawful discrimination or harassment will result in appropriate disciplinary action, up to and including dismissal from the university.

University of San Francisco School of Law
The University is an equal opportunity institution of higher learning education. As a matter of policy, the University does not discriminate in employment, educational services, and academic programs on the basis of an individual's race, color, religion, religious creed, ancestry, national origin, age (except minors), sex, gender identity, sexual orientation, marital status, medical condition (cancer-related and genetic-related), and disability, and on other bases prohibited by law. The University reasonably accommodates qualified individuals with disabilities under the law.

Santa Clara Law School
Santa Clara University does not discriminate on the basis of race, color, national, and/or ethnic origin, sex, marital status, sexual orientation, disability, religion, veteran's status, or age in the administration of any of its educational policies, admissions policies, scholarship and loan programs, athletics, or employment-related policies, programs and activities.

Students who have questions about the Santa Clara Law's non discrimination policy are encouraged to contact the Law Career Services Office directly.

Trinity Law School (Trinity International)
Students: Within published requirements for admission, Trinity University does not and will not discriminate in admission of students to study at the University, enrollment in classes, housing or use of facilities in the academic program because of race, color, religion, sex, age, national origin, disability (if otherwise qualified for admission), military/veteran status, sexual orientation, or any other status protected by federal, state, or local laws.
Employees: Trinity University does not and will not discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, disability (if otherwise qualified for the job), military/veteran status, sexual orientation, or any other status protected by federal, state or local law. The University is committed to making employment-related decisions according to an applicant or employee's experience, talent, and qualifications, without regard to his/her race, color, religion, sex, age, national origin, disability (if otherwise qualified for the job), military/veteran status, sexual orientation, or any other status protected by federal, state or local laws.

Loyola Law School (Loyola Marymount)
The University prohibits unlawful discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, legally protected medical condition (cancer-related), marital status, sex (including gender identity as defined by law, pregnancy, childbirth or related medical condition), age 40 or over, veteran status, sexual orientation, genetic information or any other bases protected by federal (including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990), state, or local law. The University does not discriminate on these bases, or any other basis protected by law, in the administration of any of its education or admissions policies, scholarship or loan programs, athletics, and other school-administered policies and programs, or in its employment policies and practices. All University policies, practices, and procedures are administered in a manner consistent with LMU's Jesuit identity and character.

Chapman University School of Law
Chapman University is committed to providing an environment which is free of any form of harassment and discrimination based upon an individual's race, color, religion, sex, gender identity, pregnancy, national origin, ancestry, citizenship status, age, marital status, physical disability, mental disability, medical condition, sexual orientation, military or veteran status, genetic information, or any other characteristic protected by applicable state or federal law, so that all members of the community are treated at all times with dignity and respect. It is the University's policy, therefore, to prohibit all forms of such harassment or discrimination among University faculty, students, staff, and administration. The University's administration, faculty, staff, and students are each responsible for creating and maintaining an environment conducive to work, study, and learning and for cooperating with the University officials who investigate

allegations of policy violations. Harassment and discrimination, in any form prohibited by this policy, impede the realization of the university's mission to provide an education of distinction in a dignified and respectful learning environment. It is the duty of every member of the faculty, staff, and administration to assure compliance with this policy by promptly reporting allegations of policy violations to the University's Equal Opportunity Officer. Students are also strongly encouraged to report any alleged violations of this policy, and may do so by contacting the Equal Opportunity Officer, the Dean of Students or one of the Title IX Coordinators listed below. The University will strive to review any charges in a confidential, sensitive, and expeditious manner. In addition to or in lieu of the procedures set forth in this policy, any individual who feels he or she has been subjected to unlawful harassment or discrimination may contact the California Department of Fair Employment and Housing, the United States Equal Opportunity Commission, or the U.S. Department of Education, Office for Civil Rights.

FLORIDA

Ave Maria School of Law

Ave Maria School of Law recognizes the inherent value and dignity of all members of the human family. It values equal opportunity, and seeks racial, cultural and ethnic diversity. The Law School prohibits discrimination on the basis of race, color, national origin, gender, age, disability or status as a veteran or disabled veteran. The Law School maintains its Catholic character, but is open to persons of all religious faiths who respect the goals of Ave Maria School of Law, as adopted by the Board of Governors. It does not discriminate on the basis of religion, except to the extent that applicable laws and constitutional provisions respect its right to act in furtherance of its religious objectives. The Law School fully accepts the teachings of the Catholic Church with regard to homosexual conduct and sexual conduct outside the bonds of matrimony, as set forth by the Magisterium of the Catholic Church. Consistent with those teachings, the Law School does not discriminate purely on the basis of an individual's sexual orientation without regard to homosexual conduct or other actions that undermine the Law School's Catholic identity.

GEORGIA

Emory Law School

Emory University is dedicated to providing equal opportunities to all individuals regardless of race, color, religion, ethnic or national origin, gender, age, disability, sexual orientation, gender identity, gender expression, veteran’s status, or any factor that is a prohibited consideration under applicable law.

Emory University does not discriminate in admissions, educational programs, or employment on the basis of any factor outlined above or prohibited under applicable law. Students, faculty, and staff are assured of participation in University programs and in the use of facilities without such discrimination. Emory University complies with all applicable equal employment opportunity

laws and regulations, and follows the principles outlined above in all aspects of employment including recruitment, hiring, promotions, transfers, discipline, terminations, wage and salary administration, benefits, and training.

Mercer Law School
Mercer Law School has long refrained from discriminating on the basis of race, color, religion, national origin, sex, age, handicap or disability, or sexual orientation. The policy of the Association of American Law Schools, required of all AALS-accredited law schools, reinforces our long-standing practice. A new AALS requirement, that we make our placement services available only to employers who assure us that they are willing to abide by this non-discrimination policy, was adopted by the Mercer Law Faculty on November 10, 1993.

ILLINOIS

DePaul University School of Law
As a member of the Association of American Law Schools (AALS) and in conformity with its by-laws, DePaul University College of Law provides equal opportunity in legal education for all persons without regard to race, color, religion, national origin, sex, age, disability or sexual orientation.

INDIANA

Valparaiso University School of Law
Nondiscrimination Policy as to Students
Valparaiso University admits students of any race, color, national and ethnic origin, age, gender, disability, sexual orientation or (as qualified herein) religion, to all the rights, privileges, programs, and activities, generally accorded or made available to students at the school. It does not discriminate on the basis of race, color, national and ethnic origin, age, gender, disability, sexual orientation or (as qualified herein) religion in administration of its educational policies, admissions policies, scholarship and loan programs, career services and placement, and athletic and other school-administered programs. Valparaiso University is an institution committed to its Lutheran traditions. The University reserves the right to promote the teachings of the church and to exercise preferences in admissions in favor of Lutherans.
Equal Employment Opportunity Policy
Valparaiso University maintains a policy of equal employment opportunity for all employees and applicants for employment. The University does not discriminate on the basis of race, color, national and ethnic origin, age, gender, disability, sexual orientation or (as qualified herein) religion or any protected classification under federal, state or local law. This policy applies to all aspects of employment including, but not limited to, recruiting, hiring, training, transfer, promotion, job benefits, pay, dismissal, social and recreational activities. An institution committed to its Lutheran traditions, the University reserves the right to promote the teachings of the church and to exercise preferences in employment-related practices in favor of Lutherans.

Notre Dame University
The University of Notre Dame does not discriminate on the basis of race, color, national or ethnic origin, sex, disability, veteran status, genetic information, or age in the administration of any of its educational programs, admissions policies, scholarship and loan programs, athletic and other school-administered programs or in employment.

MASSACHUSETTS
Boston College Law School
Boston College Law School is committed to a policy against discrimination and harassment based on age; sex; race; color; religion; national origin or ancestry; sexual orientation; disability; or marital, family or military status (the complete text of the Law School's policy against discrimination and harassment, including a description of grievance procedures, is available in the Law School's Academic Policies and Procedures handbook.)

MICHIGAN
University of Detroit Mercy School of Law
Throughout its policies and procedures, the University of Detroit Mercy School of Law is committed to the principles of equal educational opportunity for all regardless of race, color, religion, sex, age, marital or familial status, sexual orientation, disability, ancestry, creed, national or ethnic origin, height, weight, military service or political belief.
http://www.law.udmercy.edu/index.php/career-services/current-students/cso-policies

MINNESOTA
Hamline University School of Law
Hamline University will not tolerate harassment or discrimination based on race; color; gender/sex; ethnic background; national origin; sexual orientation; gender presentation; marital, domestic partner or parental status; status with regard to public assistance; disability; religion; age; or veteran status in its employment or educational opportunities.
http://www.hamline.edu/Policy.aspx?id=2147488077

University of St. Thomas School of Law
University if St. Thomas School of Law Non-Discrimination Policy UST School of Law is governed by the non-discrimination policy of its parent university. The University of St. Thomas does not discriminate on the basis of race, color, creed, religion, ancestry, national origin, sex, sexual orientation, disability, age, marital status, or status with regard to public assistance in the employment of faculty or staff, the admission or treatment of students, or in the operation of its educational programs and activities. UST Law complies with this non-discrimination statement in all of its own activities, and it expects that employers to whom it furnishes assistance of any kind, including facilities for interviewing, do not discriminate on any of these grounds.

http://www.stthomas.edu/law/academics/academicpolicymanual/otherpolicies/nondiscriminationandaffirmativeaction/

MISSOURI

St Louis University School of Law

The programs of Saint Louis University ("University") and the School of Law are open to all regardless of race, color, sex, age, national origin, religion, sexual orientation, disability or veteran status. All University policies, practices and procedures are administered in a manner consistent with our Catholic, Jesuit identity.

Mississippi College School of Law

Mississippi College School of Law is committed to ensuring equal opportunity for all its students and alumni, and is committed to a policy against discrimination in employment based on race, color, national origin, religion, sex, sexual orientation, age, veteran status, or disability.

NEBRASKA

Creighton University School of Law

It is the policy of the University to provide equal employment and educational opportunities to faculty, employees, students and applicants for such opportunities without regard to race, color, religion, sex, national origin, age, handicap or disability, marital status, citizenship, sexual orientation, maternity and lactation status, status as a Vietnam-era, special, disabled, or other veteran who served on active duty during a war, campaign, or exhibition for which a campaign badge has been authorized in accordance with applicable federal law. In addition, it is the policy of the University to comply with applicable state statutes and local ordinances governing nondiscrimination in employment and educational activities.

NEW JERSEY

Seton Hall University School of Law

Seton Hall University School of Law has long-standing policies against discrimination, including harassment, on the grounds of age, race, color, ethnicity, gender, national origin, religion, creed, disability, or sexual orientation. In addition to complying with all applicable federal and state laws regarding such conduct, the Law School subscribes to the University's policies condemning discrimination and harassment, especially the University Policy Against Sexual Harassment and the University Racial and Ethnic Discrimination Policy. Consistent with its obligations on privacy of student records, the Law School cooperates with state Committees on Character and Fitness and similar authorities who pass on candidates for admission to the bar in all the states of the United States.

NEW YORK

Cardozo School of Law (Yeshiva)

The Benjamin N. Cardozo School of Law is committed to supporting, encouraging and fostering an open and inclusive community that respects the dignity of each individual that, embraces diversity as a means of promoting a learning environment, that encourages an exchange of information, values, and ideas, and that is free of improper discrimination, harassment, and intimidation.
To that end, Cardozo's policy is to ensure that its programs are administered in a manner that does not improperly discriminate on the basis of any individual's or group's actual or perceived race, sex, religion, creed, color, national or ethnic origin, ancestry, sexual orientation, gender identity or expression, age, disability, veteran or disabled veteran status, marital or civil union or domestic partner status, citizenship status, or other categories protected by law, or in retaliation for opposition to any practices proscribed by this policy.

Fordham
Fordham University School of Law protects the right of each of its students to be free from discrimination in connection with participation in, access to, or the benefits of any academic or non-academic program or activity of the Law School on the basis of sex, sexual orientation, age, color, race, religion, sect, creed, veteran status, marital status, ancestry and national origin, and to be from retaliation for invoking this procedure.

St. John's University
Discrimination" includes employment decisions made on the basis of race, religion, color, national or ethnic origin, age, sex, sexual orientation, marital status, citizenship status, disability, genetic predisposition or carrier status, status as a victim of domestic violence or status in the uniformed services of the United States (including veteran status). Employment decisions apply to all terms and conditions of employment, including but not limited to hiring, classification, promotion or transfer, discipline, discharge, layoff, compensation, job training, and benefits.

Touro
Touro College and the Law Center treat all employees, students, and applicants without unlawful consideration or discrimination as to race, creed, color, national origin, sex, age, disability, marital status, genetic predisposition, sexual orientation or citizen status in all decisions, including but not limited to recruitment, the administration of its educational programs and activities, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, layoff, suspension, expulsion and termination, and all other terms and conditions of admission, matriculation, and employment. This policy applies to admissions policies and practices, educational programs, employment practice, and other activities sponsored by the Law Center. Touro Law Center complies with all applicable federal, state, and local laws relating to discrimination.

NORTH CAROLINA

Campbell Law School
It is the intention of the University to cooperate as fully as possible with the applicable requirements and provisions of the various state and federal employment and labor laws. Accordingly, the University is committed to administering all educational and employment activities without discrimination as to race, color, sex, gender, age, national origin, religion or disability, or status as a veteran, except where exemption is appropriate and allowed by law. This policy of nondiscrimination is applied to the recruitment, hiring, assignment, retention, and discharge of employees. Inquiries regarding the University's equal opportunity policies may be directed to the HR Department, P. O. Box 595, Buies Creek, NC 27506.'

OHIO

Ohio Northern Law School
"It is the policy of Ohio Northern University not to discriminate on the basis of race, religion, national or ethnic origin, gender, sexual orientation, age, or disability in its educational programs, admissions policies, employment policies, financial aid or other school administered programs."

University of Dayton Law School
The University of Dayton School of Law does not discriminate on the basis of race, color, religion, sex, national origin, age, marital status, handicap, sexual preference or orientation, or status as disabled veteran or veteran of the Vietnam era.

Capital University Law School
The use of career services is restricted to those who agree to abide by career services office policies and procedures including the University non-discrimination policy. Capital University Law School provides equality of opportunity in legal education for all persons including faculty and employees with respect to hiring, continuation, promotion and tenure, applicants for admission, enrolled students and graduates without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, handicap or disability, or sexual orientation. Capital University Law School pursues a policy of providing its students and graduates with equal opportunity to obtain employment without discrimination or segregation on the grounds of race, color, religion, national origin, sex, age, handicap or disability, or sexual orientation except as mandated by Ohio or Federal Law.

OKLAHOMA

University of Tulsa College of Law
The University of Tulsa College of Law provides equality of opportunity in legal education for all persons, including faculty, employees, applicants for admission, enrolled students, and graduates, without discrimination or segregation on the ground of race, color, religion, national origin, gender, age, disability, or sexual orientation.

Oklahoma City University School of Law
Oklahoma City University School of Law provides equality of opportunity in legal education for all persons, including faculty and employees with respect to hiring, continuation, promotion and tenure, applicants for admission, enrolled students, and graduates, without discrimination or segregation on the ground of race, color, religion, national origin, sex, age, handicap or disability, sexual orientation, or veteran status. The School of Law provides its students and graduates with equal opportunity to obtain employment, without discrimination or segregation on the ground of race, color, religion, national origin, sex, age, handicap or disability, sexual orientation, or veteran status. In furtherance of this policy, the law school communicates to each employer to whom it furnishes assistance and facilities for interviewing and other placement functions the school's firm expectation that the employer will observe the principle of equal opportunity. The Associate Vice President for Administrative Services, located in Room 105 of the Administration Building, telephone (405) 208-5979, coordinates the University's compliance with Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, the Rehabilitation Act of 1973, the Americans With Disabilities Act, and the Age Discrimination in Employment Act.

PENNSYLVANIA
Villanova University School of Law
Villanova School of Law does not discriminate on the basis of race, color, age, sex, sexual orientation, religion or creed, national/ethnic origin, or non-disqualifying handicap. The School of Law is committed to the belief that "with respect to the fundamental rights of the person, every type of discrimination, whether social or cultural, whether based on sex, race, color, social condition, language, or religion, is to be overcome and eradicated as contrary to God's intent" (Vatican Council II, Gaudium et Spes No. 29). Therefore, Villanova University School of Law admits students of any race, color, age, sex, religion or creed, or national/ethnic origin to all rights, privileges, programs, and activities generally accorded or made available at the School of Law. It does not discriminate on the basis of race, color, age, sex, religion or creed, national/ethnic origin, or non-disqualifying handicap in the administration of its educational programs, admissions policies, scholarship and loan programs, athletic, and other School of Law programs, or in its employment policies.
As a Roman Catholic and Augustinian institution, the School of Law strongly affirms the teaching of the Church on the rights and dignity of all persons, and hence condemns discrimination on the basis of a person's sexual orientation. This position is consistent with the Church's teaching on human sexuality, which does not endorse homosexual conduct. The School of Law accordingly reaffirms its commitment to providing an inclusive and supportive community for all, regardless of sexual orientation.

Duquesne University School of Law

Motivated by its Catholic identity, Duquesne University values equality of opportunity, human dignity, and racial, cultural and ethnic diversity, both as an educational institution and as an employer. Accordingly, the University prohibits and does not engage in discrimination or harassment on the basis of race, color, religion, national origin, gender, sexual orientation, age, disability or status as a veteran. Further, Duquesne University will continue to take affirmative steps to support and advance these values consistent with the University's mission statement. Any student or employee who believes that he or she has suffered discrimination, on the basis of his/her race, color, gender, sexual orientation, religion, national origin, marital status, genetic history, or disability may file a complaint in writing with the Affirmative Action Officer who will invoke the internal grievance procedure with due consideration of the rights of the person being accused or against whom a complaint has been filed. Whenever a record is maintained of any complaint, regardless of its disposition, the accused must be informed of the existence and nature of that complaint. Students may also file complaints with the Assistant Vice President for Student Life, who will initiate an investigation on behalf of a student.

TENNESSEE

Belmont College of Law

The College of Law is committed to the principles of non-discrimination and equal opportunity for all students without regard to race, color, veteran status, religion, national or ethnic origin, political affiliation, gender, sexual orientation, age, or disability. Employers utilizing placement services offered by the College of Law agree to observe these principles in regard to hiring, promotion, retention, and conditions of employment.

TEXAS

Dedman School of Law, Southern Methodist University

SMU Dedman School of Law will not discriminate in any employment practice, education program, or educational activity on the basis of race, color, religion, national origin, sex, age disability or veteran status. SMU Dedman School of Law's commitment to equal opportunity includes nondiscrimination on the basis of sexual orientation. The Director of Institutional Access and Equity has been designated to handle inquiries regarding the nondiscrimination policies and may be contacted at Southern Methodist University, Dallas, TX 75275; 214-768-3601.

Southern Methodist University will investigate any complaint concerning discriminatory practices against its students or alumni to assure that placement assistance and facilities are made available only to employers whose practices are consistent with the principles of equal opportunity stated in the SMU Dedman School of Law Nondiscrimination Policy stated above."

Baylor Law School

Baylor University complies with all applicable federal and state nondiscrimination laws and does not engage in prohibited discrimination on the basis of race, color, nationality or ethnic origin, sex, age, or disability in employment or the provision of services. The university is governed by a predominantly Baptist Board of Regents and is operated within the Christian-oriented aims and ideals of Baptists. Baylor is also affiliated with the Baptist General Convention of Texas, a cooperative association of autonomous Texas Baptist churches. As a religiously controlled institution of higher education, Baylor University is exempted from compliance with some provisions of certain civil rights laws, including some provisions of Title IX of the Education Amendments of 1972

St. Mary's University School of Law
It is the policy of St. Mary's University School of Law not to discriminate or segregate on the grounds of race, color, religion, disability, national origin, sex, age, handicap or sexual orientation in its educational programs, admissions policies, financial aid or other school administered programs.

This policy is enforced in large part by federal law under Title IX of the Education Amendments of 1972, Title VI of the Civil Rights Act of 1964, and Section 504 of the Rehabilitation Act of 1973.

As a matter of conviction as well as of law, St. Mary's University School of Law seeks to be an equal opportunity educational institution. To this end, the Law School maintains a policy of nondiscrimination in employment.

Texas Wesleyan University School of Law
It is the policy of the Career Services Office (CSO) as part of the Texas Wesleyan University School of Law (Law School) not to discriminate on the basis of race, color, religion, national or ethnic origin, sex, age, handicap or disability, or sexual orientation.

Texas Wesleyan University School of Law is committed to ensuring equal opportunity for all its students and alumni and is committed to a policy against discrimination in employment based on race, color, national origin, religion, sex, sexual orientation, age, veteran status, or disability. The facilities of the career services office may be denied to employers whose conduct contravenes this policy. Employers who use campus facilities or post jobs on the law school web site must agree to comply with this non-discrimination policy. Students may file complaints against an employer who asks discriminatory questions in any program or activity sponsored or conducted at the law school.

UTAH
J. Reuben Clark Law School (Brigham Young University)

As a law school accredited by the American Bar Association (ABA), and as a member of the Association of American Law Schools (AALS), the J. Reuben Clark Law School provides equal opportunity in legal education for all persons, including faculty and employees with respect to hiring, continuation, promotion and continuing faculty status, applicants for admission, enrolled students, and graduates, without discrimination or segregation on the basis of race, color, religion, national origin, gender, sexual orientation, age, or disability. Because of the Law School's religious affiliation and purpose, ABA standards and AALS regulations as applied to the Law School require equal opportunity on the basis of sexual orientation but not on the basis of conduct. All members of the Law School community are required to comply with the Brigham Young University Honor Code, which requires chastity outside of marriage and fidelity in marriage. The Law School, as is permitted by ABA standards and AALS regulations, also prefers faithful members of the Church of Jesus Christ of Latter-day Saints in employment.

VIRGINIA

Regent University School of Law

Students: Regent University admits students of any race, color, disability, gender, religion, national or ethnic origin, to all the rights, privileges, programs, and activities generally accorded or made available to students at the school.
Employees: Qualified prospective employees will receive consideration without discrimination because of race, color, gender, age, national origin or disability; Admissions: Regent University admits students without discrimination on the basis of race, color, disability, gender, religion or national or ethnic origin; Regent University does not discriminate on the basis of race, color, religion, gender, national or ethnic origin, disability, or veteran status in admissions, or in the administration of educational policies, scholarships, loan programs, athletics or other University administered student programs. All students must agree to be taught according to Christian principles.

Liberty University School of Law

Consistent with Liberty University's nondiscrimination policy with respect to admission of students, the School of Law does not discriminate on the basis of race, religion, color, national origin, sex, age, disability, sexual orientation, or status as a veteran. The School of Law does not discriminate on the basis of sexual orientation but does discriminate on the basis of sexual misconduct, including, but not limited to, non-marital sexual relations or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University.

With respect to appointment to the faculty, the School does not discriminate on the basis of race, color, national origin, sex, age, disability, or status as a veteran. Because it is the School's mission "to equip future leaders in law with a superior legal education in fidelity to the Christian faith expressed through the Holy Scriptures," and the applicability of the University's distinctly

Christian Statement of Professional Ethics, the School does not discriminate on the basis of religion in faculty appointments except to the extent that applicable law respects its right to act in furtherance of its religious objective.

In its employment practices, the School of Law does not discriminate on the basis of sexual orientation, but does discriminate on the basis of sexual misconduct, including, but not limited to, non-marital sexual misconduct, homosexual conduct, or the encouragement or advocacy of any form of sexual behavior that would undermine the Christian identity or faith mission of the University. This policy statement is neither intended to discourage, nor is it in fact applicable to, any analytical discussion of law and policy issues involved in the regulation of sexual behavior, or to discussions of any recommendations for changes in existing law. Discussions of these matters are both practiced and are welcomed within our curriculum.

WASHINGTON

Seattle University School of Law

At Seattle University we value and celebrate a diverse educational community. We are united in the common goal of teaching and learning, educating for values, preparing for service, and fostering the holistic development of persons. Consistent with our mission and the law, Seattle University does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, marital status, sexual or political orientation, or status as a Vietnam-era or special disabled veteran in the administration of any of its education and admission policies, scholarship and loan programs, athletics, and other school-administered policies and programs and employment related polices and activities. A student who has a concern about possible discriminatory treatment experienced in connection with University programs, services, facilities or activities is encouraged to discuss those concerns with a member of the University community who is trained and able to assist. It is a violation of the University's non-discrimination policy to discriminate or retaliate against any student because he or she has opposed any discriminatory practice proscribed by University policy, or because the student has filed a complaint, testified, assisted, or participated in any manner in any University procedures designed to resolve an allegation of discrimination.

Gonzaga University School of Law

Gonzaga University School of Law administers its services in a manner that seeks to provide equal opportunities for the employment of all Gonzaga School of Law students and graduates.

We do not knowingly furnish assistance and facilities for interviewing and other employment functions to persons, firms, agencies, or organizations that discriminate in their selection of candidates on the basis of race, color, religion, national origin, sex, age, handicap or disability, sexual orientation, marital, parental, or veteran status.

Gonzaga University School of Law is fully committed to the Association of American Law Schools (AALS) non-discrimination policy of equal employment opportunity, set forth in Section 6-3 (b) of the AALS bylaws.

WASHINGTON, D.C.

Catholic University of America

"The Columbus School of Law, motivated by the Catholic identity of The Catholic University of America, of which it is an integral part, recognizes the inherent value and dignity of all members of the human family. It values equal opportunity and seeks racial, cultural and ethnic diversity. The university prohibits discrimination on the basis of race, color, national origin, gender, age, disability or status as a veteran or disabled veteran. The university maintains its Catholic character, but is open to persons of all religious faiths who respect the goals of The Catholic University of America, as adopted by the Board of Trustees. It does not discriminate on the basis of religion, except to the extent that applicable laws and constitutional provisions respect its right to act in furtherance of its religious objectives. The university fully accepts the teachings of the Catholic Church with regard to homosexual conduct and sexual conduct outside the bonds of matrimony, as set forth by the Magisterium of the Catholic Church. Consistent with those teachings, the university does not discriminate purely on the basis of an individual's sexual orientation without regard to homosexual conduct or other actions that undermine the university's Catholic identity.

WISCONSIN

Marquette University Law School

The Career Planning Center of Marquette University Law School provides its students and graduates with the opportunity to obtain employment without discrimination or segregation on the ground of race, ethnic background, national origin, gender, sexual orientation, marital or parental status, religion, age, disability or perceived disability, or veteran's status. The Career Planning Center restricts its recruiting programs and services to employers which agree to abide by this Non-Discrimination Policy.

Appendix B: State Anti-discrimination Laws[96]

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
Alabama	Cumberland School of Law (Samford University) (Baptist); Thomas Goode Jones School of Law (Faulkner University) (Christian)	No.	N/A	N/A	N/A

[96] These laws were current as of November 2012. However, the law in this area can change quite frequently. Both the Human Rights Campaign (http://www.hrc.org/laws-and-legislation/state) and the ACLU (http://www.aclu.org/maps/non-discrimination-laws-state-state-information-map) monitor state anti-discrimination laws carefully, and may provide more updated information.

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
California	Chapman University School of Law (Disciples of Christ); Loyola Law School (Loyola Marymount University) (Catholic); Pepperdine University School of Law (Churches of Christ); Santa Clara University School of Law (Catholic); University of San Diego School of Law (Catholic); University of San Francisco School of Law (Catholic);	Yes.	Yes.	Yes.	No.
District of Columbia	Columbus School of Law (Catholic University) (Catholic); Georgetown University Law Center (Catholic); Washington College of Law (American University) (Methodist)	Yes.	Yes.	Yes.	No.

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
Florida	Ave Maria School of Law (Catholic); Dwayne O. Andreas School of Law (Barry University) (Catholic); St. Thomas University School of Law (Catholic)	No.	N/A	N/A	N/A
Georgia	Emory University School of Law (Methodist)	No.	N/A	N/A	N/A
Illinois	DePaul University School of Law (Catholic); Loyola University Chicago School of Law (Catholic)	Yes.	Yes.	Yes.	No.
Indiana	Notre Dame Law School (Catholic); Valparaiso University School of Law (Lutheran)	No.	N/A	N/A	N/A
Louisiana	Loyola University New Orleans School of Law (Catholic)	No.	N/A	N/A	N/A
Massachusetts	Boston College Law School (Catholic)	Yes.	Yes.	Yes.	No.

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
Michigan	University of Detroit Mercy School of Law (Catholic)	No.	N/A	N/A	N/A
Minnesota	Hamline University School of Law (Methodist); University of St. Thomas School of Law (Catholic)	Yes.	Yes.	Yes.	Yes.
Mississippi	Mississippi College School of Law (Christian)	No.	N/A	N/A	N/A
Missouri	St. Louis University School of Law (Catholic)	No.	N/A	N/A	N/A
Nebraska	Creighton University School of Law (Catholic)	No.	N/A	N/A	N/A
New Jersey	Seton Hall University School of Law (Catholic)	Yes.	Yes.	Yes.	No.

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
New York	Benjamin Cardozo School of Law (Yeshiva University) (Jewish); Fordham University School of Law (Catholic); St. John's University School of Law (Catholic); Touro College Jacob D. Fuchsberg Law Center (Jewish)	Yes.	Yes.	No.	No.
North Carolina	Campbell University School of Law (Baptist)	No.	N/A	N/A	N/A
Ohio	Capital University Law School (Lutheran); Ohio Northern University Claude W. Pettit College of Law (Methodist); University of Dayton School of Law (Catholic)	No.	N/A	N/A	N/A
Oklahoma	Oklahoma City University School of Law (Methodist); University of Tulsa College of Law (Presbyterian)	No.	N/A	N/A	N/A

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
Pennsylvania	Duquesne University School of Law (Catholic); Villanova University School of Law (Catholic)	No.	N/A	N/A	N/A
Tennessee	Belmont University College of Law[97] (Christian)	No.	N/A	N/A	N/A
Texas	Baylor Law School (Baptist); Dedman School of Law, Southern Methodist University (Methodist); St. Mary's University School of Law (Catholic); Texas Wesleyan University School of Law[98] (Methodist)	No.	N/A	N/A	N/A
Utah	J. Rueben Clark Law School (Brigham Young University) (Mormon)	No.	N/A	N/A	N/A

[97] Although Belmont is not currently an accredited law school, it is actively seeking accreditation and is included in this list in the interest of comprehensiveness.
[98] Texas Wesleyan, while currently independent, is in the process of merging with Texas A&M.

State	Law School(s) (Religion)	LGBT inclusive anti-discrimination law?	Applicable to private employers?	Applicable to education?	Religious exception?
Virginia	Liberty University School of Law (Christian); Regent University School of Law (Christian)	No.	N/A	N/A	N/A
Washington	Gonzaga University School of Law (Catholic); Seattle University School of Law (Catholic)	Yes.	Yes.	Yes.	No.
Wisconsin	Marquette School of Law (Catholic)	Yes.	Yes.	Yes.	Yes.

Appendix C: Law School – Religious Affiliation – LGBTA Group – Nondiscrimination Law in Jurisdiction

Law School	Location	Religious Affilitation	LGBTA Group	Anti-discrimination law in jurisdiction[99]
Cumberland School of Law (Samford University)	Birmingham, Alabama	Baptist	No	No
Thomas Goode Jones School of Law (Faulkner University)	Montgomery, Alabama	Christian	No	No
Chapman University School of Law	Orange, California	Disciples of Christ	Outlaw	Yes (California)
Loyola Law School (Loyola Marymount)	Los Angeles, California	Catholic	OutLaw	Yes (California)
Pepperdine University School of Law	Malibu, California	Churches of Christ	No	Yes (California)
Santa Clara University School of Law	Santa Clara, California	Catholic	Equality Santa Clara Law	Yes (California)
University of San Diego School of Law	San Diego, California	Catholic	Pride Law	Yes (California)
University of San Francisco School of Law	San Francisco, California	Catholic	Pride Law Association	Yes (California)
Columbus School of Law (Catholic University)	Washington, DC	Catholic	No	Yes
Georgetown University Law Center	Washington, DC	Catholic	Outlaw	Yes
Washington College of Law (American University)	Washington, DC	Methodist	Lambda Law Society	Yes
Ave Maria School of Law	Naples, Florida	Catholic	No	No
Dwayne O.	Miami Shores,	Catholic	Students for Equality	Yes (Miami-Dade

[99] Refer to Appendix B for a fuller description of state and local anti-discrimination laws.

Andreas School of Law (Barry University)	Florida			County)
St. Thomas University School of Law	Miami Gardens, Florida	Catholic	Gay and Lesbian Law Student Association	Yes (Miami-Dade County)
Emory University School of Law	Atlanta, Georgia	Methodist	Emory OutLaw	No
DePaul University School of Law	Chicago, Illinois	Catholic	OUTlaws	Yes (Illinois & Chicago)
Loyola University Chicago School of Law	Chicago, Illinois	Catholic	OUTlaws	Yes (Illinois & Chicago)
Notre Dame Law School	Notre Dame, Indiana	Catholic	No	No
Valparaiso University School of Law	Valparaiso, Indiana	Lutheran	LAMBDA	No
Loyola University New Orleans College of Law	New Orleans, Louisiana	Catholic	Lambda Law Alliance	Yes (New Orleans)
University of Detroit Mercy School of Law	Detroit, Michigan	Catholic	OUTlaws	Yes (Detroit)
Hamline University School of Law	St. Paul, Minnesota	Methodist	Stonewall Alliance	Yes (Minnesota; St. Paul)
University of St. Thomas School of Law	Minneapolis, Minnesota	Catholic	OUT!law	Yes (Minnesota; Minneapolis)
Mississippi College School of Law	Jackson, Mississippi	Christian	No	No
St. Louis University School of Law	St. Louis, Missouri	Catholic	OUTLAWS	Yes (St. Louis)
Creighton University School of Law	Omaha, Nebraska	Catholic	Gay/Straight Law Alliance	Yes (Omaha)
Seton Hall University School of Law	Newark, New Jersey	Catholic	LAMBDA Law	Yes (New Jersey; ???)
Benjamin Cardozo School of Law (Yeshiva University)	New York, New York	Jewish	OUTlaw	Yes (New York State; New York City)
Fordham University School of Law	New York, New York	Catholic	OUTlaws	Yes (New York State; New York City)
St. John's	New York,	Catholic	Gay and Lesbian Law	Yes (New York

University School of Law	New York		Association	State; New York City)
Touro College Jacob D. Fuchsberg Law Center	New York, New York	Jewish	AMICUS (Lesbian, Gay, Bi-sexual, and Transgendered Law Students Association)	Yes (New York State; New York City)
Campbell University School of Law	Raleigh, North Carolina	Baptist	No	No
Capital University Law School	Columbus, Ohio	Lutheran	Capital Equality Alliance	No[100]
Ohio Northern University Claude W. Pettit College of Law	Ada, Ohio	Methodist	LAMBDA Law	No
University of Dayton School of Law	Dayton, Ohio	Catholic	LAMBDA Legal	No
Oklahoma City University School of Law	Oklahoma City, Oklahoma	Methodist	OUTlaws	No
University of Tulsa College of Law	Tulsa, Oklahoma	Presbyterian	Lesbian, Gay, Bisexual and Transgender/Straight Alliance	No
Duquesne University School of Law	Pittsburgh, Pennsylvania	Catholic	No	No
Villanova University School of Law	Radnor, Pennsylvania	Catholic	OUTlaw	Yes (Pittsburgh)
Interamerican University of Puerto Rico School of Law	San Juan, Puerto Rico	Catholic	No	No
Pontifical Catholic University of Puerto Rico School of Law	Ponce, Puerto Rico	Catholic	No	No
Belmont University College of Law[101]	Nashville, Tennessee	Christian	No	No
Baylor Law School	Waco, Texas	Baptist	No	No
Dedman School of Law, Southern Methodist	Dallas, Texas	Methodist	OUTlaw	No

[100] Although the City itself is bound by an anti-discrimination provision, it does not extend to private actors such as religious law schools.
[101] Although Belmont is not currently an accredited law school, it is actively seeking accreditation and is included in this list in the interest of comprehensiveness.

University				
St. Mary's University School of Law	San Antonio, Texas	Catholic	OUTlaw Association	No
Texas Wesleyan University School of Law[102]	Fort Worth, Texas	Methodist	Out Law	Yes (Fort Worth)
J. Rueben Clark Law School (Brigham Young University)	Provo, Utah	Mormon	No	No
Liberty University School of Law	Lynchburg, Virginia	Christian	No	No
Regent University School of Law	Virginia Beach, Virginia	Christian	No	No
Gonzaga University School of Law	Spokane, Washington	Catholic	GSA – Outlaws	Yes (Washington)
Seattle University School of Law	Seattle, Washington	Catholic	OutLaws	Yes (Washington; Seattle)
Marquette University Law School	Milwaukee, Wisconsin	Catholic	Out & Allies Legal Society	Yes (Wisconsin)

[102] Texas Wesleyan, while currently independent, is in the process of merging with Texas A&M.

Appendix D: SGLC Questionnaire Highlights

Note: As mentioned in the paper, the questionnaire found that a large portion of LGBTA organizations at religiously affiliated law schools experienced few problems with their administrations. However, this Appendix seeks to highlight only the most interesting and useful responses from the questionnaire. Accordingly, it may overstate the degree of conflict between LGBTA organizations and law school administrations.

These responses have been edited for clarity and to preserve anonymity. Respondents are identified only by the region of their law school and the religious denomination with which the school is affiliated.

Did your organization encounter any resistance or unusual difficulty at its inception? If so, what strategies did the founders or members use to respond?

"Yes. Recognition of the group took the approval of the board of directors for the University. The University does not allow LGBT groups in its undergraduate programs. The approval from the board technically requires that we only provide educational programs rather than social ones."
-Northeast, Catholic Institution

"When the group was created there was a very deliberate effort from the administration to slow down, and it forced our president to have a meeting with all 3 law school deans before the club could become official. The meeting took two months to schedule and the time leading up to the meeting was very stressful for our board."
-West, Catholic Institution

Does your law school treat your organization similarly to other student organizations?

"No. The administration has not recognized us as a minority organization (or put another way, the administration does not recognize that there are other types of minorities besides ethnic and racial minorities). We are not included in minority-oriented events, even though NALP lists LGBT as a minority status."
-South, Baptist Institution

"Yes, our organization is treated exactly like all the other organizations on campus. We do not have a very large campus and many of our members are also members of other organizations. To that point, several of our members hold cabinet positions in various other organizations. For the most part, we all work together to ensure our campus offers the best opportunities for all students."
-South, Methodist Institution

"Yes. The University does a very good job offering equal access to official recognition, space, and funding. For example, the University offers a budget for meetings to each student group. On

top of the budget for meetings, the University provides a budget for attending Lavender Law, the National LGBT Bar Association's annual conference."
-Midwest, Catholic Institution

"No, our administration makes us jump through many hoops that other student organizations that fall more in line with Catholic doctrine do not have to."
-West, Catholic Institution

Do you believe the attitude of your school's administration toward LGBT students and LGBT student organizations has changed in the past several years?

"I believe that our school has followed and continues to follow Jesuit traditions of tolerance and educational excellence. Recently, a graduate from the 1990's visited and saw our organization's bulletin board in the hallway. This graduate left a note expressing her deep gratitude to the organization. She said that an organization such as ours would not have been possible when she came here."
-Midwest, Catholic Institution

Do you anticipate any clashes between your school's administration and LGBT students/LGBT organizations in the coming years? If so, what type of clashes?

"No clashes per se, just a lack of interest and support."
-South, Baptist Institution

"No. I know of nothing that is missing from the law school or the university that needs to be incorporated to improve LGBT student life, except maybe to get rid of Chick-fil-a on campus… It's not a battle I'd want to pick, nor do I think we should."
-South, Baptist Institution

"I do not foresee any problems. We do plan to propose that gender identity and expression be added to the nondiscrimination policies. I do not know whether it will be put in but I am confident all interactions will remain professional and courteous."
-South, Methodist Institution

"Yes. I think the installation of a Chick-fil-a franchise on University leased property will be a lingering issue with respect to the University seeking contributions from LGBT and allied alumni."
-Midwest, Catholic Institution

"The only real source of tension is the ban on contraception, which another group on campus has taken the lead on but OUTLaws is supportive of those efforts."
-Northeast, Catholic Institution

"No, they have listened to our input and even facilitated gender neutral restrooms in the new building we are moving to, so I do not foresee any issues."
-Midwest, Catholic Institution

Has your school's administration ever challenged an event your group has hosted?

"The University dragged its feet with respect to an event planned on LGBT Youth Homelessness. The University eventually sought to fund the event but without sufficient time to use the date reserved. An alternate date was not available for the event so it was canceled."
-Midwest, Catholic Institution

"Yes. A recent event was picked up by some national news sources which caused the local bishop to get phone calls from people all over the country complaining about the speaker. Due to this the President of the University was going to cancel a similar speaker who was coming a couple weeks later. Our organization made sure the President received a copy of the video of the event so he could see that what people were complaining about didn't really happen, and got our members to email the administration thanking them for having such a speaker on campus."
-West, Catholic Institution

How has your group responded to clashes with your school's administration in the past? What strategies were successful or unsuccessful?

"Tried contacting the dean to request inclusion in future minority events; met with the dean of student affairs to discuss feeling isolated as an LGBT law student, partially due to failure to include. Nothing has changed."
-South, Baptist Institution

"The University has sought to work with the group in order to resolve conflicts or make up for wrongs, like giving additional funding to the LGBT group for allowing JAG recruitment on campus before the fall of don't ask, don't tell."
-Midwest, Catholic Institution

"The Law School actively assists our undergraduate LGBTA group which has experienced numerous road blocks from the undergraduate administration. We advocate for them and co-host events with them in order to circumvent the undergraduate road-blocks."
-Midwest, Catholic Institution

"We have usually worked around the issues if it had to do with funding. Often we will either partner with another organization or even the undergraduate LGBT organization to be able to facilitate larger events."
-Midwest, Catholic Institution

If you were to give advice to someone at a religiously-affiliated law school who wants to start or participate in an LGBT law student group at the school, what advice would you give that person?

"Attending a Catholic law school is an opportunity to teach people that LGBT people are productive, intelligent citizens. It is a learning opportunity for both sides."
-Midwest, Catholic Institution

"Find an ally within the administration first, someone who is willing to advocate for you. Having support from within is crucial."
-Midwest, Catholic Institution

"If the barrier is the administration approval, I would point to other religiously-affiliated law schools around the country where LGBT programs are embraced and argue that these programs provide a competitive edge, especially with dropping enrollment. If the barrier is unequal treatment, I would encourage the program to get the local legal community and alumni involved to figure out ways to compensate for the school's omissions.

If the group itself is having difficulties with an administration, I would personally encourage the group to stir the pot a bit. Given that younger generations are vastly more accepting of LGBTs, the student body is likely on the group's side. Host a controversial event like a gay marriage debate. People will come - and more importantly, allies will come. Get them engaged in an issue they already know and have an opinion about. It will help in getting their support for other issues the group is experiencing."
-South, Baptist Institution

"Stay professional. Stay strong. Take small steps. Get to know your deans and other key people in the school. Be a positive image to help ensure buy in and acceptance. Try to get a favored professor to be your advisor. Be prepared with informed, knowledgeable, and calm responses to common questions of controversy (especially anti-LGBT religious views). Be prepared to politely agree to disagree. Partner with non-LGBT groups for events. Understand that things won't change overnight. Be sure that the group you form is indeed inclusive of students from across the LGBT spectrum and their legal and personal interests. Encourage allies to join. Institute a "don't out anyone" policy to help ensure it is a safe place. Have lots of fun!"
-South, Methodist Institution

"I would say to be realistic and focus on how your interests are consistent with the underlying mission and values of the religiously-affiliated law school, and then make progress in the areas where the goals are consistent."
-Midwest, Catholic Institution

"You may face barriers. Be bold - do not take no for an answer. The struggles you overcome today will pay dividends to your future class mates.
In my experience, people who are intolerant of LGBT people are merely ignorant of their situation. Share your stories and advocate. This is an important skill of any lawyer. As you give your testimony, people will begin to understand and form respect for your cause.
Your school is full of lawyer-instructors. Use them to further your cause. They understand the purpose of free speech and public discourse. Get them involved with your organization. They will respect your opinion."
-Midwest, Catholic Institution

"Find an ally in the administration who can help you navigate the bureaucracy and make your case."

-Northeast, Catholic Institution

"Make sure you have thick skin and a very active and supportive board."
-West, Catholic Institution

"Try first to involve the administration and become close to them. Get to know them on a first name basis. We have found this is the best way to get the administration behind the organization and students in general. Once they get to know the organization leaders it definitely breaks down walls."
-Midwest, Catholic Institution

Appendix E: Resources for research, organization, and coalition building

Working with other graduate and undergraduate groups and students, even if the groups are not explicitly focused on LGBT rights, can broaden the coalition of allies working towards creating inclusive non-discrimination policies. National organizations may be able to provide information and resource toolkits but may not be able to devote much time to specific advocacy efforts. Local bar associations, LGBTA groups, or alumni groups, however, may have resources that can help students or unrecognized groups plan events, approach administrators, and brainstorm ideas about how to be approach an intransigent school administration.

- Think broadly about allies:
    - Faculty can provide valuable insight into where change is possible. Supportive faculty may not be readily apparent, but looking at a faculty member's statements, publications, and research interests can provide insight into whether they may be willing to provide some kind of support. Supportive faculty might also be identified from conference speaker lists or organization boards.
    - Figures within a religious institution can also provide support, even in religious institutions that appear monolithic. For example, Catholic nuns, unlike Catholic Bishops, have been criticized for refusing to be outspokenly anti-LGBT. [Stephanie Simon, *Vatican Crackdown On U.S. Nuns A Long Time Brewing,* Reuters (Apr. 20, 2012, 2:45pm) http://www.reuters.com/article/2012/04/20/us-usa-vatican-nuns-idUSBRE83J1B720120420] Allies within a religion can help frame efforts for inclusion in ways that appeal to others in a school's administration.
    - Students and faculty at other law schools, especially religiously affiliated law schools, can provide support and ideas for advocacy. Research centers on LGBT issues at

other law schools or universities can provide starting points for finding broad coalitions of LGBT allies. The Columbia Sexuality and Gender Law Clinic has begun compiling a list of student contacts at religiously affiliated law schools to foster networking relationships.

  - Social media can also be used to reach out in multiple ways. Reaching out to supportive public figures can bring focus to how LGBT students and employees are treated in religiously affiliated law schools, which tends to be outside of the larger narrative about LGBT activism. Creating an Internet presence, unofficial or not, where LGBTA students and staff can connect at a particular school is another important way that LGBT individuals at an institution can create institutional memory. A public presence on Facebook, Twitter, Tumblr, or any other kind of free web platform, can show current and prospective students that LGBTA students are present and active at the school. A public presence can also be anonymous, enabling students to maintain piece of mind while still reaching out.

- Hardcopy publications like a university newspaper, other student publications (student group magazines or independent newspapers), and zines or other underground publications can create dialogue on campus by reaching new audiences.
  - LGBT staff and student alike can work to publish an op-ed or letter raising the issue of a school's approach to LGBT people. If larger publications are unwilling to publish LGBT-friendly advocacy, basic flyers or zines distributed in libraries or even bathrooms can be an effective way to reach out.
  - The level of inclusiveness in a school environment may dictate what channels are available. The more openly unwelcoming or hostile the school, the more underground

one may need to go to find allies and sympathetic media outlets. Searching for a local radical bookstore/collective is a great way to find allies or activists in the surrounding community who may be supportive of inclusionary policies at local schools. Linking with the local community can be helpful is school student group policies are particularly oppressive.

- The following publications and resources are broad starting points for research and connection. The resources included here are not necessarily inclusive or representative of all LGBT concerns, but they are a place to start. Student and employees should not be discouraged if the concerns of a religious LGBT person are not reflected in every example, such as the conference references, but they do provide examples of advocacy and connections to other people thinking about LGBT issues and social justice.
    - General resources about public relations/media/framing can be especially useful when publicly making the case LGBT rights within a religiously affiliated school.
        - Frameworks Institute, *Framing Public Issues*, (Apr. 2005), http://www.frameworksinstitute.org/assets/files/PDF/FramingPublicIssuesfinal.pdf
        - Marshall Ganz, *Leading Change: Leadership, Organization, and Social* Movements, (2010), *available* at http://leadingchangenetwork.com/files/2012/05/Chapter-19-Leading-Change-Leadership-Organization-and-Social-Movements.pdf
        - LGBT Organizing *Toolkits*, Lambda Legal, http://www.lambdalegal.org/publications/toolkits

- List of religion specific pro-LGBT groups, http://hirr.hartsem.edu/gayreligion/resource.htm
- Blogs are a great tool to keep updated on new ideas and activists. Starting with a general aggregator site and following links to the original source can lead one to discover connections to new opportunities for action. The Huffington Post has a combined religion and sexuality news page, as well as another page specifically for LGBT news called "Gay Voices." LGBT pop culture blogs also frequently include legal and political news relevant for organizing.
    - HuffPost Religion & Sexuality, Huffington Post, http://www.huffingtonpost.com/news/religion-and-sexuality
    - HuffPost Gay Voices, Huffington Post, http://www.huffingtonpost.com/gay-voices/
    - Autostraddle, http://www.autostraddle.com/
    - AfterEllen, http://www.afterellen.com/
    - AfterElton, http://www.afterelton.com/
    - *LGBT Religious and Spiritual Organizations, National and International*, Huffington Post, http://www.huffingtonpost.com/2012/06/24/gay-friendly-religious-communities_n_1616510.html (last updated 06/26/2012 11:22 am]
    - Queerty, http://www.queerty.com/
    - Towleroad, http://www.towleroad.com/
    - Gay Politics, http://www.gaypolitics.com/
- Books

        - Matthew A. Coles, Try This at Home!, A Do-It-Yourself Guide to Winning Lesbian and Gay Civil Rights (1996)
        - Jimmy Creech, Adam's Gift: A Memoir of a Pastor's Calling to Defy the Church's Persecution of Lesbians and Gays (2011)
        - Mel White, Stranger at the Gate: To Be Gay and Christian in America, (2005)
    - Social media contacts can range from nationwide organizations to community specific leaders and projects. A general search for LGBT and religion yields a wide array of activists and information, and the search can be focused by including states, towns, and schools. *See* https://twitter.com/search/users/lgbt%20religion; https://twitter.com/search/users/lgbt%20religious. One example is Soulforce, an organization that conducts programming aimed at increasing LGBT acceptance among religious communities. SoulForce, http://www.soulforce.org/
- Law specific resources:
    - The Society of American Law Teachers has an LGBT resource page: LGBT, SALT, http://www.saltlaw.org/contents/view/lgbt, (last updated May 11, 2012).
    - The Columbia Center for Gender and Sexuality Law Blog has news and links: GSL Blog, Columbia Center for Gender and Sexuality Law, http://blogs.law.columbia.edu/genderandsexualitylawblog/.
    - The LGBT Bar association has multiple resource, including a law student congress. LGBT Bar Association, http://www.lgbtbar.org/; LGBT Law Student Congress, http://www.lgbtbar.org/law-students/law-student-congress/
- Conferences:
    - RebLaw Conference, http://www.yale.edu/reblaw/

- Lavender Law Conference, http://www.lgbtbar.org/annual/
- The National Conference on LGBT Equality, http://www.creatingchange.org/
- Civil Liberties and Public Policy, http://clpp.hampshire.edu/