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PACE LAW SCHOOL
Office of the Dean

Memo

To: Executive Board, Student Bar Association
Cari B. Rinker

From: Stephen J. Friedman

Date: January 29, 2007

Re: Application of Christian Law Students Association

The Christian Law Students Association ("CLSA") has applied to the Student Bar Association ("SBA") and the Office of the Dean for Students for official recognition as a student organization at Pace Law School. After extensive consideration and discussion with the founders of CLSA, the SBA voted not to grant official recognition to that proposed organization and has recommended that the Office of the Dean for Students not grant official recognition to CLSA.

Based on my discussions with Dean D'Agostino and with representatives of the SBA, I understand that its decision rested on a conclusion that the listing of specific religious tenets in the proposed constitution of CLSA was inconsistent with the SBA's belief that student organizations should be broad-based and inclusive – in this case, inclusive enough to make all Christian students comfortable with membership. The proposed constitution was amended to explicitly state "In the conduct of all aspects of its activities the Chapter shall not discriminate on the basis of age, disability, color, national origin, race, sex, religion or Christian denomination, sexual orientation, physical handicap or veteran status. CLSA welcomes all members of the Pace student body as well as professors and employees." Nevertheless, the SBA believed that Christian students of other denominations would not be comfortable with the very specific list of religious tenets. Although other student organizations have a non-inclusive focus (the Pace Democrats, Pace Republicans, Pace Federalist Society, Pace Jewish Law Students Association, etc.), the SBA believed that the fact that none of those organizations list specific beliefs in their constitutions differentiated them from the proposed constitution of CLSA.

I have discussed this application at some length with Dean D'Agostino and with the Office of the University Counsel. I have a great deal of respect for the care, thoughtfulness and transparency with which the SBA has proceeded in this matter, and it is with real reluctance that I have come to a different conclusion. I have done so because of a deep conviction that the freedom of students of like views to associate with each other and to organize around those views is fundamental to the free exchange of ideas that lies at the heart of a law school community. So long as a proposed student organization's constitution complies with the University's Guiding Principles of Conduct and all other

applicable Law School and University policies (including the requirement that the organization will be open to all students in a nondiscriminatory manner with respect to, among other things, membership, the right to serve as officers and participation in University funded activities), the listing of a specific set of beliefs (to which members are expressly not required to adhere) should not preclude official recognition.

University Counsel Stephen Brodsky has some further questions about some of the language of CLSA's proposed constitution in light of University policies, and I suggest that its founders deal directly with Mr. Brodsky on those questions. Provided that the answers to University Counsel's questions confirm that its proposed constitution is consistent with University policies, as Dean of the Law School I am prepared to grant the CLSA status as a recognized student organization.

The SBA expressed concern that the proliferation of more narrowly focused student organizations might tend to use up available funds for organizations that prove to be too narrow to attract a critical mass of students. If this is a real concern, the SBA should consider adopting prospectively a probationary period for new organizations during which they would demonstrate their ability to attract a sufficient number of students.

Stephen J. Friedman