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Univ. of North Carolina refuses to recognize Christian fraternity for sticking to Christian membership

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Univ. of North Carolina refuses to recognize Christian fraternity for sticking to Christian membership *ADF files suit against school's discriminatory non-discrimination policy*

CHAPEL HILL, NC—The Alliance Defense Fund filed suit today against officials of the University of North Carolina at Chapel Hill on behalf of a Christian student fraternity. The university refused to recognize the fraternity because its leaders would not agree to a non-discrimination policy that would require the group to admit non-Christian members.

“America’s universities are no longer the ‘marketplace of ideas,’” said ADF Senior Counsel Jordan Lorence. “The school is requiring the fraternity to admit people as members and officers who can undermine the fraternity’s very reason for existence. This is not like a ski club refusing to accept a minority student. Should a vegetarian club be required to grant membership and officer positions to meat-eaters?”

Alpha Iota Omega, the Christian fraternity, notified the university in September 2003 that it would no longer subscribe to the school’s Non-Discrimination and Sexual Orientation policies to the extent that those policies conflicted with the requirement that all of the fraternity’s members and officers adhere to a Christian statement of faith and conform to certain standards of conduct.

The university, which officially recognized the fraternity several years earlier, responded by withdrawing its recognition, citing Alpha Iota Omega’s unwillingness to comply with the Non-Discrimination and Sexual Orientation policies. Official recognition allows a student organization many benefits, including use of school facilities, use of the university name, and access to funding from student activity fees.

“The Supreme Court has ruled repeatedly that private organizations have the right to determine their own membership,” said Lorence. “Requiring the fraternity to sign the policy to obtain benefits holds the fraternity hostage by using their own beliefs against them.”

Michael Schmidt, an ADF-allied attorney with the Patrick Henry Justice Center, filed the case, *Alpha Iota Omega Christian Fraternity, et al., v. James Moeser, et al.*, in the U.S. District Court for the Middle District of North Carolina.

ADF has had five straight recent victories for the religious expression rights of college students at well-known state universities. The University of Minnesota, the University of Oklahoma, and Southwest Missouri State University all settled out of court, agreeing to rewrite policies that violated the First Amendment rights of students. Penn State did likewise in a case for which ADF provided support. In March 2003, ADF won a court decision against the University of Houston, which was ordered to pay \$92,000 in attorneys’ fees.

ADF is America’s largest legal alliance defending religious liberty through strategy, training, funding, and litigation.

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