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University

Group files suit against University

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All eyes were on members of the Alpha Iota Omega fraternity Wednesday afternoon as they stood in the middle of the Pit - amidst a mass of reporters and swarms of students - and formally declared the federal lawsuit they have filed against the University.

The all-male Christian fraternity is fighting to reinstate its official University recognition, which was revoked last year after members refused to sign a nondiscrimination policy required of all campus organizations.

Trevor Hamm, Carlon Myrick and Jonathan Park - the three members of the all-male Christian fraternity - came out of the shadows in which they have been hiding since their situation began to make headlines nationwide.

"Stated frankly, it is in no way, shape or form the intention of Alpha Iota Omega to be arbitrarily 'shaking the waters' as some might perceive it to be," Hamm read from a prepared statement.

"Attempts to reach an understanding with the University have failed; therefore, today, we are asking a federal judge to allow us to continue our organization's mission and share our faith with our fellow students as an official student organization."

Hamm stood in front of a support network of the fraternity's board of directors and lawyers from Alliance Defense Fund, an Arizona-based religious liberties group that has taken on the AIO's fight for recognition.

"We are a fraternity, a Christian fraternity," said Tremayne Manson, president of AIO's board of directors, after the press conference. "Every, every, every fraternity has always had standards on which they stipulate membership."

The lawsuit, which was filed in the U.S. District Court in Greensboro on Wednesday, argues that the First Amendment of the U.S. Constitution guarantees the fraternity the right to discriminate while retaining



DTH/Laura Morton
Tremayne Manson, president of the Alpha Iota Omega board of directors and founder of the fraternity, speaks at a press conference in the Pit on Wednesday afternoon. The Alliance Defense Fund filed suit against the University on behalf of the Christian fraternity, which was denied recognition by the University.

official UNC recognition.

University officials have held that they must balance the rights of equal protection, guaranteed by the Fourteenth Amendment, and those of free speech guaranteed by the First Amendment.

The University now has 20 days to respond to the lawsuit.

All student organizations seeking official UNC recognition and access to funding and facilities must sign an agreement that includes the University's nondiscrimination clause.

"If there is a determination that our policy is for some reason unconstitutional - that we did not do a good job of balancing the First Amendment with the 14th Amendment - then I think we would make a change," said Richard "Stick" Williams, chairman of the UNC Board of Trustees.

"But right now, I am expecting that the courts would look at this and recognize that what we are doing is really trying to balance those rights."

As part of the lawsuit, members of the fraternity also are protesting the sexual orientation nondiscrimination policies by which officially recognized student organizations also must abide.

AIO's code of conduct prohibits sexual activity outside the sanctity of marriage, which members define as a union between one man and one woman, according to the lawsuit.

The Alliance Defense Fund has represented students in similar cases at universities across the country, including the University of Minnesota, the University of Oklahoma, the University of Texas, the University of Wisconsin and Penn State University.

Critics of UNC say that the current controversy reflects a nationwide trend in restricting the marketplace of ideas at universities.

"UNC is not unique in this policy; it is a rule rather than the exception at public universities," said David French, president of the Foundation for Individual Rights in Education, an organization that first took on the fraternity's fight.

"That is why this lawsuit at UNC is not the first of its kind and may not be the last," he said. "That is why it is attracting a lot of attention."

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