

[00:00:00 to 00:00:28 - No audio]

McCarty: [Inaudible] said we've been actively engaged in these discussions for several months now. I want to assure you the Chancellor is very much engaged with this issue. But unfortunately, an important prior commitment prevents him from being here tonight. That prior commitment is the celebration of a faculty member receiving an endowed chair. There are out-of-town guests and it was too late to reschedule.

[00:00:58]

He is expecting us to provide him with a full report and I dare say many of you will do the same. And that's meant to be funny. So let me start out by explaining some basic facts about the university's equal opportunity non-discrimination policy and the way it's applied to our student organizations.

[00:01:19]

All student groups at Vanderbilt, who wish to become a registered student organization or RSO, must complete an application process through the Office of the Dean of Students.

[00:01:36]

To qualify for this status, the leader and the advisor of the group must certify each year that the group complies with the university's non-discrimination policy. And the non-discrimination policy is reproduced at the top of the affirmation form.

[00:01:59]

We also require each group to submit its constitution or bylaws or both, for annual review in order to stand for our RSO status. The university's policy, as Jim alluded to, is an all-comers policy or an open to all policy.

[00:02:22]

Any university student in good standing must be eligible for membership in any RSO that he or she has a sincere interest in. Students may not be excluded from an RSO based on status and we could include such issues as race, nationality or sexual orientation.

[00:02:51]

Nor may they be excluded based on belief. When it comes to leadership, the same basic principle must apply. That is all members must be eligible for leadership positions – eligible for leadership positions. We will not accept two classes of membership among students at this university.

[00:03:22]

We worked too hard to get you to come here. We will not close the door on opportunities once you arrive. As I hope what I have just said resonates at least with some of you, I want you to understand this policy is not an attempt to single out particular

student groups or to limit freedom of belief or expression on our campus.

[00:03:51]

Quite the contrary, its purpose is to promote equal opportunity for all, for every student at Vanderbilt, our trustees, our Chancellor, General Counsel Williams and I are confident that this policy will both encourage freedom of belief and maybe even greater dialogue among students who have, on occasion, different or even conflicting viewpoints.

[00:04:24]

You may hear the argument that Vanderbilt is discriminating against religious groups. I want to assure you that in my opinion, we are not. And I might add that I'm a participant in one of the religious student organizations – excuse me – that has difficulty with this policy.

[00:04:49]

More than 30 religious groups are in compliance with their policy and are registered student organizations currently. A handful of religious groups have indicated they will not comply or they're finding it difficult to comply.

[00:05:07]

And at this point, I want to tell you that beginning last fall, several of us have worked with these groups, with leadership, with student leaders and our goal at the very beginning and our goal today, is to retain every registered student organization this year into our next academic year. That is our goal. It may be an unattainable goal, but it's a sincere effort on our part.

[00:05:39]

If we have a religious group that refuses to comply because it wishes to restrict membership or leadership to students who are gay, of a different race or even serving as a military reservist that group would be denied status as a registered student organization.

[00:06:04]

Likewise, if a non-religious student group wanted to restrict its membership or eligibility for leadership based on a particular belief. For example, acceptance of some tenets prescribed by that group. It, too, would be denied registered student status.

[00:06:30]

Our policy makes no distinction between religious student organizations and other kinds of student groups. I also know that some have raised the possibility that the university is attempting to dictate who can lead a registered student organization.

[00:06:49]

And I want to address this very clearly and very forcefully with three words. We are not. We are not. We are only saying that

each of you, you, you or you or you, if you are a member of a group, based on your performance in that group, it is your right as a Vanderbilt student to be eligible for election as a leader.

[00:07:23]

That is a bedrock principle at this university. We trust our students to elect their leaders. We have great faith in the defining characteristics of our students and their ability to make good judgments.

[00:07:45]

If, as typically happens, they elect leaders who share the defining characteristics or beliefs of the group that by itself, it perfectly consistent with the university's non-discrimination policy.

[00:08:01]

As long as all members were given a genuine chance to compete for the leadership positions. And with that, I'll turn it over to my colleague, Vice Chancellor Williams.

Williams:

Thank you, Richard. Richard has covered much of what needs to be said before we open it to questions, but I just would like to add a few things. I want to reiterate the concept of all comers.

[00:08:22]

While we have a non-discrimination policy and much of that policy is over protective groups and much of it comes from our federal government, it is a policy that basically says under certain things there will be no discrimination that the university is a part of.

[00:08:41]

We really believe in non-discrimination here, as the Dean has mentioned to you. So what we have decided to do years ago, is to have what we call an All Comers Policy.

[00:08:53]

And simply put, it's a situation where we say, if we're gonna offer you admission to this university and the status as a student in good standing, we shouldn't be about closing any doors to you.

[00:09:05]

You should have the ability to join any organization you want. And while we take a lot of questions on this and someone might say, well, does that mean a Republican should be able to join the College Democrats? Absolutely.

[00:09:19]

You're a member of our community. You should be able to go into any door that's open. And so that's what we mean by all comers that all doors are open for members of this community.

[00:09:30]

That's the status of being a Vanderbilt student. That's the

privilege of being a Vanderbilt student. I also want to go to some things that you may have questions about.

[00:09:41]

Some people have said the way our policy is enacted and the way it works, it's a violation of the United States Constitution. Well, the Supreme Court has held that an All Comers Policy is, in fact, permissible under the First Amendment.

[00:09:55]

So we are not in violation of any Constitutional provision. The second point I want to make very clear, a lot of people have said, well, but you changed your policy main stream. The policy has not been changed and is not being changed at this point.

[00:10:10]

What we did discover is that there was confusion as to what the policy meant to a clause in it. And I would like to say, the university recognized the confusion was there and that's the reason why so many organizations that did not comply with the policy that were put on what we call provisional status, maintain the same rights as a registered student organization up to this time, actually.

[00:10:37]

So even though there was a provisional status, we recognized the fact that well, maybe people didn't quite understand how the policy worked, but I know there will be questions, but why did you change the policy? The policy has not changed.

[00:10:52]

The clause in that policy that a lot of people point to, is really a clause that addresses external organizations, not internal organizations. Unfortunately, it was confusing to people. That's why we took the position let's work with student organizations.

[00:11:08]

Let's have this town meeting and others to explain it and to put people on provisional status, but not to take any privileges away from them while they're on that status.

[00:11:17]

Once again, I want to go back to the fact that we feel very strongly in the concept of all comers. You are a student at Vanderbilt, you should have the right to join any organization. And as Richard said, we see organization membership and organization leadership as being the same. Otherwise, there would be two classes of membership and we don't agree with that either.

[00:11:40]

With that, I'll turn it back to the Dean.

Dean:

All right. So that's the preliminary basis. Now we're open for questions. I want to indicate a couple of ways that we're going to

do this and try to be fair.

[00:11:59]

One is that we have microphones in the back, so that people in this room and people watching on the stream can hear what you're saying. Two is I'll ask you to raise your hand, be recognized. Once you're recognized, stand up and one of our microphone bearers will come down and give you the floor.

[00:12:24]

I'd also like to ask you, so that everybody can speak, to try to be succinct as much as you are able. I know these are important issues that you want to address well.

[00:12:42]

And finally – finally, if – unless there is some great reason that you need to seek some privacy, give us your name and tell us if you're speaking from a group or just as a concerned Vanderbilt citizen, as it were. Ready? Who wants to ask the first question? Over here.

[00:13:12]

Male Student:

Thank you so much. So I am Parker Hancock. I'm a first-year law student. I'm a member of the Christian Legal Society. And first, I want to say thank you for having this meeting.

[00:13:28]

Additionally, I want to say that I think I speak on behalf of all – particularly Christian organizations that I've spoken with. We love the All Comers Policy for membership. We invite everyone to come to our groups.

[00:13:39]

We would love to talk with you all. We love each and every student of the Vanderbilt community and we just want to say that right up front.

[00:13:46]

Second of all, you talked about the need for unity at Vanderbilt. And I want to say your policy has already done that. And so if you're in this room and you oppose that policy, I'd like you to stand right now, to show the unity of this campus.

[00:14:05]

Thank you. You can sit down. Awesome.

McCarty:

Parker, may I point out the obvious? We have **13,000 students**. **We have about 220 in this room. That is not a random sample of our 13,000 students.**

[00:14:26]

Williams:

I would also say Parker, you could have had that same question when they decided to integrate this university and you would have

got the same result, but we integrated anyway.

[00:14:38]

Male Student: First of all, Sir, I don't like being called a racist.

Williams: I didn't call you a racist.

[00:14:42]

Parker: Second of all, this is my question. The Christian Legal Society, where we are in this situation is we don't have any religious requirements at all for membership or leadership. All we have are job requirements for the specific positions.

[00:14:57]

And for our President, we require that our President be able to lead Bible studies and be able to lead prayer groups. That's what we do as Christian Legal Society. We hold Bible studies and we have prayer groups.

[00:15:07]

How can we comply with this policy and still be the organization that we are?

[00:15:15]

McCarty: Parker, I'm not sure that I would agree with your statement that you have task-specific positions defined in your constitution or bylaws. I'd be happy to talk to you about that at another time.

[00:15:33]

But I believe that you state that your leaders must be professing their faith in Jesus Christ as their Lord and Savior. Am I correct on that?

[00:15:49]

Male Student: That has been removed at this point.

McCarty: I haven't seen the revised version. Now, what we have heard is that the decision was made. I believe Professor Swain announced this that you were leaving campus next year.

[00:16:02]

Male Student: That is not the case.

[00:16:04]

Female Speaker: I'll clarify it since you brought me into the conversation. I said unless the university reinstates the protection it stripped **[inaudible]** from the students that we would be forced to leave campus. We don't want to leave campus. We believe that we contribute to the campus environment.

[00:16:21]

McCarty: We agree with that. I would love for our Dean of Students Office to have a chance to review your amended bylaws. We'd welcome that opportunity.

[00:16:34]

Dean: And will you underline the task-specific requirements for leadership are still permitted – provided they're not discriminatory in intent or effect?

[00:16:53]

Williams: I would say when you say they're task-oriented or they're job functions, what – are there any other qualifiers to that? Or is it in order to be a President or a leader of your organization, you must lead Bible study?

[00:17:06]

Does it mean you must be a Christian to lead Bible study?

Male Student: You know, it just says you have to be able to lead Bible study and we have a letter from – I don't know exactly what office of the administration, particularly objecting to that line.

[00:17:19]

Williams: I think if it's merely – at least my interpretation, if it's merely that they have to lead Bible study and anyone who professed to be able to lead Bible study could run for that office, I don't see anything wrong with it at all.

[00:17:32]

Male Student: Can we please have that in writing?

Dean: Okay. Other questions?

[00:17:42]

Williams: The answer, yes, you can.

Dean: Over there, right back here.

[00:17:54]

Male Student: My name is PJ [inaudible] from Vanderbilt Catholic. My question is the very same policy that prohibits religious discrimination also prohibits sex discrimination, thus, to be consistent, it seems that the university can't allow organizations to have membership or leadership restrictions based on sex.

[00:18:11]

Does the university inconsistently condone sex discrimination or are fraternities and sororities going to be pushed off campus next?

Dean: Good question. You want to answer that Doug?

[00:18:23]

Williams: Well, the sex discrimination case or value as it relates to fraternities and sororities that allows fraternities and sororities to actually be single sex, is an interpretation out of Title IX of the federal law.

[00:18:39]

And so when you start to look at fraternities and sororities, I would say that our view of it is that to the degree that fraternities and sororities discriminate on any other basis – and remember they have the right to pick, based on gender.

[00:18:55]

That's part of federal law. But to the degree that they discriminate on any other basis, they would be in violation of the all-comers policy, as far as I'm concerned. Okay, down here.

[00:19:06]

Male Student: Thank you. My name is Steven Capp and I'm a fourth-year medical student at Vanderbilt. I'm a student leader of Medical Christian Fellowship, a non-denominational Christian organization of nearly 500 medical and nursing students, residents, faculty, physician and alumni.

[00:19:26]

We're here today because we believe that Vanderbilt's new non-discrimination policy undermines religious freedom and diversity on campus.

[00:19:35]

MCF has been an integral part of my development as a person and as a future physician and I'm deeply saddened that we will no longer be recognized as a registered student organization, thus

losing the many rights and privileges historically afforded to our organization.

[00:19:46]

My question is, how do I respond to the prospective Vanderbilt medical student who asked me about student religious life and diversity on campus, knowing that at least two of the three student religious groups at the medical school will no longer be recognized as registered student organizations at the end of this year? Thank you.

[00:20:07]

McCarty:

Steven, thank you very much for your comments. I take issue that this is a new policy. It isn't. I believe Vice Chancellor Williams addressed that. I believe I the true spirit of being colleagues on this campus.

[00:20:26]

If the leadership in your organization and others in the Medical Center is willing to sit down with Dean Bandas and his staff, we will be able to find a way that you are comfortable working within the confines of our non-discrimination policy and still maintain the integrity of your group.

[00:20:48]

Now, if you're not willing to do that, then I would describe that as a very closed-minded approach. If you want to go and at least dialogue and give them a chance to work with you, we would welcome that chance. If you don't that's completely within your rights.

[00:21:15]

Male Student:

Thanks. My name is Joseph [inaudible] and I feel old. I graduated here in May of 2009, as many of these people don't because of my aforementioned oldness. I had the honor of being Student Body President at Vanderbilt. I was Vice President of [inaudible]. I was in Bible studies for Campus Crusade, RUF, went to Vandy Catholic events.

[00:21:45]

I went to many Jewish organization events, Muslim Student Association events. And now, I have the pleasure of being in Christian Legal Society at Vanderbilt Law School.

[00:21:57]

This is an emotional thing for me because I love Vanderbilt a lot. But it's unfortunate that, you know, I'm all for an all-comers policy. Our faith, the Christian faith, is all about a symbol of the cross, which is the ultimate all-comers policy in my book.

[00:22:17]

And it's unfortunate to me that seemingly, policy, you know – Mr. McCarty, there are few people I have more respect for than you. But you know, many of these organizations that are at risk of being – not being officially registered, they have – they were told six months ago to sit down with the Dean of Students that a compromise would come out.

[00:22:40]

These groups have been willing to massage the language of their constitutions, while still maintaining the integrity of their beliefs and what they believe in and yet, time and time again, the administration seemingly just comes back and says that's not enough.

[00:22:57]

And it's just frustrating to me that this is a policy where seemingly – and correct me if I'm wrong, but I've been told this – that let's say we did sign the dotted line and we agreed to it.

[00:23:10]

Then correct me if I'm wrong, but wouldn't it be possible for a charge of discrimination to come against any of these organizations, if someone joined the group – this would be religious or political. If a Republican joined the College Democrats, ran for President of the College Democrats, clearly I would expect the College Democrats to not vote for them for President because there are probably some tenets there that aren't shared, some basic core beliefs.

[00:23:36]

And I would – I'm a Republican, but I would vote for the Democrats to do that because that's what this country is founded on. And it seems to me that a faith-based organization should be able to vote and will vote. I agree. Let's give it to the students. I love democracy, I love freedom and I love non-discrimination.

[00:23:56]

But it seems to me that I would want a group to elect their officers based on tenets of beliefs. What else would a faith-based organization be able to elect their officers off of?

[00:24:18]

And I don't want – like I'm almost done, I promise. I don't – you, too, guys. I don't want this to be a community with culture wars. I've said that from the beginning, when I sat down with Dean of Students and when I sat down with you Provost McCarty.

[00:24:37]

I was like I don't want a culture war. I don't want this to be us versus them because gosh darn it, this is the United States of America and we can agree to disagree and we can all get along. We just want a seat at the table. We want to be able to elect our

leaders based on beliefs.

[00:24:54]

And I don't want to sign that line and you know, possibly be called for discrimination simply because, you know, we vote on our beliefs. And so, would we possibly be able to come under discrimination charges if someone lost an election and then said I wasn't voted in because I don't agree with their core beliefs, because how are you gonna regulate upwards of 150 people's voting? Sorry everyone.

[00:25:23]

Williams:

Joe, I think you said the key word in that, two key word. You said that they ran for election and the fact of the matter, as long as there's an open election – I mean you're not saying a person who didn't have those core beliefs could not run for the office, correct?

[00:25:47]

They could run for that leadership, right?

Male Student:

Well, I'm saying under the policy, if you – for the internet people, under – hope you all are having fun. Under this policy, if you were to sign the line and we were to say, okay, we're not going to choose our leaders, which is what you're saying is the all-comers policy.

[00:26:10]

If we sign the line and say we are not going to choose our leaders based on religious belief, then –

McCarty:

It doesn't say that.

Male Student:

What's it say then?

[00:26:18]

McCarty:

Joseph, you're mis-stating the facts. And I will say something to you, Joseph and I want everyone to hear this. I love you like a son. What we are saying, Joseph, is that we believe in inspired leadership. And sometimes, you will be surprised by someone who doesn't quite fit the phenotype, in this case, of the Christian Legal Society.

[00:26:47]

And I want that person to have the chance to earn your vote. You're telling me that you're worried about a non-discrimination charge – a discrimination charge. And what I'm telling you is, if the person is eligible to vote and loses in a fair election because of the internal requirements of its members that is not discrimination.

[00:27:12]

That is simply not discrimination. That's a mis-statement of what we're trying to achieve. But I want you to remember one thing, if you forget everything else about tonight. I feel like you're running for office again, Joseph.

[00:27:28]

And if I could vote, you got my vote. We want you to be open to that rare individual. That's all we're saying. And I'm telling you there are people like that on this campus. Give them a chance.

[00:27:44]

Williams:

You know, I would just change one word. I would say the internal views, not the internal requirements.

McCarty:

The internal views, I'm sorry.

[00:27:52]

Williams:

So the fact of the matter is that if two individuals decide to run and one shares the beliefs of the majority of the organization and the other doesn't share the view, they both can run and you're absolutely right. More than likely, the person that shares them will win. I don't see that as a charge of discrimination.

[00:28:13]

What would be the charge of discrimination is if you didn't let that other person openly run for the office. That's all we're saying. So no, I don't see that as a discriminatory charge the way you phrased it.

[00:28:27]

Dean:

Right here in the center, the striped shirt gentleman.

[00:28:30]

Male Student:

Hi. My name's JC [inaudible]. I was just wondering – okay, so this is much more impossible than someone running for office that doesn't share beliefs. I don't feel like that would be too much of a problem anyways.

[00:28:45]

And they probably wouldn't get voted in like we just said. But let's say like someone – a Vanderbilt Muslim Student Association were to convert to Christianity, like over the summer, but they were an elected officer before then.

[00:28:58]

Well, what if they decided that they wanted to preach Christianity

to the Muslim Association and they were still an officer, would the Muslim Association be able to like ask them to step down? That would be discrimination because they didn't share the beliefs, right?

[00:29:15]

Williams: I'm not sure. Can you go back over that because I think I lost you on part of your train.

Male Student: So basically, like –

Williams: A person is elected as a leader.

[00:29:24]

Male Student: If I am the President of a – I mean it could be any student. Let's just say it's the Muslim Student Association.

Williams: But you're the elected leader.

[00:29:31]

Male Student: I'm the elected leader and I share the beliefs when I'm elected, so obviously, I'm gonna be elected and then over the summer, I convert to Christianity, Judaism, any other religion. And I come back and I don't want to step down. I would rather share my beliefs with the rest of the fraternity – I mean or whatever.

[00:29:48]

And so – would they be allowed to ask me to step down based on my beliefs because I don't share the beliefs? I'm not gonna voluntarily step down because from what I believe, I would like to share that.

[00:30:03]

Williams: It would seem to me that the way you've described this is if the organization had the power to come in and say, we found out that you converted to another religion, you now have to step down. Yes that would be a charge of discrimination.

[00:30:18]

Now, within the bylaws of an organization, I would think an organization would have some sort of provisions that actually deal with impeachment or taking people out of offices, but they can't be on a discriminatory basis. But then that would be the same sort of thing that if you got a Republican and Democrat situation, where a Republican – a person is a Democrat and wins the leadership of the

College Democrats and then decides later they want to be a Republican, the fact of the matter is the organization can't just walk in there after they've elected that person, unless the election has something to do with fraud.

[00:30:57]

So if they fraudulently presented themselves, you may have a charge, but other than that, I think yes that person is the elected leader and can only be removed based on the bylaws of that organization for removal.

[00:31:11]

McCarty:

Let me just say that that's not so far-fetched because one of our para-church leaders described a situation very similar to the one you just described. A Christian student ran for office, was elected leader and over the summer, renounced all of his Christian beliefs, did not convert to another religion.

[00:31:33]

And honestly, the organization didn't know what to do. And it's a very difficult situation. It may occur, but you know, the group can reassemble, too. Form a new group. That's always an option.

[00:31:54]

Dean:

Yes, right below here. And then –

Male Student:

Thank you. Just as a follow-up, so the question that you answered for someone up there earlier. Are you saying that sororities and fraternities based on sex because that's legal under Title IX and therefore, we're using the law as our standard?

[00:32:15]

Williams:

I'm sorry.

Male Student:

Are you saying that fraternities and sororities can restrict their membership to certain sexes, based on Title IX and that's okay because it's legal?

Williams:

We're saying that under Title IX, fraternities and sororities have a right to be single sex. That is a federal law.

[00:32:33]

Male Student:

Well, if we're using the law as the basis, then the six pre-eminent

law professors from across the country, including Michael McConnell, who is the Director of the Constitutional Law Center at Stanford Law School, who is also a former Federal Judge on the 10th Circuit Court – they wrote a letter to the Chancellor on December 2nd.

[00:32:52]

I believe you guys have received – which they said collectively, specifically, the right to express our collective opinion that no court decision, administrative regulation or federal or state statute requires Vanderbilt to prohibit religious student groups from requiring their leaders to share the group’s religious beliefs.

[00:33:10]

If we’re using – if we’re saying that Title IX allows it, then why can’t you make an exception here, since the law clearly allows for it? Thank you.

[00:33:21]

Williams:

Well, the fact of the matter is those six law professors that you say, I think are trumped by nine people on the Supreme Court that basically said our all-comers policy is in fact, not a violation of the law. So we are within the Constitutional Law.

[00:33:36]

Then we basically – I mean if you’re saying could we make an exception and still be within the law? Sure. But we have an all-comers policy that we would then be violating if we made an exception.

[00:33:52]

Dean:

We’ll come around to follow-ups if somebody wants to make it, but right now let’s keep moving.

Male Student:

Hi. My name is Dave [inaudible]. I’m a second-year grad student in mechanical engineering. As a follow-up to the situation where a student leader would change his or her beliefs and then be in contradiction with those that the student is leading, I would like to know your views – your thoughts on what Chief Justice John Roberts said six days ago in the unanimous 9-0 **Supreme Court ruling, in which he said the church must be free to choose those who will guide its [inaudible].**

[00:34:34]

And that when a minister has been fired, sues her church, alleging that her termination was discriminatory that the church – that the balance – the First Amendment has struck the balance for us.

[00:34:49]

McCarty: Have you read the entire case?

Male Student: No, Sir.

McCarty: Yeah. So that case is not on point, I would say, because it refers to a strange kind of lay minister at a school. And nothing that we've done is limiting the ability of our campus ministers to work on our campus.

[00:35:15]

And they respond to external bodies, a bishop or other church official. What we're talking about it registered student organizations that do not have among them ministerial leaders. I think you should read the entire case.

[00:35:33]

Williams: Yeah and read the minister exception also. That's what it goes to.

Male Student: Hi. My name is Samuel **[inaudible]**. While we're on the topic of law, I think another case that deserves looking at is the case of NAACP versus Alabama, where they say that the right to freedom of association is inseparable from the right to free speech.

[00:35:54]

By limiting this freedom of association, you're effectively limiting free speech. And well, as a private institution, you may be able to do so, how can you justify that, when we're told the values that this university holds?

[00:36:10]

Williams: Well, I think in any case like that, you have to balance what are the goals and if you're basically – I think I would say to you – you're correct in the fact it is a private university. We are within our Constitutional right. I would say how do you balance that with the concept of an all-comers policy?

[00:36:30]

And I think that's the key thing here is, if you create exceptions, if you continuously create exceptions, do you actually have an all-comers policy? And I think that's what we have to balance with. I don't think there's any doubt that on many terms, there's a balancing of what rights and what rights you're gonna support.

[00:36:48]

And one people might feel that well, by supporting this right, you're trampling on another right. But the fact of the matter is I think we've said we believe that there should be an all-comers policy. And some people say well, by having an all-comers policy that stops my right of free association because therefore, I might have to be in a group with people I don't want to be at.

[00:37:08]

Well, you have the free association of that case, of not being in that group, but we value that all-comers at a higher premium.

Male Student:

I'm Andrew Harris, I'm one of the leaders with the Fellowship of Christian Athletes and we just have a prepared statement. At Fellowship of Christian Athletes, we have created a culture that ministers to college athletes and coaches, challenging them to grow and be passionate about their relationship with Jesus Christ.

[00:37:37]

Because of that life the Jesus Christ set for us, we do not discriminate against any one person or group and invite all to participate. Now with this new policy, we will not be allowed to affirm our faith as a group.

[00:37:49]

Without strong leadership, the group is a mere shell of its intended purpose, which destroys the very core at which we stand. We don't want other people's right to be protected at the expense of ours and by allowing this policy to be implemented, you are undermining the organization and erasing the history of people who have fought and died for these very rights.

[00:38:04]

So my question is why can't our leaders affirm what we believe in? Because without this, we will not be Fellowship of Christian Athletes and kicked off campus.

[00:38:15]

Williams:

Are you willing to elect your leaders?

Male Student:

We will elect our leaders, yes.

Williams:

Are you willing to let someone who does not share those beliefs run for office?

[00:38:26]

Male Student:

Yes, they can run, but if they're not – yeah, if they're not gonna affirm their beliefs, then it's – if they're not gonna affirm the

beliefs of Fellowship of Christian Athletes, then we would not –

[00:38:40]

Williams: They would lose.

Male Student: Yes, correct.

Williams: Not a problem, as long as you have a **[inaudible]** election. And you would allow someone who doesn't believe. And your organization is an all-comers organization for membership.

Male Student: Correct.

[00:38:56]

Williams: And all we're saying is okay, those same people that are members, you should let them run for leadership. If your group chooses that they want to pick a person who has this set of beliefs, over a person who doesn't have that set of beliefs in an open election that's fine.

[00:39:13]

What we're against is you basically saying the only people who can run for leadership or the only people who will establish as leaders have to share that belief. All we're saying is that if you have an open election to that and you choose to pick that person that believes like you do that's fine.

[00:39:32]

Female Student: As an FCA leader, am I allowed to affirm my beliefs in written statement?

Male Student: I don't really see where, as a member of an organization, we as a university would have the power to suggest to you that you can't affirm in writing what you believe.

[00:39:56]

Female Student: I know that in our constitution, we – all of the leaders affirm our beliefs in written statement. And also, correct me if I'm wrong, under the new policy, would we not be allowed to have that in our constitution? That's the only thing we have issue with.

[00:40:16]

We want everyone to come. We want to love on everyone and talk to every single person and we want them to be able to go up for leadership and have a fair election.

[00:40:26]

Williams: If I'm a member of your group – let me ask two questions? Can I be a member of your group if I do not affirm my beliefs in writing?

Female Student: Yes, Sir.

Williams: Can I run for leadership?

Female Student: Yes, Sir.

Williams: No problem.

Dean: Over here?

[00:40:40]

Peter: Hi. My name is Peter **[inaudible]**. I'm a member of the Navigators, **[inaudible]** and the Interfaith Council. The university only alleges that four groups are out of compliance and yet multiple groups have come forward, including the Navigators, placing themselves on the line in saying that they are not in compliance with Vanderbilt's policy. Why is Vanderbilt selectively enforcing its policy?

[00:41:04]

McCarty: Well, we're not selectively enforcing our policy. All that our Dean of Students Office can do at the moment, is to make judgments based upon what is on the written document that's submitted with the affirmation form.

[00:41:21]

I'll give you an example of an organization that I know about that is probably not in compliance because of an error of omission and that's Vandy Catholic. Nowhere in the Vandy Catholic documentation that was submitted, is there anything about the expectation that leaders in Vandy Catholic will be Catholic.

[00:41:41]

Now, if you review that document, based on what is presented, the group is in compliance. So we're not stating any firm number and it may be that other groups come forward and say we have had implicit requirements that we have never put on paper.

[00:42:04]

That will create a cause for another conversation. We're not

discriminating against any group. I really want to emphasize that. We want to work with every registered student organization on this campus, all 380. We will do everything we can to make you, as a member of the Navigators feel very comfortable about staying on this campus as an RSO.

[00:42:32]

What we will not do is in any way weaken our non-discrimination policy. I will tell you that historically, this university has had great trouble with discrimination. And maybe some of us who are old enough to remember those days, don't ever want to go back.

[00:42:51]

But within the limits of our ability, we will work with you. And you know what we're asking you to do? We're asking you, oh, my gosh, to take a leap of faith for one year and give it a try. If that is impossible for you to do, we will still love you because you're a student at Vanderbilt. It's that simple, okay? And I'm happy to talk to you about this further, as is Dean Bandas, as are all of his staff members.

[00:43:26]

Male Student:

Sorry to backtrack a little bit, but going back to the question in the case of **[inaudible]** versus the EEOC. The talk was that the ministerial exception did not apply. I will concede that I am not legally educated, but I did read all 39 pages and the Court did hold, even though they didn't want to draw a rigid standard that the ministerial exception does not have to apply to the leader of a congregation.

[00:43:53]

But it applies to those whose job requires the role of furthering the message and mission of that organization. Justice **[inaudible]**, the Associate Justice held that in the right of religious bodies to self-govern themselves, they need to retain that right to be selective in particular, as well as select their leaders.

[00:44:21]

Does this body representing the staff disagree with that Supreme Court opinion? Is the argument that that Supreme Court holding, since we are saying to some extent, the law is that standard for this policy – does not apply in this case? I guess I don't understand how the two can be held together.

[00:44:37]

Williams:

Sure. Let's go to our counsel. David, are we a church here at Vanderbilt?

Male Student:

No.

[00:44:41]

Williams: We're not a church. I mean the fact of the matter is I think – I don't – the Supreme Court puts down the law of the land and so it's the law of the land. I think that's a narrow holding for that situation and I don't think at all – I mean we can go into a longer debate.

[00:44:57]

Legally, I don't think that that at all pertains to a university – certainly a university that doesn't have a religious affiliation. And so I don't think it does apply to us. I mean we've read the case over and over. We've gotten outside counsel to give us opinions on it. And we're very much aware of that case.

[00:45:18]

It's the Lutheran School – church case that came out of the State of Michigan and so we are aware of it. And that doesn't mean that at some point in time, the Supreme Court may not have a case that's on point and we'll rule on that.

[00:45:31]

The closest to that right now, is as I said, the all-comers policy case, which the Supreme Court has said is legal under the First Amendment.

[00:45:47]

Male Student: A follow-up, if I may, to the question I asked earlier. Legal considerations aside, how can it be just that a fraternity or sorority has the right to codify in writing a qualification that someone must be a gender, which someone can't help, in order to be a member of the organization.

[00:46:05]

Whereas a religious organization does not apparently have the right to codify in writing, in order to be a leader of the organization, they have to have certain beliefs, which they can help?

[00:46:22]

Williams: Yeah, I can answer it. I mean I think he raises a good point. I mean the fact of the matter is, what I've tried to explain is – and I think you separated it quite nicely. The separation between what's legal, in this case is Title IX allows that under the law.

[00:46:43]

Does the university – I guess you'd have to take your position to this. Does the university have to have fraternities and sororities? So if we don't agree with that, our choice could be we wouldn't

have fraternities and sororities in here. We are allowed to do that because of Title IX.

[00:46:59]

If the university wanted to say – if this university wanted to say, in order to have fraternities and sororities, they can't be single sex, we would have to make the decision whether we could uphold that under the law or we would have to create a system or the university doesn't have a Greek system.

[00:47:18]

McCarty:

You also use gender in a relatively restricted bimodal fashion. And – yeah, I want you to understand that it doesn't work that way. And what we are saying is we're standing behind the rights of students to seek membership in Greek organizations and they may not fit the definition of gender that you just explicated.

[00:47:53]

We choose to have social fraternities on the campus and what we try and do is have equal opportunities available. We are open to other models of Greek organizations. We would welcome our students to be creative. We're not stuck with what we have now.

[00:48:13]

There is a lot of room for innovation. We now have a fraternity, I believe that is openly inclusive of gay men and I think that's a step forward. So we're trying to be open and expansive, but the driving force in that direction is our student body.

[00:48:33]

Female Student:

I want to thank you gentlemen for facilitating this meeting. Just one question. How can a university allow exceptions to its non-discrimination policy?

[00:48:50]

McCarty:

Well, I think we've stated pretty clearly that our intent is not to have exception. Now many of you have alerted us to the fact that some public universities have exceptions that they have carved out of their non-discrimination policy. That is not a direction Vanderbilt is going in.

[00:49:10]

And it's becoming more and more difficult for some of these state universities to stand up to the carve-outs they've already produced. I'll give you a quick example. Psalm 100 is a Christian acapella group at the University of North Carolina at Chapel Hill.

[00:49:28]

Last fall, the members of the group expelled a group member, who had been a member in good standing, who happened to be openly gay. He was expelled not because he was gay. He was expelled because he supported gay lifestyle.

[00:49:45]

His beliefs were grounds for him being expelled and low and behold, Holden Thorpe, the Chancellor of UNC Chapel Hill, upheld the expulsion because they're stuck with their carve-outs.

[00:50:01]

We have been down the road of discrimination at this university. If you want to know how much it hurts, please call Reverend James Lawson in Los Angeles. There is still a stain on this university for what happened to him.

[00:50:17]

And for the years that qualified people were denied admission, we are loath to carve out any exceptions.

Williams:

I would add to that that the whole issue of carving out exceptions goes against and all-comers policy. An exception basically stops that and so I'm back to what Richard said. We would – we don't want to carve out exceptions and we do want to enforce non-discrimination.

[00:50:49]

Male Student:

My name is Chris [inaudible]. I'm not really a part of many Christian organizations on campus. I'm kind of an anti-organizationalist. I do meet at 11:30 at night on Tuesdays, but – and I don't [inaudible]. I'm not very good at saying much things.

[00:51:07]

But I'm actually talking on behalf of the Vanderbilt Call Center. Like I'm in the Call Center. Candace actually works there with me. I don't believe anybody else here does. I don't know if they do. And I'm kind of just calling to voice a lot of opinions expressed by most of the alumni.

[00:51:24]

And I have actually been working there – I think Candace might be the only person that works there longer than I have been. I have recently made it to the top of the leader board for most money donated to Vanderbilt University in my name.

[00:51:47]

And before that, most of the people are the big donors, so I call the A&S Cabinet. I call the Peabody Roundtable. I called those guys and average gift, somewhere around \$2000.00, \$3000.00, \$10,000.00 a year. And for five, six months now I have gotten at

least every night that I work, you know, one, two – as many as six one night – people that have denounced the university, decided that they will not give to the university till they take a few steps back in their views on political correctness.

[00:52:21]

And I was kind of wondering, you know, I don't mean to bring money into the conversation, but like I believe that our alumni are people that should be largely valued and I was just wondering how we might play the game between political correctness and alumni support.

[00:52:40]

McCarty:

Well that's a great question. First of all, thanks for working in the Call Center, it's very important. We need to get out participation rates up among our alumni. That includes current seniors. This is not about political correctness. It's about holding to bedrock principle. And I want to assure you that the fundraising efforts of the university – and many of those efforts center on something called Opportunity Vanderbilt – are meeting all demonstrated need without loans – has never been more successful.

[00:53:23]

At the end of December, which closed the first half of the current fiscal year, we had all-time record giving. We've raised about \$116 million in endowment to support Opportunity Vanderbilt. So giving has never been better.

[00:53:45]

I deal with alumni a lot and there are many things that disappoint them. One of the major disappointments is when a child doesn't get into Vanderbilt. And it's a very hard conversation. With one exception, every alum I have spoken to, since the fall, who called in expressing concerns about our non-discrimination policy, agreed with it by the time I had explained our position.

[00:54:14]

I think Joseph had a burst of **[inaudible]** insight. I think a few others have. If you allow people some time and you spend the time with them to explain our policy, all but one in my experience has said I can't object to that. All-comers, all members can stand for leadership. How can you oppose that? That's the response I've gotten back.

[00:54:44]

Male Student:

[Inaudible].

McCarty:

They rarely stop with you. They communicate with the Chancellor, with Vice Chancellor Williams, with Dean Bandas.

We've really tried to be as responsive as we possibly could. I promise that.

Dean: Okay, over here, please.

[00:55:08]

Female Student: Hi. My name is Virginia **[inaudible]**. Like Joseph, I had the honor of both going to undergraduate here and now I am at the Law School in my final year. In undergrad, I was a participant of many Christian organizations and now also with the Christian Legal Society.

[00:55:24]

And I feel like the conversation keeps coming back to the term discrimination. And I just had a question about that because the Christian groups I've been a part of on this campus are some of the most diverse, in terms of discrimination at the university.

[00:55:44]

And you're right that we are all too young to know what the darkest days were like. But I think that everyone here can fairly say that you know, we do not want that type of discrimination to ever happen again.

[00:56:00]

But at the same time, in that conversation, you said during those dark days, there were many qualified individuals that were denied admittance to Vanderbilt. And in saying that, you're recognizing that there are qualifications for being part of a community.

[00:56:16]

I don't think any of us that were a part of Vanderbilt were the lowest in our class. There are requirements to be a part of a group. And I just am wondering, in terms of limiting a group's ability to define itself in terms of belief, to find what sort of leaders –

[00:56:41 audio cuts out]

McCarty: First, define the purpose of the organization within the limits of constraints set my national bodies. CLS is a chapter of a larger organization, so in some ways, your mission is defined in part by the national organization.

[00:57:07]

Let me add one point about discrimination that does concern. If you talk to gay students on this campus right now, discrimination isn't over, my friend. It is alive and well and in parts of this campus, it is alive and well.

[00:57:31]

Now, if we start to weaken our non-discrimination policy, people on this campus, who are your classmates, will suffer. We're not prepared to do that. But what we are prepared to say and we've said it several times tonight, you have the right to pick your leaders.

[00:57:49]

And if you have an all-comers policy and that's one thing CLS has embraced, is an all-comers policy and I applaud you for that – each member should be allowed – should be eligible to run for office. And we trust you to make the right decision. It's that simple.

Dean: Yes, in the front row.

[00:58:16]

Female Student: I'm Palmer Williams. I was also a Vanderbilt undergrad and now I'm in Vanderbilt Law School as a member of Campus Crusade for Christ and now CLS. I promise not to talk as long as my husband, but I will – I just have a quick confusion about the policy.

[00:58:33]

I'm a little confused by the fact that under your policy, I can gather with a group of my friends or a group of like-minded people. I can state my beliefs. But as soon as I go as far as writing down what we believe in and then trying to live by those beliefs as a community on campus, then I'm not allowed to do that.

[00:58:59]

I just – I [audio cuts out] making a decision based on belief, yet in my heart, I really am. I'm just curious as to this kind of superficial distinction as I see it.

Dean: Could somebody talk about the purpose statements of the groups? See how far you can go on that.

[00:59:23]

McCarty: Parker, we don't want to trivialize this, but there is the [inaudible] policy beliefs that you have when you make decisions. Now, what I challenged Joseph to do is exactly what I'm going to challenge you to do, to be open to a member that doesn't share your faith beliefs, who could be a wonderful member of CLS, maybe even a leader.

[01:00:01]

But we're not saying you have to vote for that person. We're simply saying that person, who maybe does not profess

allegiance to Jesus Christ as his or her Lord and Savior, should be allowed to run for office in CLS.

[01:00:20]

Maybe it's not chair a president. Maybe it is a person who is amazing at social outreach. It would still be consistent with your goals of serving the under-served with legal advice and legal services, but maybe isn't Christian. But they endorse what you're trying to do. Give that person a chance.

[01:00:45]

If in the end, you can't quite make it, no harm, no foul for you as an individual. You've voted your conscience. But you haven't barred that person from having a chance to lead.

[01:00:59]

Now, let me give you another example and this would affect all of you. I'm Catholic. What if my faith beliefs guided all the decisions on a given day?

Female Student: I think that they should.

[01:01:15]

McCarty: No, they shouldn't. No, they shouldn't. No, they shouldn't.

Female Student: **[inaudible].**

McCarty: Well, I know you do, but I'm telling you that as a Catholic, I am very comfortable using my best judgment as a person to make decisions. As a Catholic, if I held that life begins at conception, I'd have a very big problem with our hospital, right? Would I not, Steven?

[01:01:48]

Male Student: You would.

McCarty: But I don't because I can resolve that and it's a long conversation I'm not gonna get into. But let me give you another example, Parker. Do you know who the first faculty member we hired in Jewish Studies? A Roman Catholic. What if we had said – and the search committee could have done this without my knowledge.

[01:02:13]

I was Dean of Arts and Science at the time. We're not gonna hire a Roman Catholic Studies. That is absolutely antithetical to running a Jewish Studies program. She's now tenured and I'm very proud of our contributions to that program. We don't want to

have personal religious views on good decision making on this campus.

[01:02:38]

They can guide your personal conduct, but I am not going to let my faith life intrude. I'll do the best I can at making good decisions, but I'm not going to impose my beliefs on others. I'm not going to do it.

[01:02:57]

Male Student:

I'm Kyle [inaudible], I'm a sophomore and football player. My question – my question – obviously, there's a lot of students here to give their perspective and represent our student body. My question is more about athletics. This year it was nice. We actually went six and seven, made it to a bowl game.

[01:03:21]

My [inaudible] was a big contributor in high and Coach Franklin. And Coach Franklin, one of the biggest things he said is it's a lot easier to win when you have good players.

[01:03:33]

I was asked to work on the player panel these past two weekends, which is like an interview with all the parents on our big recruiting weekends and the by far, most asked question was about like religious groups and FCA, being a big one of ours, it was easy to tell them about Lance Brown, who is our religious like leader for FCA.

[01:03:56]

And he leads our men's Bible study for our football team and he also works with the -- who leads the women's – Ginger, yeah. And like we have soccer team, cheerleaders, football, baseball all here. And we can all attest that when we're bringing in better recruits, it makes playing a lot easier and winning a lot easier.

[01:04:20]

I was curious as to how you thought about this affecting athletics because it will be hard when we have parents that want their kid to come here because we offer a lot of Christian religious groups or whatever religion it might be, but they're registered and organized groups, instead of just like we can't really talk about them.

[01:04:39]

I was just wondering if you'd thought about that because like I said, the most asked question was about FCA, men's' Bible study and all the religious things we have to offer here. And if you have to tell the parents that you can't really talk about that or it's not a Christian group, it might turn a lot of recruits in any sport from coming here because me, being a sophomore, when I was being recruited, one of the biggest things I looked for was a good

Christian family.

[01:05:03]

I'm a strong Christian and it helped a lot coming here with Brother Brown, as we call him on the football team and it helped having a lot of that support here. And I was just curious if you've thought about.

[01:05:17]

Dean: David, you speak about athletics.

Williams: Yeah, we think about that in all sorts of different sets. I would say to you – I want to go back to the other question. There is absolutely nothing wrong with having religious organizations, nothing wrong with having groups of people who believe in religion.

[01:05:37]

All we're basically saying is – and the Christian Fellowship of Athletes is one of those groups that basically has said you don't have to be Christian to join. You don't even have to believe to join. And all we're saying is just make sure that that membership piece extends to leadership that they can run for leadership.

[01:05:54]

Male Student: I think [inaudible] if that shuts us down, it's gonna [inaudible].

Williams: Well, I guess the other problem with that is it comes back to the question that was raised here. The university, as a university, has to basically make a choice. And I guess where that choice comes down to is, should we create an exception because of what you said or what others say and therefore, violate our all-comers policy.

[01:06:33]

Female Student: My name is [inaudible]. I'm a leader for Fellowship of Christian Athletes. I'm a leader for the Fellowship of Christian Athletes and one of the things – I actually wrote it down and just deleted it on my phone, but hopefully, it will come to mind.

[01:06:50]

I just wanted to clarify things about the leadership. We actually – I don't know if they did it in the past, but we haven't done elections at all, but we could, absolutely we could. But in our constitution, which I think – I mean I'm assuming a lot of people in here know the Fellowship of Christian Athletes – I was involved with it since I was in Middle School. It's a nationwide organization that has a strict constitution that it's not going to change.

[01:07:10]

And we can't just as one university, change it and we're not going to. I think that's why I wanted to make sure that you knew that we're standing by what we believe in absolutely.

[01:07:29]

Male Student:

I'm Justin Gunter. I'm the President of CLS at the Law School. My question is that based on the entire time we've been working through this issue, for me personally, ever since April when you first came around. The groups that have been affected have felt like they've had a hard time just simply understanding what the university requires.

[01:07:46]

First, we had this idea that we just had to change these Bible verses from our constitution and everything was okay. We could still have religious requirements. Well, then at the end of the summer, we were told, no that's not the case.

[01:08:01]

Then as we've already addressed tonight, I received an email, which is public information from the university, stating you cannot have [tape skips]. Then another member of the administration has also said, in public that if a group of individuals decided, based on religious motivations they're not going to vote for an officer that would also be in violation of the university's policy.

[01:08:23]

And as the board has articulated tonight that's not true that individuals can vote even using purely religious motivations. More than anything, we have been asking the university repeatedly to publish in a written form, exactly the scope of this policy.

[01:08:37]

First, so that we can be sure this is where the policy stops. Many individuals have commented, including professors of this university and members of the First Amendment Center, this policy is a line-drawing exercise. There's no exact reason it had to have been drawn here.

[01:09:00]

We are afraid that if it's discriminatory to have Christian leaders, why isn't it also discriminatory to have a Christian Bible study or to be a Christian organization? If we could have [tape skips] non-discrimination policy and as Mr. Williams has articulated that's a very specific legal term of art under CLS v. Martinez.

[01:09:24]

Now, CLS v. Martinez said that all-comers policies are great, but the key holding in Martinez was, if you have an all-comers policy, it has to apply to every student organization. And as we've already

talked about tonight, we've already concluded that Vanderbilt's all-comers policy does not apply to its fraternities and sororities.

[01:09:41]

If we knew that ahead of time, we could have articulated this and seen how this all-comers policy really isn't an all-comers policy at all and really had this constructive dialogue all along, instead of just coming here and last minute tonight and trying to say, where are we?

[01:09:54]

We've been going through this for nine months and still, it seems like we're seeing new information and new argumentation, having trouble responding to that as we go along.

[01:10:04]

Williams: Let me respond.

[01:10:24]

Williams: Let me respond to that by basically saying we understand and one of the reasons why the Chancellor called for a town meeting and other dialogues, is to try to get a clear picture of what the issues are. And so, on behalf of the university, if you've been getting mixed signals, let me apologize on behalf of the university.

[01:10:49]

But the university is trying to get those signals straight and trying to make sure everybody understands where we are and where we're going. I want to also say one of the reasons why we basically have allowed the organizations who appear to not comply to maintain every right they had as a registered student organization is just because of that.

[01:11:11]

And so really, at this point in time, no organization has been disenfranchised by that. And we are trying to make sure that we get everybody on the same page. So once again, if you've been getting mixed signals and I trust that you have, from what you've said, we apologize for that.

[01:11:29]

This is a forum to try to say okay, let's get in one room. And as you know, we've tried to do that with small groups. Maybe it hasn't worked to the best [inaudible]. And now we're trying to make sure it does. But until we can get to that point, we don't plan to disenfranchise [audio cuts out].

[01:11:52]

McCarty: [audio cuts out] in these conversations that we have had, I join with David in apologizing to the extent that we've been unclear. I also think you know this is a complex area to navigate. And we're trying also to be respectful of all groups, especially those groups on provisional status.

[01:12:13]

Now, a lot of people have said, why haven't you come out publicly? We didn't want to do that because we felt it would be disingenuous to those that we were trying to work with and bring along to a way of accommodating our policy.

[01:12:33]

But you just mis-stated a fact when you so eloquently presented our shortcomings. We are not telling you who you can have as a leader.

[01:12:43]

Male Student: That's what I said – that was [inaudible].

McCarty: That is absolutely not what we're trying to do. We trust our students to pick their leaders. And we want all members to be eligible to stand for leadership positions. It's just that simple.

[01:13:03]

Male Student: Now that that's [inaudible] university to know where this policy starts and [inaudible]?

[01:13:14]

McCarty: We need to have the review of documents at the affirmation process. And I'm very encouraged from the comment earlier that there have been some changes in your documents. I promise you we'll work with you to the best of our ability. And we won't stop doing that. You'll walk away, but we won't stop trying.

[01:13:38]

We're committed to this process and I really thank you for all you've done to try and work through this and also, to call us when we haven't delivered. And we'll try and do better in the future.

[01:13:49]

Williams: And our goal is to do exactly that, to have a clear written policy.

Dean: Over on this side then you?

[01:14:00]

Male Student: I'm Harrison Jenkins. I'm an officer in Beta Upsilon Chi and I'm a member of the Navigators and I just have a couple of questions. But before I begin, I'd like to point out that none of us here are **[audio cuts out]** that there is a niche for them to be in. We're simply asking that we can maintain our identity with our own niche.

[01:14:27]

So I just want to prerequisite with that. **[Audio cuts out]** that, Parker started to talk about the Christian Legal Society – Palmer, my bad.

Male Student: She's my wife, don't worry about it.

[01:14:46]

Male Student: No discriminating. Once again, I apologize. Basically, started talking about that she wanted the members of her group to basically agree to this common goal where they're gonna be together. And you stated well, what if they don't agree with the Christian part, but they agree with the service part and they can change that group and make them better.

[01:15:11]

But I'm pretty sure the reason that someone's in the Christian Legal Society has a bit to do with the Christian part. And as soon as you start telling us that we can't write down those beliefs and that we have to allow others who do not agree with our beliefs to run for leadership and let's say the summer scenario does happen and someone changes.

[01:15:29]

And you say worst case scenario, one year, you got to work it out. I think that could be detrimental to my group, having to rebuild after a year of seeing our identity destroyed. And by doing that, you are effectively asking my organization to leave because we cannot solidify our ideals.

[01:15:52]

We cannot ensure that we are going to stay and that's getting rid of the diversity and that's what we're concerned about because we agree, diversity is necessary and that's why I want to know why are you asking us to get rid of our diversity?

[01:16:03]

McCarty: Well, let me just say that, at the moment, I think it's safe to say that your group is not open to membership among young men on this campus. And that's based on your documents. So I would

start by saying you have work on being open to membership as well as leadership.

[01:16:29]

Let me give you an example of where someone from another faith can make a critical difference. Let's go to Buchanan Street in North Nashville, to the 14h Avenue Missionary Baptist Church. The pastor of that church is Reverend Frank Gordon. His wife Tam and reverend Gordon have developed an excellent mentoring system and tutoring system for children in that church.

[01:16:58]

Last summer, they had a summer program, five days a week, I believe 8:00 a.m. to 5:00 p.m. **The leader of that program differed drastically from the predominant membership of that church. The leader was a Peabody graduate from 2011. Many of you may know her. Her name is Samara [inaudible]. Samara is white and Jewish and yet here she is in a Baptist church singing, yes, I have a friend in Jesus from the pulpit.**

[01:17:33]

This church embraced her because of her passion and because of her inspired leadership. And let me tell you, the 60 children that I saw the day I visited, would have been the lesser without her. That's what I'm talking about, inspired leadership. Be open to it. Reverend Gordon and Tam Gordon and the members of that parish, they were open to it and she brought troop of students along with her.

[01:18:02]

And those children are better for her involvement. And she did everything but preach from the pulpit on Sunday.

Male Speaker:

Is there any guarantee that [inaudible] organization [inaudible].

McCarty:

No, I'm saying be open to the unusual member, who could be a great leader. That's all I'm asking you to do. And you have to be open to membership, which you are not.

[01:18:28]

Dean:

Down in front, please.

Male Student:

Good evening. My name is Ben Stovall. I'm an undergrad here at Vandy and that's all about me because no one really cares.

McCarty:

Are you in Vandy Fanatics?

Male Student:

I am not in Vandy Fanatics, but I wear the t-shirt because I like it.

[01:18:43]

But my question actually has to do with something that you said earlier, Provost, when you were talking, you said that the school would not compromise at all on our non-discrimination policy and the same exact sentence, said that you've been working with organizations, who have had trouble.

[01:19:02]

So my question is, if you're not willing to change or modify the policy at all in any way, how can you work with an organization instead of just dictating what an organization will have to do.

[01:19:14]

McCarty:

Because most organizations have been ignorant of what we've been trying to achieve and as Justin rightly pointed out, we have been sending some mixed messages. We've already apologized for that. But in many cases, people have mis-stated what is going on at Vanderbilt.

[01:19:34]

And we have not tried to undercut the negotiations we've been having because we did not want to go public, to the extent that others have chosen to. We are not saying that by working with others, we're diminishing the non-discrimination policy or we're browbeating the people that we're communicating with.

[01:19:57]

We're saying there may be another way that you will be very comfortable with, if you will sit down and work with our staff in the Office of Dean of Students. We could be very cut and dried about this and we would not be serving our students well. So this is all about dialogue.

[01:20:20]

We're trying to explain our position; we think it's pretty simple. All-comers policy, any member can stand for election. Not that we tell you, you have to elect even Joseph. I love Joseph, he wins every election – not. But he won the big one. But we're telling you we want to work with you and we want to help you.

[01:20:43]

And no one is more committed to working with students on this campus than Mark Bandas. So give us a chance. And if it doesn't work, we'll part friends, but we want to try to carry through on our side. We want to do a better job of explaining our policy.

[01:21:07]

Female Student: Hi. My name is Kat Majors. I'm a senior and I'm involved in Campus Crusade. I've been a Christian since I was a freshman in high school and I've been taught since the time that I accepted the faith that is core to my being. It's who I am and I cannot separate my decision-making from my faith.

[01:21:26]

And I, through Campus Crusade, got the opportunity to spend a summer in a country that is 95 percent Muslim and from what I've understood from talking to hundreds of students there is that their faith is exactly the same way.

[01:21:38]

And through my sorority, I've gotten opportunity to meet lots of girls who are Jewish and they're leaders [**inaudible**], and their faith is the same way. So how can you tell us that as a faith-based organization, we cannot make decisions based on our faith, as an organization?

[01:21:54]

Like we can vote all we want, but as an organization that is a faith-based organization. I think the decisions, based on our faith are kind of important.

[01:22:08]

McCarty: Do you want to do this David? Well, let me suggest that everyone isn't as fortunate as you are to be firm in their faith. Many students come to Vanderbilt questioning either their lack of faith because they were raised in a home where religion wasn't important. Or maybe they're questioning the faith that they received through their family.

[01:22:30]

So you're lucky. You know where you stand, but many of our students don't. We want them to have the opportunity to learn from members of groups like you and others. That's what we're saying. We're not saying that your faith can't guide your decision-making. We would never say that.

[01:22:51]

But you have to be open to other members being in your group and defining your group so that you would welcome those members and potentially voting for someone who doesn't quite match up with your faith beliefs, who might still be a great leader.

[01:23:11]

Female Student: When I came to Vanderbilt, there was a big question of what am I gonna do? What organization am I gonna join? How am I gonna find who I am in this community? And because of Campus

Crusade and because of her, I was able to find a home in Campus Crusade and there were two girls – I was a freshman and I had no idea what I was doing here.

[01:23:31]

They were able to invest in me because they had the same core beliefs that I have and they were able to make me, as a college student, be able to stand – when I was a freshman, I wouldn't stand up here today. I wouldn't even be able to talk. I'm not a public speaker; that's not what I do.

[01:23:48]

That's probably why I'm shaking. But because they were leaders in this organization who shared the same faith as me and that's why they were leaders in that organization, they were able to make me as firm as I am right now, to be able to stand up and say that.

[01:24:03]

And I can't join an organization where there's even a chance that the leader doesn't actually believe what that organization is saying. How can they invest in me and truly uphold the ideals of that organization?

[01:24:16]

Williams: Does your faith allow people who don't believe as you do to join your organization?

Female Student: They do. It does. Christianity, as Joseph said, is the ultimate, in my opinion, all-comers policy. We want everyone to come and we want to accept everyone and we truly do love everyone on the face of the planet, the same way I love everyone that's in this room and on this campus today.

[01:24:40]

But it is one thing to be a professor who can teach about something without believing it, but know it. It is something very different to sit down with me at Starbucks and spend three hours telling me – letting me talk about my day and imparting wisdom to me that truly can affirm me in my faith and affirm me in my decisions, so that I can go out and affirm other people in this campus.

[01:25:14]

Female Student: Hi, I'm Christy Lynn and I'm part of leadership on Graduate Christian Fellowship. And we're another one of those groups where we have the all-comers policy. We welcome anyone and everyone to be part of our members, part of our meetings.

[01:25:28]

And I think that in light of that, it's even more crucial to have a leadership team that is dedicated – or that has religious beliefs and is dedicated to the purpose of the group, because otherwise, how are you gonna keep a religious group from drifting from its purpose?

[01:25:45]

McCarty: Well, the easy answer is that we don't believe necessarily that that would happen. And if you are open to all members standing for leadership and you make your individual decision when you vote on them, we have no problem with that.

[01:26:05]

And we don't see the danger in a group being subverted by a couple of dedicated individuals that want to somehow divert the group from its original intent. We're asking that you be open to all members. I, personally, would have a hard time being in your group and justifying two qualities of membership. That would not work for me. Maybe it works for you.

[01:26:33]

But what we 're saying – pardon me?

Female Student: What do you mean by two qualities? We're not sure what that –

McCarty: You're saying two qualities of membership, those that can stand for leadership and those that can't, right? That's what you just said, right?

Female Student: Well, actually, we removed the part in our constitution that requires religious beliefs. We require them now to have a – to be able to thoughtfully dialogue about the beliefs this nationwide organization is centered around and to not be contrary to the purpose of our group and we were still deferred.

[01:27:10]

McCarty: I think if you sit down and I know your leader and I have great respect for her. If you sit down and work with our Dean of Students Office, I think we might be able to work through this, so that we keep you on our campus, where you belong and where we want you. That's our goal, okay?

[01:27:33]

Female Student: Hello. My name is Kayla [inaudible]. I am a member of Vanderbilt Catholic. As your sister in Christ, I think maybe there's a misunderstanding of what exactly – I mean we call them

religious organizations, as if it's the same as saying, you know, a hobby organization, like we have a similar interest and we like to juggle or we like to – I don't know what other organization. We like to [inaudible] – we like to sing.

[01:28:11]

It's not that I like Catholicism. It's not I'm interested in Catholicism. This organization is my life and I'm a member – I fall under an authority greater than that of Vanderbilt, which is the Roman Catholic Church. And whether or not Vanderbilt Catholic is in compliance with that or not, I will be a member of the Roman Catholic Church.,

[01:28:37]

And I cannot in good conscience – first of all, let you represent the Catholic Church as it okay to be a member of one and completely go against the beliefs of that organization. Like pro-life, which we know is another discussion I don't want to go into, but ultimately, when it comes down to it, it would be heresy to not be pro-life.

[01:29:08]

I'm just saying it like it is. And so, I just want to clarify the representation of the Catholic Church. I'm shaking really hard. Come Holy Spirit. Okay. The university is very concerned with diversity and um, you know, having a come all policy. And I am, too. I think it's very important that the university be diverse.

[01:29:44]

But the university's diversity doesn't come from you know, so many different people being in one organization. It comes from the different organizations themselves. And just because maybe a non-Catholic isn't allowed to be a board member of Vanderbilt Catholic, doesn't deteriorate from the diversity of the university because they're allowed to be a board member of another organization and that's where the diversity comes from.

[01:30:17]

And also, we are concerned with diversity, but is that really the most important thing? What about the integrity of our organizations and the honesty of them, in that we – all our leaders do profess and believe what the organization says. And I think that's all I have to say.

[01:30:40]

McCarty:

Okay. So let me state the obvious. You have a particular set of beliefs as a Catholic. They may not overlap completely with my beliefs as a Catholic. And I've been involved with Vandy Catholic a lot longer than you have.

[01:31:04]

So I'm committed to Vandy Catholic, too and I believe it can flourish on this campus and still be fully compliant with our non-discrimination policy. You have a different opinion. I respect you for that opinion, but I don't agree with you.

[01:31:23]

It's just that simple. Now I've had long talks with Father Baker. Father John Sims Baker, J.D, Vanderbilt Law. And I know him quite well and I have a great deal of respect for him. And we've been on opposite sides of this issue and it's pained me. And you may find this hard to believe, but I've actually prayed about it quite a lot.

[01:31:47]

I believe that there is a way for Vandy Catholic to continue to flourish if you're willing to take the leap of faith. If you're not, you have Rosetti House just off the campus and it will be a loss to our campus to not have you actively and intimately involved on the campus. That's the take home message I want to convey to you.

[01:32:11]

Male Student:

Hello. My name is Alec [inaudible] and I'm a senior here at Vanderbilt. I'm also a member of Vanderbilt Catholic. And I just had a follow-up question to a question I think Kat Majors had. And Dean – excuse me, Provost McCarthy, I apologize, you said that a lot of Vanderbilt students will come here without necessarily having a faith or questioning their faith.

[01:32:32]

And so my question is like if these faith organizations, like say Vandy Catholic or a Jewish organization – isn't there a service provided to these students if they know that when they go to Vandy Catholic, they're knowing what the Catholic Church is teaching. Or if I go to the Muslim Student Association that I'm going and actually learning about Islam and could this diversity be effective if say, you know, I ran the Baptist Student Association and tried to teach things about the Baptist faith, which I'm not qualified to do? Thanks.

[01:33:03]

McCarty:

You're sort of conflating a couple of issues. If you're in a position of leadership, you will have been elected by your peers. They would have based their decision during the election on your ability to do the kinds of things [inaudible].

[01:33:26]

And I believe that there could be positions of leadership that could benefit greatly from an infusion from others, who may not quite be

where you are in your faith walk. They could benefit from the process of further study and discussion and you might as well. That's what I'm open to.

[01:33:54]

And that's what I think we're asking as a university that all of our groups – and we're dwelling on religious groups and that's great, but there are a lot of other groups on the campus, about 350. We're holding them to the same standard. Be open to the input of your fellow students. That's what we're asking for and it's not, I think, a lot to ask.

[01:34:19]

Male Student:

Hi, my name is Brendan – I'll take off my hat, show little more respect and my hat hair. But you had talked about earlier, Provost McCarty, how you are seeking to broaden the inspiration for each of these religious organizations on campus here. I would be bold to say that I think we're all seeking to have inspiration for the vision of our organization, the direction of our organization.

[01:34:46]

However, I would also be bold to say – and I don't think I'm wrong in saying this that our inspiration does not come from man, it comes from divine inspiration that being found in the Holy book, God's word, the Bible, as well as through prayer.

[01:35:03]

And what I'm very confused about or I find it hard to believe that you respect where our source of inspiration comes from for our vision for our organization, which is not ultimately to just know about the Bible or know about God, because just knowing the knowledge of the Bible just ends up being book club.

[01:35:26]

We want to know the truth about who God is and having a personal relationship with him. And so having Him as the source of our inspiration changes the complete vision for our organization. So how can we believe that you respect that source of inspiration, if you allow someone who does not believe in God and believe in that inspiration and believe in the infallible Word of God, to lead an organization like that?

[01:35:53]

McCarty:

I didn't say that that was my wish. My wish is that you consider any member as a potential leader. Leaders don't all lead prayer groups. They do not all lead Bible studies. I'm saying be open. I'm not telling you, you have to do it. There's a dramatic difference between those two positions.

[01:36:23]

You're saying to me, I'm making you do something that you don't want to do. And I'm telling you that's not what I'm asking you to do. And I have great respect for the religious organizations on this campus and if I didn't, I wouldn't have worked so hard over the past several months with my colleagues, to try and keep them on campus.

[01:36:47]

I respect deeply what the student religious organizations add to this campus. Of course I do and I am a believer. That's none of your business, but I am. And so I'm – my motives in my view, are pure. And I believe the institution's requirements are pure in the sense that they're calling you to your highest purpose, to be open to your colleagues. That's all we're asking.

[01:37:19]

We're not directing anything other than open to membership, open to leadership. And you will benefit greatly from being maybe little bit more open on those issues.

[01:37:40]

Male Student: Hi. I'm a freshman, so –

McCarty: You're a freshman?

Male Student: Yeah.

McCarty: What house?

Male Student: Stanbaugh.

McCarty: I'm thinking you're lucky. You better watch out because you're head of house is right behind you.

[01:37:54]

Male Student: Oh, hi, Dr. [inaudible]. Anyway, I just want to thank everyone here for attending here and I want to thank you all especially for establishing this forum where we could definitely have a moment of clarity among the Vanderbilt community.

[01:38:10]

So well, I'm a little confused. So say an organization is not compliant, so therefore, next year or whenever, is not an official organization, what are the potential consequences of the students of the former – the individuals of the former organization, I guess secretly meet on campus using Vanderbilt facilities?

[01:38:37]

I mean I guess I'm a little worried about this because I remember like three years ago when I went to China, I experience the same thing, like we were associated with an underground church. And the Communist Police actually caught us and we had to hide out in the steel factory for the rest of the week.

[01:38:58]

And we were pretty close to getting deported. Yeah, so –

McCarty:

Yeah, well, let me just say this. We will not deport you to Duke University. I promise.

Dean:

And more seriously, what are the consequences for groups that don't comply?

[01:39:23]

Williams:

There's a lists of privileges that registered student organizations get and a non-registered student organization would not be able to get those privileges, if you like. I think that the one thing that you need to understand is because you're not a registered student organization doesn't mean you can't associate with each other. And it doesn't mean you can't associate with each other on this campus.

[01:39:48]

It's the fact of the matter is – I think the one thing as we listen and we talk more and more, it really does come down to a balancing act. And I guess the university – as the university, has to make a decision.

[01:40:03]

And I think what we're seeing is we're seeing the concept of all-comers, as we've tried to articulate it. And we've seen people who very, very strongly believe, well, I may be able to go to a certain point on all-comers, as it relates to membership, but not leadership; others who say well, I'm not even sure I can go to all-comers even at the level of membership.

[01:40:24]

And I think the university has to come to a point of quite honestly – and of course, when decisions like these are made – because in a large degree, a true total all-comers policy is going to be mutually exclusive to basically making exceptions to that policy.

[01:40:43]

And so I think the university just has to be careful and deliberate in making the decision, okay, which one does this university want to be? And at the end of the day, once that decision is made,

however that decision is made that's what the university chooses.

[01:40:59]

I find it's very interesting that while I see both sides. While we talk about all-comers, a lot of people are very clear and articulate about the fact that – but I have a belief and my belief controls who I associate with, my decision-making, what my organization should be. But by the same token, what I'm saying is many of those times, if your organization has the ability to say no to this person, then that organization is discriminating against that person.

[01:41:29]

And it may even be legal discrimination. It may not be illegal discrimination. And I think the university just has to get to a point of saying, okay, which one do we value greater? Do we value the all-comers non-discrimination or do we value having something short of that. Many universities and many of you know this have done just that .

[01:41:54]

I think that at Vanderbilt, we've taken the position, unlike the University of Florida, unlike Ohio State, unlike a number of universities, we have not agreed that we would carve out that exception, either for leadership or membership.

[01:42:05]

It's a decision this university has to make and I don't think those two things can co-exist. I don't think they can co-exist.

[01:42:20]

Male Student:

Hi. I'm Eric [inaudible]. I'm an alumnus of the Law School and Peabody. I just want to start just by paying some respect to you gentlemen for doing this. I don't think any of us envy sitting at that table and we've gotten a little heated at times. I know I have and I just want to [inaudible] appreciate you guys keeping it a respectful discussion.

[01:42:37]

I just – I want to reiterate that why we're here is because of the importance of diversity. And I think speak for many of the people in the room when I say that our fear is that we've gone full circle.

[01:42:52]

And you know, instead of now protecting diversity, we've come around to the point where we're infringing on diversity. We're infringing on the diversity, specifically of religious organizations. And the idea behind diversity is that there are differing viewpoints, the idea of respect for different viewpoints, either among and individual or a group.

[01:43:11]

And what I've heard a lot of tonight, back and forth, is we've been

hearing a lot about what you gentlemen believe, particularly what Provost McCarty believes. And I honestly disagree on some of those points. You believe for a Christian organization to have a leader who doesn't necessarily share those core Christian beliefs.

[01:43:30]

McCarty: Didn't say that. We didn't say that.

Male Student: Well, you said for a Catholic organization to have someone who is not necessarily a Catholic leader.

[01:43:38]

McCarty: No, we didn't – I've got to correct you.

Male Student: Please, no, no, please, I'm happy to –

McCarty: We said let's take Vandy Catholic, since you mentioned it. If they're open to membership, any member should be eligible to stand for leadership. I didn't say that a member who is eligible necessarily is elected.

[01:43:57]

We're not directing anything other than eligibility. The students elect their members.

Male Student: And that's not what I meant to say. What I meant to say is I believe that a Christian organization or any organization should be allowed to restrict the eligibility of certain members to run for leadership.

[01:44:18]

That's core to maintaining a diversity of belief among that organization versus another organization. The organization exists to expound a specific belief and its members collectively choose to restrict what a leader can be in that organization.

[01:44:34]

And I would ask you gentlemen to consider respecting that belief on my behalf and on many of those people in this room that it is valuable for us to be able to restrict who our leaders are. You may not see that. You've said that. I understand.

[01:44:47]

But I ask you to respect us in thinking and believing strongly, very strongly – all of us are here. Many more of us could not come. We tried. It is important to be able to do that. And I don't see the danger in allowing us to do that.

[01:45:04]

I think that another organization could easily come up in a different space that could oppose an organization like that. I don't see the problem with respecting that belief and respecting our ability to restrict our leaders.

[01:45:18]

McCarty:

And I think we're at a point where we would have to agree to disagree. But let me speak to diversity for a minute. Early this morning, while I was still home, I read the following: This room holds 208 people and we would love for every seat to be filled with people who are against this policy, so show up at 5:30.

[01:45:40]

That gets back to Parker's mis-statement about sampling statistics. Don't think that this would be – our policy is shaped by who shows up tonight. We're trying to be respectful of **13,000 students and over 100,000 alumni. So we're trying to make the best decisions that we can for all involved.**

[01:46:06]

Now, I've had a discussion with Justin about this very point that diversity is a large number of groups with different viewpoints, all members having similar views. We don't embrace that view of diversity and that's just a fundamental point of disagreement. I respect what you just said and I understand why you said it.

[01:46:32]

It's just not something that comports with our non-discrimination policy and I'm sorry.

Dean:

Over here.

[01:46:41]

Female Student:

I'm Jessie **[inaudible]**. I just have a question, as a Vanderbilt student, the name Vanderbilt is associated with me and so I kind of want to know what the long-term goal is of revisiting this open doors policy and kind of clarifying what it means. A lot of people have been talking about – or you've been saying that you want us to be open in these organizations to having leaders who might not share opinions that we have – or beliefs that we have that we feel really strongly about.

[01:47:13]

And so, if that's kind of the short-term goal, is to have us be open to these people, not necessarily that they will be leaders, but that's what you want us to be, then what is the university saying in the long term, if you want us to potentially have leaders that don't share our extremely important values.

[01:47:36]

In the long-term, would you like it to be a lot of different organizations that aren't individual things that share certain beliefs? Does the university want it to eventually be a bunch of organizations with people who don't necessarily agree and if that's the long-term goal of diversity, will there be a place for organizations?

[01:47:57]

I know that this is sounding extreme and a lot of people will say, well that's not really what will happen, but what message is the university trying to send because I'm concerned with what message is going to be associated with my name as a student at Vanderbilt.

[01:48:13]

Williams:

I'm not sure that I can articulate what a long-term goal is. I think the goal is that what we've tried to articulate – what we try to get to is a community that once you are a member of it, once you're accepted into it, there's a freedom to go through any door. There's a freedom to be a member of any organization.

[01:48:39]

And so I think that the basic thing that we're trying to say and I understand a lot of it gets tied up into how one believes and what we feel, but the truth of the matter is, I think what we've tried to say is we want to be a community that removes as much discrimination as we possibly can.

[01:48:58]

And we see that by your admittance into this university, for us to say – for any organization – any organization that has the level of being registered, it has to be opened to any student here and so that we can stand up to any student who applies, who comes here and says, if I come to Vanderbilt, how many student organizations – registered student organizations do you have?

[01:49:23]

We have 380. How many am I eligible to join – 380, without asking the question who are you, what do you believe? That's what we're saying is by you coming here, you have the opportunity to join all 380.

[01:49:43]

And then we also assume and as the Provost has said and I understand there's a group that disagrees with this and I respect that. We don't see the difference between membership and leadership by a qualification to be a leader, because in that case, you have two classes of membership.

[01:50:03]

And so to basically say, well, you can join my organization, but you can't do these five things, then you have to admit there's two levels of membership. And we're saying no, there should be one level of membership and that incorporates the ability to stand for leadership positions.

[01:50:20]

We are not dictating, who, as an organization, you pick for your leaders. We're not saying that well, if that person runs for leadership and they don't believe as the majority does that you have to let them.

[01:50:37]

We're saying that membership suggests that you have the right to be elected – as a university student here, you have the right to run for student government president. And we don't put any restrictions on it. You have a right to run for that.

[01:50:50]

And so you may not win and people could make that determination on any basis they want. But you have that right as being a Vanderbilt student.

Dean:

Back here.

[01:51:03]

Female Student:

Okay. I'm Taylor Bryant. I'm a member of Vanderbilt Navigators and I just have a couple of questions – actually three questions. They might sound really dumb, but I'm honestly confused. So my first question is, this past January, I went through rush and I'm told that there are qualifications for rush.

[01:51:25]

So certain – let's say I had like a 1.9 GPA. I don't, but let's say that I did. Automatically, I would be disqualified from going through rush whatsoever and I really want to join a sorority. So how – I don't understand how that's not discrimination or now that I'm in my sorority, I love my sorority.

[01:51:45]

I have to keep a certain GPA to become a member of it. There's qualifications just to be a member. Also, say I wanted to join an honor society. Say I want to join the Psychology Honor Society and you have to take a certain number of credit hours and a certain selection of classes.

[01:52:05]

But you also have to get a certain GPA. So I'm really interested in these classes and I'm trying really, really hard and I end up falling under the GPA, but I'm really interested in that subject and I want

to be in the Honor Society. Am I not being discriminated against?

[01:52:21]

Also, as you can all see, I'm black, I'm African American. This summer, I became a member of the Black Student Association. I didn't do anything. I checked the box on my application that I was black and bam, I was a member of the Black Student Association.

[01:52:36]

I don't understand how that's not discrimination. I have – like one of my best friends here, she's actually one of my sorority sisters, she goes to basically every BSA function, but she was obviously discriminated against. She didn't get all the invitations to be in the Black Student Association.

[01:52:52]

And she may be able to be a part of it now, but there was obvious discrimination. So I'm just saying I've experienced discrimination multiple times, being a student at Vanderbilt and I'm okay with that. I'm happy with the sorority I ended up in.

[01:53:05]

I'm gonna work my butt off so I can get into whatever honor societies I want and I think it will end up making me a better person and I don't see why Vanderbilt can't apply that to all of the organizations.

[01:53:19]

McCarty:

Well, I think you've just answered your own question. Any student who reaches the threshold for performance to enter into an honors program, is eligible. What if you achieved that minimum GPA, but you were told you can't be in because of you're from the wrong state?

[01:53:41]

Female Student:

[Inaudible] the organizations that I'm a part of, so that's the equivalent.

McCarty:

Faculty rules and regulations trump what you want, but it in no way is designed to set you apart if you reach that threshold. I can't make you a good singer so you can get in Swinging Doors, can't do that. So there are performance-based criteria for many of the things that are done on our campus.

[01:54:15]

I would love to replace Chris Marv as middle linebacker. I still have some eligibility left. I think those are moot points. I'll talk to you about it later if you stay around.

[01:54:36]

Male Student: Hi. My name is Kyle [inaudible] and I have been involved with the Ambassadors in the past. I was a connector this year for many of our wonderful transfer students and I'm also the President of the McGill Project.

[01:54:47]

And a lot of what we've been hearing this evening, when we talk about – random sampling has come up. The people that are in this room decrying the policy – and I want to bring something back from the other side of that spectrum.

[01:54:56]

So being an ambassador, actually seeing students that get randomly paired with the prospective students, people that want to know what is religious life at Vanderbilt like? What are the humanities like? What are the sciences like? What is research like?

[01:55:08]

These are all questions that come and to say that we have inclusion at the university is an incredibly powerful thing. So when we're looking at diversity and we're looking at this policy, when we start looking at carve outs, in that case, you are asking to protect 37 specific groups.

[01:55:22]

I believe there are 37 religious organizations on campus, at the exclusion of 350. But an actually that encompasses every student, all **13,000 of them that's something that we can actually say to the future generations that come in through Vanderbilt. So yes, there are current students here.**

[01:55:39]

There are 100,000 alumni that have been through here and then there are the 100,000 more that will come through here because they can actually do what they want to accomplish at this university. Thank you.

[01:55:55]

Male Student: I'm Jordan Rogers, quarterback, a junior here at – member of FCA since I've been here for the last two years at Vanderbilt. And Provost, I just wanted to say something to your statement, which I feel like you've been mis-stating. You keep talking about this number, **13,000 students.**

[01:56:14]

I don't think that 13,000 students are all involved in organizations, so I think that's an overstatement, as well as you saying that to belittle the fact that there's 220 people in this room. I don't want you to underestimate the hundreds of people that didn't get through

the doors.

[01:56:27]

McCarty: I'm not.

Male Student: So I think the people that share these beliefs are a lot bigger percent than you think and that's not even what I wanted to talk about right now. The fact is that FCA, as a national organization, its leaders need to affirm their belief in Jesus Christ as their Savior.

[01:56:47]

And this affirmation is so that they can teach others and our vision, our mission as an organization, is to spread the gospel, through our athletes, through our coaches, throughout this campus.

[01:56:58]

And so by the fact that you are – we're fine with having an election. We're fine – we love when everyone comes, as we've said before. We have no discrimination for anybody to walk through our doors. But the fact that this is – what we're talking about is restricting who is able to be a leader, completely undermine the mission and our vision and the direction of every single one of these organizations that all share a direction.

[01:57:25]

These organizations were meant for a purpose, each one, whether it's FCA, whether it's the Catholics, whatever it is, there's a purpose. And having restrictions on who can be the leader, I think belittles the entire fact of having organizations because these students that come in want to go to FCA or want to go to one of these organizations to learn more about it, to be a part of this because of the Christian faith, because they want to learn more about it.

[01:57:51]

So I feel that if someone that doesn't share the faith is teaching, then what's the point of even having these organizations?

Williams: Jordan, let me just ask a couple questions. In your scenario, can a person who does not affirm Jesus Christ, be a leader of your organization?

Male Student: No, Sir.

[01:58:14]

Williams: Okay. Would you suggest – does that in any way, shape, form or fashion, discriminate against that person?

Male Student: Yes, but – because the entire purpose of the organization is to teach people this faith. So what is the point of someone – and I totally understand about what you’ve been harping on about missing a transformational leader or some people that might not, you think, fit the exact mold, can be great leaders, great.

[01:58:43]

But the purpose of the organization is to teach this faith. Fellowship of Christian Athletes, there are hundreds of organizations. So the fact that we are not gonna change the fact that you have to affirm your faith in Jesus Christ to be a teacher, to be a leader, to teach new people that are of any faith that come through our doors, we don’t feel that is discriminating. We don’t feel that’s a problem as I think a lot of these groups do.

[01:59:09]

And I think that undermines the entire mission of every organization on campus.

Williams: As I said, I think that’s where the university has to come to a position of understanding. I mean the fact of the matter is – and that’s why I say that I think that these things get to be very complex. And part of the reasons why I think there’s been so much misunderstanding and so much time in there, this is a complex issue.

[01:59:43]

When this issue first came up, my colleagues will remember, as I sat at the table, I said this may be – this may be one of the major issues we face as a university. This is not something that is easily solved. And the fact of the matter is, the discrimination that you speak of – I mean if you’ve agreed this is discrimination – is not an illegal discrimination.

[02:00:07]

It’s not illegal, but the university is going to have to make a decision on what side of the line they want to be. Do they want to say it’s totally all-comers or do they want to basically say, well, we understand the concept of some faith-based organization. And we agree that we will create an exception for them, either by membership as some would want or as leadership.

[02:00:33]

And I just think that’s something that this university, at this point in time, has made a choice. We are here to articulate what that policy is, to hear what you all have said. And trust me, we will take all of this back, as the Provost said and I’m sure all of you will and make sure that the Chancellor and the rest of the board and the administration, hears what you said.

[02:00:57]

But I do think at the end of the day that's where the issue is. That's where the issue is.

Male Student: It's not just more of a you listening and tell us where we're wrong, as opposed to you being willing to accept some of these **[cross talk]** organizations because every time, **[inaudible]** is telling us why we're wrong **[cross talk]**.

[02:01:15]

Williams: You're not wrong. You're not wrong. I think we could frame this in this way. We may have two wrong policies or two right policies. An all-comers policy is a right policy. A policy that allows an exception for religious groups, to many of us, is a right policy. If those two policies cannot co-exist, we're going to have to choose one of those.

[02:01:45]

So if we've given the impression that your belief and your faith is wrong, I apologize. That's not what we're here to do. We came here to say here's the policy of the university. Let's discuss it. I think we've cleared up some misconceptions and there may be more, but this is not I'm right, you're wrong, you're right, I'm wrong.

[02:02:08]

We both have beliefs and that's the great part about America, the great part about universities in particular, is people are gonna have different beliefs. When those beliefs collide, sometimes you can't exist with both of them in the same space and then you have to make a determination.

[02:02:25]

Trust me, we're not here to basically come in here and like I said, if we gave that impression, I personally apologize. I don't want anybody to think that I'm trying to say my way is the right way. What we're saying is this the university policy, this is what it means. This is why we have that policy.

[02:02:48]

Here's our reason for it. And we want to hear what all of you have to say about that and we will take it back and deal with it.

Male Student: So a specific example, under this policy – under your policy for our organization, if we hold elections, we have an all-comers policy, yet our leaders are, as required by our national organization, to affirm their belief in Jesus Christ as our Savior, affirm their faith, is that in violation of the policy, although they have just a equal a chance, but once they get to that position of

leadership, they have the choice to say, here's my affirmation or no, I'm not gonna do it. Is that in violation?

[02:03:22]

Williams: Can that person stand for leadership?

Male Student: They are eligible for leadership [**cross talk**].

Williams: And your organization, if they could stand for leadership and if your organization or members of your organization decided under you rule to vote for them, even though they haven't affirmed it that person would be the leader of your organization, correct?

[02:03:44]

Male Student: I wouldn't be –

Williams: Open election, right?

Male Student: [**Inaudible**] hoops of your policy, just as a façade, what is the point of that? We're jumping through the hoops of having elections, even though they're not gonna be elected because of our beliefs, what is the point of that?

[02:04:03]

Williams: The point of it is – I think what you're taking – I think this is what Richard has said. You're probably right that they won't be elected, but you may be on the offhand, wrong. There may be a person who can stand up there and run for leadership and convince enough people to vote for him.

[02:04:24]

And on that one chance, you now have given that opportunity – the ability to work within your organization. I mean I think what you're suggesting is, because that person probably couldn't win the election, why should we even let them run?

[02:04:40]

And there's been too many times – there's been too many times in the history of this country where people won elections, who most people didn't think would happen when they first started.

Male Student: It's not about the [**inaudible**] elections or the fact whether they might or might not be elected, it's the direction and vision and mission of these organizations that they don't fulfill the direction, the purpose of these organizations.

[02:05:09]

Dean: Okay. I think we've actually clarified a difference here. Let's go over here.

[02:05:15]

Female Student: Hi. I'm **[inaudible]** and you say that you don't make any exceptions, but do you consider Vanderbilt, as a whole, a community?

Male Speaker: Shame on you.

Male Speaker: Shame on you for acting out **[inaudible]**.

Female Student: Do you consider Vanderbilt a community because I do and I consider you gentlemen leaders, but I don't remember an election being held for you guys. And I know you all – you guys stand – and I know you guys stand for a common purpose, as we've seen tonight, diversity.

[02:05:44]

And I think this whole campus does, but there – in leadership positions at Vanderbilt, the whole community didn't have an election, but yet you still have leaders that stand for the same purposes that Vanderbilt stands for.

[02:05:57]

One is to be a top 20 university and beyond, I agree with that. But you guys didn't hold elections. So how do you justify you guys being able to discriminate in Vanderbilt leadership, but we can't discriminate in Vanderbilt organization leadership? And discriminate, I don't think we do.

[02:06:12]

McCarty: I don't have a clue as to what you're getting at. The university has rules of operation. The ultimate authority at this university is the Board of Trustees. They set the policy on appointment of all administrative officers. It's not by election of students.

Dean: We all got elected, as a matter of fact.

McCarty: Some people got elected, but actually you didn't, you were appointed.

Female Student: Why can Vanderbilt as an organization appoint leaders, but religious groups in particular, on this campus can't?

[02:06:47]

McCarty: You're mixing metaphors. You have bylaws that direct that students be elected leaders. That is not the rule of engagement for the Board of Trust in appointing administrative officers. I can't make those work for you.

[02:07:09]

Female Student: No, I'm just asking for clarification. So do you think that when the board members appoint leaders that all uphold to Vanderbilt's common purposes that that is discrimination?

McCarty: No, I don't. I mean we have a diverse group of administrators here, who hold differing opinions about many issues.

Female Student: I know. I can believe that, I'm sure, but they all are on the same page as far as they care for Vanderbilt and they want the best for Vanderbilt.

[02:07:34]

McCarty: Yeah, as you do.

Female Student: Right, as I do, of course. And all I'm saying is that in student organizations, religious or not, the right to appoint leadership for people that may have their differences, but on the whole, care for the purpose of their organization, to me, those are equal playing fields. And I don't see how the discrepancy can be like justified.

[02:07:53]

McCarty: Well, you said a point that I think most of the leaders in our groups are elected by the student membership. Not –well, I'm talking about 380 groups here. I think most elect their leaders and in those groups where there are appointed leaders, we're not restricting who is appointed or elected.

[02:08:16]

We're trying to broaden it. We're actually, I think – and Jordan's gone now, but we're trying to broaden the base of leadership, at least those who are eligible. You make a decision as an individual, as to who you think is best able to lead your group.

[02:08:35]

We're not telling you who that is, so in effect, we're empowering you to make the decisions for your group that you as an individual believe are in the best interest. That's all.

Dean: Over here please.

Male Student: Hi my name's – is this on – it will be, okay. My name's Cole Garrett and I am – well, am I representing – I am representing Vanderbilt Lamda, as you may assume by the giant rainbow flag on my back. I am a gay man.

[02:09:06]

And to me, this is a very sensitive and important issue to me. More importantly, right now, than a member of the Lamda Executive Board, I am also Vice President of the Asian American Student Association.

[02:09:23]

By looking at me, you may be able to tell that I am not Asian. So I would also like to let all of you know that the takeover has happened. That's only funny to a couple of people. Okay.

[02:09:39]

I would like to speak – I do not want to speak on behalf of the Asian American Student Association or on behalf of the Asian community. I would like to speak from my experience as a leader in the Asian American Student Association.

[02:09:50]

And I can tell you that I have grown a lot from being in that organization and not once has someone looked at me and told me that I was not doing a good job or that I could be in this position because I am not Asian. And that, you know, is what Provost McCarty is talking about.

[02:10:14]

I feel like I am one of those rare exceptions. I don't think I'm that special, but I think that this policy is really important to me and because of the ideas behind this policy and how accepting ASA has been, I have been able to take this position and grow as a person.

[02:10:52]

Male Student: Provost McCarty, we met last week and I thank you for that. I just wanted to let this – get the opinions of the other members of the panel. And I'm sorry that this couldn't fall on more ears.

[02:11:05]

I grew up in Massachusetts with a good family and when I came out of the closet, as so many people do, I struggled with depression. I lost most of my male friends. I was kicked out of the house. I dropped out of high school. And you better believe that I worked hard to get into Vanderbilt in the first place.

[02:11:21]

And when I sit here in the front row and I hear a student say – and this is when I raised my hand a while ago – that she’s glad that we are in a position where we don’t have to experience the dark days, it breaks my heart because these are the dark days, still.

[02:11:43]

And there is a reason that when you walk down Greek Row, almost everybody is white and straight. And there is a reason why there are so many people in white shirts here and I’m sorry that the quarterback left. I bet he had somewhere to go.

[02:11:58]

But there’s a reason that not more gay students were out there or openly gay students, I should say. Ten percent of the world is gay. But how many of your friends are openly gay? My name is Brian Rizzo, I’m a pledge of Delta Lamda Thi.

[02:12:16]

For those of you that don’t know that is the fraternity that the Provost referenced that seeks openly gay, progressive and bisexual men. We have spoken today about the all-comers policy for leaders in religious organizations and how it’s not necessarily discrimination if they’re allowed to run.

[02:12:34]

My question deals with something else. What if the values by which members, not only leaders, but members, are brought into organizations – what if the values are that the members are white or that they are straight?

[02:12:51]

And more importantly, how does the administration justify its own discrimination policy, if the organizations operate in secrecy? How can the administration enforce its non-discrimination policy, if the organization is operated in secrecy?

[02:13:15]

Williams:

I’ll try to answer the second part of that. I mean I think he’s raised an age-old question. How do you enforce something that you don’t know about? I mean if it’s [inaudible] secrecy, we don’t know about it, so how can you enforce it?

[02:13:28]

I think that what you try to do is you try to look at systems and structure of all these – of institutional discrimination. If we have something that lends itself strongly to be discriminatory, we need to really tackle that. We don’t think that should be part of our [inaudible].

[02:13:48]

But I think you pose a very difficult question. How do you enforce something that's secret? You try to find out when, in fact, it is discrimination and what we've tried to take the position on the issue of adversity is when we are confronted with that and try to do something to enforce the non-discrimination policy.

[02:14:07]

I'm sorry – what was the first part? I caught the second part.

Male Student:

Well, the first part of the question was just what if the values by which members are selected or leaders are selected – what if the values are that the people are white and straight? And what if those are proven values?

[02:14:26]

Williams:

Yeah, you know, I think that that's another hard question because it's very difficult to get into a person's value system and how they share their value system. I think one of the things we've tried to articulate the best we can is we recognize that people will have views.

[02:14:44]

And we may not agree on those views. What we're trying to say is, to the degree that the action behind those views is discriminatory that organization does not have the right to be a registered organization. That organization – those group of people can be discriminatory and have their values, but they can't have an organization that we're gonna sanction as a registered organization, if those views are put into action.

[02:15:14]

I don't think we can police one's views. What I believe when I walk down the street, is not something that you may or may not know and that's nothing you can do, if you do know what my view is. But when I put that view into action, then I think you do have the ability or we as a university, have an obligation – not only the ability, but an obligation to act.

[02:15:36]

Male Student:

So are you saying that if those values were proven that that organization would not have a right to be a registered organization at Vanderbilt?

Williams:

If those views were proven to be actionable. In other words, if they took those views and they acted in a way to discriminate, yes, then the university would have to come in and [inaudible].

[02:15:56]

McCarty: Let me also add, David that the reason that we've gone through this very difficult process of reviewing 380 registered student organizations, is because a student in 2010, filed a complaint of discrimination. I think the way you judge any organization, especially this university, is how does it stand up when a student files a complaint, one student?

[02:16:28]

Now, one student felt that, in this case, he had a situation that was intolerable to him. That was taken seriously by the university and was followed up through specific procedures. And when we are made aware of situations that are not consistent with our non-discrimination policy, we will investigate.

[02:17:01]

And I want to add with a statement of my own. I want to commend you for being so courageous and I'm glad you're a student here.

Dean: A couple of things. One is I want to get to as many people as possible. I also realize it's late, but I also really want to value what we said, we'd stay until the questions were asked.

[02:17:35]

McCarty: I thought we were ordering in pizza, on the Divinity School [inaudible].

Dean: Yeah, you sign off on my expenses, I think. Yeah, we've got this gentleman here and we've got a gentleman with less hair up there. And then – who's going where? Thank you for your patience. Thank you for your discretion and thank you for the way you've conducted yourselves.

[02:18:17]

Male Student: My name is Mitch [inaudible], I'm a freshman here. I've been loving it. It's been awesome. And I just want to thank you guys again, for doing this for us, to try and get that clarity out there. It's probably not easy to sit up there and take all these questions, so I appreciate that.

[02:18:29]

And I appreciate that you guys really do hold Vanderbilt's best interest in your mind, when you're making these decisions. It's a very complex decision. Obviously, people have lots of different opinions. Otherwise, we wouldn't be here, having this debate.

[02:18:44]

And I think what's kind of at the core of that, is that there are just different values at stake here. And I think to a certain extent, there's a conflict between two values, I think Vanderbilt does hold dear, which would be diversity and non-discrimination, which definitely has a value and has a huge place at Vanderbilt.

[02:19:02]

But I also think Vanderbilt – I mean correct me if I'm wrong, but I'm assuming that they also – they do value religious freedom. And now, to me, religious freedom could be described as being able to make decisions based on your religion. Is that a fair – I mean it's not a complete definition, but kind of a fair representation, perhaps?

[02:19:25]

McCarty:

It's a little loose, but that's your definition.

Male Student:

And so, while in practice, there may not be that dreaded change. There may not be situations where a Christian group is led to be something completely different because of the new leader. I personally agree that that's probably not very likely.

[02:19:43]

But in terms of principle, to me, it appears that we're limiting religious organizations, groups, to make those decisions based on what they believe. Now that may be a tradeoff that you feel isn't in Vanderbilt's best interest. You may feel that **[inaudible]** the idea of non-discrimination and diversity is more valuable than retaining that element of religious freedom.

[02:20:02]

I just wonder if that's a sort of a clarification we could make that's kind of what the stakes of this are that it'll be some principle we are sacrificing a certain amount of religious freedom, in order to uphold non-discrimination.

[02:20:15]

McCarty:

I think Vice Chancellor Williams has answered this earlier, but let me say that if we place certain constraints on membership and leadership, actually, if we open membership and who is eligible to run for leadership, I think that's a good thing. But ultimately, each organization and the members of that organization make the final decision and we respect it.

[02:20:45]

If we chip away at non-discrimination, I think we lose more than if we say be open to membership, any member can stand for election.

Not that any member is necessarily guaranteed a slot, but it's that that person, your classmate, gets a chance to run whether he or she is elected or not.

[02:21:12]

So I don't think we're limiting a religious group or any other student group, as much as we would hurt the university by chipping away at our non-discrimination policy.

[02:21:26]

Male Student:

Hi. My name is Rick Apple. I'm a fourth year, JD MBA and no university community is more important to me than Vanderbilt and my family. My wife is a fourth year in the medical school. You probably know Ann Price, my mother-in-law, who is a hall of fame athlete, Founders Medalist.

[02:21:43]

And she was waiting outside with me for over an hour before her knee that she had operated on – she just couldn't stand there anymore with hundreds of other people. This isn't a numbers game. It's not about how many people were outside or how many people were wearing white shirts.

[02:21:57]

But I think the crux of the – my question is, you know, doesn't the all-comers policy, which is the first I've heard of it tonight, in our dialogue I've been in with Justin and the university – doesn't the all-comers policy inherently threaten minority viewpoints on campus?

[02:22:18]

And aren't those the viewpoints that in a pluralistic society, in the marketplace of ideas, aren't those the viewpoints that the ones that are in the need of the greatest protection?

Dean:

Academic freedom question?

Williams:

Could you elaborate? How does this –

[02:22:37]

Male Student:

All-comers policy, meaning effectively, the way I've heard it is if all of us were to go to any of the 380 groups, we would be admitted and we'd have to stand – we'd be able to stand for leadership and elect ourselves leaders and effectively, take down any of the 380 groups.

[02:22:54]

That just doesn't make sense to me at all. It's the minority

viewpoint. I'm not sure which side is in the minority on this particular policy issue, but I think the all-comers policy inherently threatens minority viewpoints.

[02:23:08]

And for that reason alone, it should be gotten rid of.

Williams:

I'm still missing how it hurts minority **[inaudible]**. I understand you saying, okay, we open the door to 380 – and then you said you elect yourself as the leader. The leadership is – one would be elected by the membership. So just because you become a member of the organization, doesn't necessarily mean you'll become the leader.

[02:23:37]

Male Student:

I can elaborate – you know, in the 1960s, for example, as you referenced earlier, if you had this all-comers policy in place on our campus, you know, it's possible that none of the groups would have ever been integrated because people who were opposed to that – which I think was a majority of people in the south, perhaps in those days, could have entered that group, become members because we have an all-comers policy and become -- stood for leadership and elected each other leadership and shut down the organization that was so critical to espousing the minority viewpoint.

[02:24:08]

Williams:

But the all-comers policy, if around at that point in time would say anybody who is admitted to this university could be a member of that organization, without having an all-comers policy, the organization could keep out whoever they wanted. And so I don't – it seems to me that the all-comers policy actually opens the door to membership and I think our belief is the concept if you open the door of membership and basically say membership means you can run for leadership, then maybe if you – if I'm in that organization, I will be able to run for leadership and the concept of inspiring leadership as the Provost has said – maybe I will win.

[02:24:53]

I mean I think people who have basically said the chances of me winning are slim, might be right, but maybe I will win. And isn't that the will of the organization because those are the members. It seems to me when you put a qualification on there, you're basically saying there's a group of people who, even though they're members, they can't stand for leadership unless they adopt our belief.

[02:25:20]

And it seems to me that what we should be saying is, well, you can run for leadership. We'll make a decision. Each of us individually will make a decision of who we'll vote.

[02:25:31]

McCarty: This is another issue that I don't think you're factoring in. The hostile takeover issue has been a concern in many groups. There is nothing wrong with a group having a performance-based criterion for standing for leadership. For example -- pardon me?

Male Student: As long as it's not religious?

[02:25:49]

McCarty: No, you could say you need to be an active member of our group for two or three semesters before you're eligible to stand for leadership. We have a -- tell me an example -- and I revere your mother-in-law. I'll ask her the same question. Tell me an example of a hostile takeover of a Vanderbilt --

Male Student: Well, we don't want a hostile takeover. There are hundreds, thousands of students on this campus. We all treat each other with respect. We don't want to do that. It could happen though.

[02:26:20]

McCarty: Well, if it happens, we have other ways to deal with it. And I'm telling you that we have confidence in our students.

Male Student: In the marketplace of ideas, the minority viewpoints are the ones you need to protect the most and I think this policy undermines them.

[02:26:41]

McCarty: I think we're protecting minority viewpoints, so we need to have a conversation.

Dean: Yeah, this gentleman.

[02:26:46]

Male Student: Hi. I'm Garrett Law. I'm a freshman at the Blair school of music.

I don't really have a question, I just have a short story that I feel very compelled to tell. But when I was in junior high, I was not a Christian. I mean I went to church because my parents were music ministers and I was forced to go and I went for the fun reasons.

[02:27:11]

And I liked it and I got strongly involved because I liked the moral things that it taught, but I did not believe Jesus Christ was my Lord and Savior. But my youth minister knew that, but she allowed me to lead the drama group and to be in the worship leading team and to plan events.

[02:27:31]

And I feel like I was a good leader, even though I didn't necessarily match the core beliefs of our youth group, necessarily, although not everyone knew that because I was 12, so I wasn't totally open about that.

[02:27:45]

But my youth minister allowed me to do that anyway. And then in ninth grade, I did accept Jesus as my Lord and Savior and I'm now a Christian. And if my youth minister would not have allowed me to have those leadership positions and to become continually involved in my church youth group, I would not have the faith that I have today and I would not be the person I am today and I'm so, so grateful that she let me do that.

[02:28:04]

And I totally understand where your groups are coming from and your fears of not allowing the possibility who don't have your faith to be your leaders, but I'm just saying that there is strong possibilities of great things happening from that. And I think I'm an example of that and I appreciate what my youth minister did for me. And I think that your groups can do similar things.

[02:28:35]

Female Student:

Hi. My name is **Tori** Bates and I'm a senior here. I've been involved in several Christian organizations on campus. I have what I hope is a very simple question. Most of what we've talked about has been student elected, but there are at least several Christian organizations on campus, such as Baptist Collegiate Ministry and Navigators that those leadership positions are appointed.

[02:29:00]

And so in those organizations, are the people who are given the power to appoint those leaders – can they use religion and belief as the primary selective factor in appointing those positions?

[02:29:20]

Williams: I would say on the face of how you've described it, the answer would be probably not. I would say no.

McCarty: And I would agree.

Williams: If they're using that as the criteria for picking a leader, then I would say that that would be a violation of the all-comers policy.

[02:29:36]

McCarty: Is that a requirement of Navigators from the national organization or is that a procedure that is unique to Vanderbilt or specific to Vanderbilt?

Female Student: I'm obviously not one of those ministries myself, so I –

McCarty: Someone can probably answer that.

Female Student: I'm sure that Tom [inaudible] can.

[02:29:57]

McCarty: Is it required by national or is it local to Vanderbilt.

Male Speaker: Thanks, **Tori**. I was trying not to say anything. I can just speak for BCM. BCM's constitution is specific to Vanderbilt. We – obviously, our constitution has to be by the Executive Board of the Tennessee Baptist Convention. But there is not a national thing that we do.

[02:30:22]

We choose to select instead of elect leaders and so the question really is, if it can be considered a criteria, not as the only criteria, but can faith be considered a criteria in the selection of leadership, if you're using selection process instead of an election process.

[02:30:42]

Williams: Yeah, I think that if – well, let me basically put it into three levels. One is if that's the absolute criteria, I would stand by my answer, no. If it's as primary qualification, I'm going to lean on the side of no, but I'm not 100 percent sure. If it is one of the criterias, then I would ask this question. Is it possible in your mind that someone who doesn't meet that level, become a leader in your organization?

Male Speaker: Yes.

[02:31:21]

Williams: Then I think if it's just a **[inaudible]**, if it's just one of many and it's not one that – you almost get into the Michigan discrimination case on this. To what level is it a factor in that? And I think that becomes a very **factual** circumstance. And I would say, so you have this – if you have the absolute, no. If it is a factor, but truly somebody could become a leader without having that qualification, then I think it probably is closer to permissible.

[02:31:52]

If it's the primary factor, it's almost like you're moving down the other thing. But I think those are one of those – once again, we're getting into that real hard sort of okay, we need to sit down and try to work this out and see how it fits in there. I think those are the two absolutes on it.

Male Speaker: Thank you for that.

[02:32:10]

Female Student: But as just a short note on that, if a student were to lodge a complaint saying that they were not selected because of their religious beliefs, even if it were only a factor in it, would it be in violation of the discrimination policy?

[02:32:24]

Williams: Well, you know, see, this is where the hard part comes in. And I think what has to – I'm a lawyer, my wife's a lawyer. All of our kids have grown up asking the question almost on a daily basis, Mom, Dad, can we sue? And the answer I have always given all four of the kids is, yeah, but that doesn't mean you're gonna win.

[02:32:46]

Williams: And so the fact of the matter is, if someone files a complaint and they make that allegation, we as a university would be obligated to investigate.

Female Student: So that's on a case-by-case basis. Thank you.

Williams: Yeah, I mean I wouldn't stand up and say oh, yeah, sure that's a violation or no, it's not. We would investigate it. And if the

determination was that factor was one of many factors and wasn't the primary or the absolute factor, then it probably would not be discriminatory.

[02:33:13]

Dean: Really wanted to be a leader, never showed up for Bible study. That's a membership involvement requirement right? Over here and then this lady who has been waiting a long time.

Male Student: Hello. My name is **[inaudible]**. I'm currently a junior at Vanderbilt. I'd first of all like to commend you three for your stamina and giving such intellectual responses.

[02:33:44]

I'd like to just give a hypothetical situation. For – if the discriminatory act were passed, if there was a person born and raised Christian and respected the community that the Christian society brought to him or her and through his or her personal struggles, you know, decided to sway away and maybe not believe in Jesus Christ, even though he or she comes – we'll just say he so I can get rid of the he or she.

[02:34:19]

Comes to Vanderbilt and still wants to be an active member in the Christian community because he believes in everything that the Christian – he believes in all of the moral values of the Christian community is brought on and would like to – not only knows all the rules behind the Christian society, but would like to help enact those rules and give the help with the charity events and become an active member in the Christian society, is it fair to tell that person, I'm sorry, you're not allowed to –

[02:35:01]

And he would like to become a leader, in order to become an active role and spread – and be as equal as everyone else in the Christian community, do as well as a leader as anyone else would, is it right to tell him that he's not allowed to be a leader just because of your – what could be temporary sway away from Jesus Christ.

[02:35:26]

McCarty: I think we've answered that. We're saying – and I think it was alluded to by this young man who talked about his experience with a youth minister. Open to membership, so the student you described to be allowed to be a member of a group that is of interest to him. I can't guarantee leadership, but I can say that if

that person proves his worth to the organization, he has the right to stand for leadership.

[02:35:58]

It's up to the other members to make that decision. That's not a role for the university that is a role for the student members of that group.

Female Student:

Hi. My name is Anna [inaudible] and I'm a freshman at Vanderbilt. I'm in [inaudible]. And I have a couple questions that have come up in the time that I had my hand up. If we as Christians believe divine inspiration and leadership from God and from the Bible and that we receive through prayer, to be a necessarily component of our daily life and personal relationship with Christ, it is not requiring us to contradict that core belief if we present the idea to members that it is not necessary to be a leader to hold that, if we do consider that to be one of the most important components of our faith?

[02:36:48]

And is that not misrepresenting who we are as believers? And additionally, is the purpose of electing leaders not – are they not leaders simply because they best embody what that organization represents? And you said earlier that it would be permissible for an organization like the Christian Legal Society to require that their leaders perform Bible studies, but not believe that?

[02:37:16]

Is allowing that type of situation not limiting the purpose of leadership to a task, not to really being a true leader that embodies the message of the organization? And finally, you've spoken a lot about transformational leaders who are rare, but very powerful. But you've almost presented it as if the only way to be a leader is to hold a formal leadership title.

[02:37:39]

So is it not possible for someone to be a leader in an organization – for instance, I'm a freshman. I've only been here a semester and don't hold any leadership positions, but that doesn't mean that I don't feel that I have been able to make an impact on this campus.

[02:37:53]

McCarty:

I'm going to give you the example that I think best embodies what we're trying to tell you. The most qualified individual on this campus to lead a Bible study in the New Testament is AJ Levine and she's Jewish. That's just a fact. So that is what I'm saying. Even though you have strong beliefs, I'm saying you could learn a lot from taking a class with Professor Levine or engaging in a

Bible study with her.

[02:38:30]

Female Student: I don't want to completely contradict what you've said, but to me, there – as someone brought up earlier, there's a distinction between the role that these organizations play and there's a difference between that and the type of knowledge that you gain through a class.

[02:38:45]

So though I do not argue in any way that anyone is more qualified than her to teach knowledge about the Bible, I think that there's a very important role as a Christian, for someone who is more mature in their faith to be able to speak to me and for me to know that because they are a leader, for me to be able to easily identify them as someone I should go to.

[02:39:05]

I think that these Christian organizations, the reason they exist is not to provide head knowledge. It is to be able to be a resource for students who either are exploring different religions or looking to grow in their own.

[02:39:19]

And I think that it may in fact be very important that these organizations have leaders that share that faith because their purpose is a personal relationship, not to have knowledge. And I have served as a leader in organizations outside of Vanderbilt in this sense and I have often, when I've been leading younger believers, have had to defer them to more knowledgeable theologians. But I don't think that that delegitimizes my role as a leader.

[02:39:46]

McCarty: No, not at all, not at all. But we're not by of the components of our policy, limiting what you just described to be an active and engaged group. We're not precluding that from happening. We don't want it to be precluded. And we believe that you can still have that intense and deeply spiritual experience on this campus and still be in complete agreement with our non-discrimination policy. Okay, thank you.

Dean: Over here please, this gentleman with the tie.

[02:40:35]

Male Student: Hi, my name is Jordan [inaudible]. I'm a double major in

[inaudible] and Spanish. I was West House President last year. I'm a member of [inaudible]. I founded a campus ministry and I'm also a member of Navigators.

[02:40:49]

Everything I do is who I am. The fact is, I have three of those four organizations that I'm still involved in. That's who I am to my core. And we argue about values, about agreeing to disagree, about what it means to be qualified. For me, you say agree to disagree, but if I agree to disagree that means a heck of a lot more than if you agree to disagree because everything that I am can no longer be on this campus.

[02:41:23]

And therefore, if we are truly having and enriching experience, if I truly am a member – and you said – exactly, you said, the members are what make up the group. And if Vanderbilt [inaudible] I'm a member, we are all members and we all make up the group. Therefore, if we do this, you are saying that your values one, are more important than my values.

[02:41:44]

McCarty: No, I'm not.

Male Student: You don't have to say it explicitly.

McCarty: I'm not saying it. I am presenting the university's policies, not my policies.

Male Student: Which, we are a member of the university and therefore, the members make up the group and therefore the –

[02:42:00]

McCarty: No.

Male Student: But that's what you said, word for word, earlier.

McCarty: What I also said – don't put words in my mouth, please. The ultimate authority at this university is the Vanderbilt Board of Trust. That body has the sole authority to enact – our Board of Trust – our non-discrimination policy. I am representing a policy approved by our trustees, not my personal beliefs. I am not telling you anything that I believe in that limits you.

[02:42:40]

I'm telling you what the policy as approved by the Trustees is. I

can't argue with that and I don't think any of the rest of us in this room can either. It is the policy. We are trying to make that policy work for every student group.

[02:43:05]

We need some help to get there. We need people like you, who are willing to sit down and engage with our Dean of Students Office Staff, to see if we can't accommodate your beliefs and your needs as a student, within the context of our non-discrimination policy.

[02:43:24]

So I'm only presenting what has been approved by our Trustees. Okay? And I'm happy to talk to you about this later, okay.

Dean:

It's getting late. Three hours, we'll stay, but we're – those of you who have your hands up, I'm gonna try to get to you all. And we're gonna come right here if you don't mind and then the gentleman in the –

[02:43:58]

Male Student:

I'll try to keep this brief. Mine's less of a question and I know I've had a couple of those. I think a lot of what the problem we're hearing here tonight is not so much what's happening right now. I think we all can agree that, should this policy be implemented as it is tomorrow, everyone on campus changes their constitutions, whatever had to be done to be right with the school, for the next few years, no, leaders would not be elected purely based off of these new criteria that we'd still be running the old way, same as usual.

[02:44:34]

I think a lot of the fear is what's going to happen five, ten, fifteen years from today, when we're no longer here, but we're still alumni of this campus and we still want to love what this campus represents. We want it to represent what we believe.

[02:44:49]

If I may for a second, I had a similar situation back in my high school, where there was a policy implemented decades ago, very similar to this, where leadership and membership of organizations could not be discriminatory. It was done with the best intentions.

[02:45:07]

It worked for a long time. However, by the time I was a student at that high school, we were no longer allowed to have any Christian meetings on campus. We could not – not only official meetings, we could not have a group of more than three Christian individuals in the same room by themselves with an open Bible.

[02:45:28]

And that was by the time I was a freshman of that high school. I think that what we're facing right now are a lot of students who fear that in the future, this school could go in that direction and we're trying to avoid that early, before we set a precedent.

[02:45:43]

So I just wanted to let you guys know that we hold no animosity for the current Board of Trustees, no animosity for the current faculty. We love Vanderbilt and we want Vanderbilt to continue to continue representing who and what we are and what we stand for. So I just wanted to make sure you guys knew that we have no hard feelings.

[02:46:01]

McCarty: Oh, no, none taken. But let me tell you that it is difficult for us to imagine – let me ask, did you go to a public high school?

Male Student: I did not. It was private.

McCarty: Private? Well, I would question the sanity of the leaders of that school and the Trustees. We in no way, want to limit religious freedom on the campus.

[02:46:28]

Now, some have argued that we're trying to do that. I submit to you that our goal is to maintain as much religious diversity on our campus as we can. But ultimately, the control of each student group is up to the students who are members at any given moment.

[02:46:48]

And change does occur. And I will tell you that many of our alumni come back and say, oh, well, what happened to the old Buttrick Hall? And I said, well, it wasn't fit for habitation. We actually renovated it and built a nice addition.

[02:47:04]

Oh, but I really loved that lecture hall. So change does come. It is inconceivable to me that this university would become hostile to having a religious organization on the campus. If we saw that as a direction, we would do everything we could to prevent it.

[02:47:30]

And I think I can speak for our trustees. I think I can speak for our deans. This is not our goal at all. And if we saw this in the future, it would be a very troubling thing that we would seek to remedy. But thank you for your comments.

[02:47:47]

Male Student: First, I want to apologize for some of the screaming earlier and the

walkout.

McCarty: That's okay.

Male Student: My Christ believes in patience and understanding and being calm and discussing thing and I don't think that was reflected, so I want to apologize for that first.

[02:48:04]

Secondly, I wanted to recognize for you guys that aside from a few questions, the last hour has been the same question asked over and over again and I feel your frustration.

McCarty: I'm not frustrated.

Male Student: Maybe I was the only one frustrated.

McCarty: Put me on the polygraph. I'm not frustrated.

Male Student: Maybe I was the only one frustrated. Some other people are. And my third thing is that over the last nine months, there's a lot of different things have been said and I agree with a lot of that, a lot of how you guys have described what this policy would actually mean.

[02:48:33]

But I think to Justin's question a bit ago, you know, you admitted that there's been some miscommunication, not necessarily saying the wrong thing, just things have changed, hard to communicate. But you're asking us to adopt this policy without knowing the scope of it in writing and try it out for a year.

[02:48:55]

And then you guys, once we've worked all that out, to be able to put it on paper and defining the scope of the non-discrimination policy. My question is why the [inaudible] is on us to trust you for a year or however long to work it out, instead of just asking you to maybe wait for a year to change things, you guys decide what you want the scope of this policy to be, put it specifically in writing and then we can decide whether we can deal with that.

[02:49:25]

But I don't know if it's necessarily fair to ask us to agree to a policy that you haven't decided yourselves what the scope and what the application and what all these different things that have been said in the last nine months, some of them final, some of them not. They've changed. We want to get them on paper before we make a decision.

[02:49:38]

McCarty: Right. I would submit to you and this is a very good point you just made – that it is virtually impossible to put down in a single document all of the permutations that we’ve already talked about tonight, in one tightly written policy. This is why we’re saying the best way forward is dialogue.

[02:50:02]

By the way, we have not changed our policy. We have discovered that some of our beliefs about practices in our student organizations was inaccurate. And we’ve all learned from this. And we’ve learned from it because a student that I know and respect deeply filed a complaint of discrimination.

[02:50:25]

So this opened up a full-scale review of all of our student organizations. We have a policy, it hasn’t changed. But the permutations that we have to deal with and it’s the royal week because Dean Bandas sitting in the back, he and his staff, have to deal with this.

[02:50:48]

If we simply put down something that said yes, you’re okay, no you’re not, we would be doing a disservice to many of our student organizations. We want to work with you. We want to help. We want to keep you on campus. I can’t convey that more strongly than I just did.

[02:51:10]

So the policy that is described at the top of the affirmation form will be reproduced again this year and we’re holding this meeting well in advance of the beginning of affirmation time right after spring break. We’ll continue to talk about this.

[02:51:30]

Male Speaker: I think what a lot of these groups want – sorry – in that conversation, is to be able to know what those – the scope of that is before they make a decision and they can’t in good conscience decide to adhere to a policy – being in word the same thing, but being applied in a different way – can’t agree to it until they know what it is.

[02:51:52]

And I don’t – I just don’t think that’s fair to ask of these student groups.

McCarty: Well, we need to know how the student groups conduct themselves and we didn’t have the full information, for a variety of reasons. Now we have an indication that we need to have a fuller conversation all around this non-discrimination.

[02:52:13]

Williams: We have all intention, by the time it's for you guys to affirm, to have that written out.

Male Student: So before the registration date for student organizations for next year, we will have in writing, a very clear explanation of the application of this policy, what the scope of it is? Is that a guarantee?

McCarty: Well, to the best of our ability. Yeah. And if it isn't done well, you need to let us know and we'll work at it more.

[02:52:37]

Dean: I'm gonna say that again, has been clarifying, although the last time I said that, people walked out. To carry that message back, if you can that you have gotten a commitment here to try to show you where the lines are. Although with 300 and plus groups, there may be some unique features to particular charters. And I said back in the back.

[02:53:05]

Female Student: My name is Stephanie Brennan and I'm a senior here. My question has to deal with the all-comer policy that I know we've talked a lot about and we said that all registered student organizations have to abide by an all-comer policy. I don't want to specifically call out Greek organizations because I feel like they do serve a valuable purpose on our campus.

[02:53:22]

But there are several students at Vanderbilt who meet all of the qualifications and go through the recruitment process, but then either don't receive a bid to the particular sorority or fraternity they want to join or don't receive a bid at all. So is that a violation of the all-comer policy? And if that's not a violation, how can that be considered a consistent application of the policy?

[02:53:42]

William: I think you've raised a very important question and the fact of the matter is I think that – and we have discussed this that is something that this university really has to look at very closely. And my view of it is, it once again comes back to that issue. If what we want to have is a true all-comers policy, I think you've raised an extremely

important point, which we are going to have to get our hands around, absolutely.

[02:54:08]

And so I think to the fact that Greek organizations will not allow people to join for whatever reasons run afoul of a true all-comers policy. And then I think that the other side of that is, if in fact, we take the choice as a university to create that exception, then we are duty-bound to look at other exceptions as well.

[02:54:32]

Female Student:

Hi. My name is Candace and I'm a senior here at Vanderbilt University. I feel like a lot of the comments that we've had so far are, first of all, inflamed by emotions and passion, of course, but also stem from a confusion about the application, of course, of the policy, but also the distinction between maybe the written constitution and bylaws and the enactment of a person's [inaudible] beliefs in their voting.

[02:54:58]

And so I first of all, just wanted to make sure that my understanding and my take-home points are correct and also ask a question based on a hypothetical situation. So first of all, my take-home point is that you guys are trying to enable us to affirm our beliefs and our members' commitment to our organizations' goals, through their voting. And that if we have members who vote against what we feel like our organization's goals are, then we don't really have a true organization.

[02:55:27]

And that for us to enable our members to enact – to vote in leaders who embody their purpose, which an organization might change purposes over the course of a decade, then we need to get rid of the different bylaws that are in our organization that restrict who can run for those offices. Yes? Does that sound right?

Dean:

That sounds pretty good.

McCarty:

I think what you just said was correct, but we – as long as you as a member, are willing to give each candidate for a position and equal consideration, in the end, the things you believe in as an individual may direct you to vote for a particular candidate that year.

[02:56:26]

But you have in no way limited the other candidates from standing for that office. Is that what you said?

[02:56:32]

Female Student: Exactly, so you guys see this as – yeah, so you guys are seeing this as a liberation, rather than restriction.

McCarty: I'm good with that.

[02:56:37]

Female Student: Okay. So then, when Tori, who I believe she left a second ago. But when she asked about the distinction between appointing members, from like I guess a council and member – appointing leaders, rather and members electing their leaders, it sounded to me as if you guys went back and asked those council members what was the primary or main criteria against which you voted for that person, **[audio cuts out]** what's in the constitution and there's discrimination in that aspect that's an issue.

[02:57:25]

But if you went to every single person and said, what was your primary motivation and they said I identify with this person because they're a Christian or I didn't identify with this person because they're a Christian, you can't argue with that.

[02:57:35]

So the council of an organization still has the power to elect a person who they identify with, but they just can't really put that in writing and have that be a requirement, to even join that organization and apply for that leader's position.

[02:57:51]

McCarty: That's correct.

Female Student: You can still vote for that, you just can't make that a requirement to even stepping onto the pool.

McCarty: Yeah and you can't have a meeting with everyone but the candidates and say look, you know who we're gonna vote for.

Female Student: Here's what we're gonna do.

[02:58:04]

McCarty: It's your own individual decision making that drives your behavior, but not the behavior of others. So as long as you're open to **[audio cuts out]**, but all member standing for election, we're good.

Dean: Over here.

[02:58:26]

Female Student: Hey. I'm Beth Roper and I am in Christian Legal Society. I know a long time back, there was a question about performance requirements, so in our organization, the way it works is we do elect our leaders and we don't do a lot of inquiring on the front end about what they believe.

[02:58:43]

But after they get elected, I'm an officer and I had to sign a statement that says I believe certain things and also that I'll act in certain ways. So how about if our organization decides to that a performance requirement, so it is demanded of our leadership that they would sign on to that belief and behavior and that they would no longer be a leader if they no longer subscribe to the belief or the behavior. Could we call that a performance requirement and that would be okay under the policy, similar to the scenario of the Honor Society or similar to other scenarios like that, since you said that performance requirement might be okay.

[02:59:20]

McCarty: Performance in the sense of active involvement, not a faith belief. We didn't say that.

Female Student: But some of our requirements are performance and some of them are like ethical obligations.

[02:59:31]

McCarty: Well, I think what you just said would be in violation of our policy.

Female Student: I agree.

McCarty: Oh, okay.

Female Student: I mean I agree that it's in violation of your current policy, but the reason I brought that up is because some people said it wouldn't affect their organizations right now. And I just wanted to like make that statement because it does affect our organization right now. I think it actually affects some of the other organizations that also have a similar method of conducting this process.

[02:59:54]

So I mean actually, I think there may be some misunderstanding about which organizations will be affected and like what will be – like how that will work out. So I mean yeah, like I just want to say that I think this policy will affect the way that some of the organizations currently run.

[03:00:10]

And also, if we want to be tied to the national organization, we got that criteria from the national organization and they're not in support of us having a chapter that's a rogue chapter. They want our leaders to sign onto that stuff.

McCarty:

I understand.

Female Student:

So like FCA. They can't be tied – they can be like a Christian athlete organization, but they can't be under the parent organization. And we like being under our parent organization. I mean they provide resources to us. And that's – our organization ties people in law school to lawyers, who are in the overall national organization.

[03:00:41]

And so that's like a primary part of our organization, so I just wanted to throw that out there, like it will affect us currently and I think some other ones are run similarly, even though a lot of the discussion has been about like how people would run that's not so much the issue for us, it's once they've run and once they've been elected, if they don't sign on the dotted line, I believe X, X, X and X and I will abide by X behavioral.

[03:01:04]

McCarty:

Right. And I have the list of those beliefs here and that's why I was surprised a bit with what Justin said earlier. And that is very clearly a faith requirement.

Female Student:

Yeah, we have faith and ethical requirements, so like you can call those behavior requirements.

McCarty:

Well, I call them faith requirements, yeah. Okay, not gonna work.

Female Student:

I consider them faith requirements as well.

[03:01:28]

Dean:

We're gonna take just the hands that are up right now. Please

leave them up. I can see you know and this gentleman's been waiting a long time.

McCarty: He had two hands up a minute ago.

Matthew: Hi. I'm Matthew Taylor. I'm involved in a lot of conflicting organizations, sort of like College Democrats and **[inaudible]** and so my opinion – my brain's just all messed up right now.

[03:01:53]

But I have a couple questions that are sort of technical. When you say leaders, is that only the leaders listed on like the Dean of Students form or is that any sort of position in the organization?

McCarty: It's a position.

Matthew: Okay. So if an organization has a chaplain that person has to be able to be anyone?

McCarty: If that is an elected position, yes.

[03:02:19]

Matthew: Okay. What about if you're in sort of like a dialogue organization and you want a Republican representative and a Democratic representative. Is requiring that person to be a Republican allowed?

McCarty: I think we'd have to try and work with you on ensuring a diverse set of opinions among your leaders. And I think there are ways of doing that.

[03:02:45]

Matthew: And just a third other sort of question, is it possible to be – for the organizations that have like sort of the national requirements and the local requirements that there's an election for basically the chapter at Vanderbilt and then sort of a different process for the national – like their representatives to the national organization?

[03:03:07]

McCarty: If it's a Vanderbilt organization, you follow our nondiscrimination policy. Yeah. I think I just said no.

Dean: Thank you, let's see this.

[03:03:26]

Female Student: Hi. I'm Sarah Majors and I'm part of Asian American Christian Fellowship. As an Asian American woman, I feel like I have finally found a place where I can live out my faith in a community where I know the leaders share the same belief as I do because I know the contract that they signed and I know that they've signed it.

[03:03:44]

So I guess this policy – I feel like this policy is telling me that the religious and culture identity of my group is not important and I have a concern for future Asian American Christians.

[Audio cuts out]

Female Student: - like you can have performance-based requirements for people, but a faith-based organization is based on a faith. It is – Christianity is not leading worship and playing guitar and it's not going to a charitable event and helping the little children in Africa. It is believing that we are sinful people and that God loved us enough to send his Son to die on a cross for us and that he is our Savior.

[03:04:45]

That is what Christianity is and I cannot join a faith-based organization that does not say that to lead me in my faith, in that faith-based organization, you do not have to believe that because to lead me in my faith, you have to believe that because that's your faith. And you can't lead me in my faith if you don't share that faith.

[03:05:06]

Male Student: Yeah. I have a question about – so from what I understand, faith-based organizations are allowed to select leaders on the basis of performance, as opposed to personal beliefs. So I'm wondering what performances or abilities, I guess, would be considered like belief indiscriminatory.

[03:05:41]

So just like we know that in any organization, there are multiple different leaders, with multiple different roles. If one job description has – calls for the ability to discern spirits. Another job description may have required the ability to lay on hands, to dispense spiritual gifts.

[03:05:59]

Another job description might have like the requirement – may require the ability to prophesy and so my question is basically, like what actions could be considered, okay, this is performance-based – labeled performance-based and non-discriminatory, versus like something that, oh, this is rooted in the faith, so – like this is discriminatory. Whereas, like even it's part of a job description, itself.

[03:06:36]

McCarty: I think you're describing some jobs that are ministerial in nature and some of our students, including undergraduates, are in fact ordained ministers. That brings in a totally different spectrum of activities that a student who is ordained can perform. We are not trivializing belief, by the way. Excuse me, Kat; we're not trivializing your beliefs, as being about making cookies and going to Africa. That is not what we've said.

[03:07:11]

I didn't want to let that go unchallenged. But I think you're getting into the realm of ministerial duties and we can have a discussion about that. We have campus ministers, who provide liturgical services and we're happy to work with them and we've tried to be very good about being good partners with our campus ministers.

[03:07:36]

Male Student: Hi, Steven **[inaudible]**, fourth-year medical student. As soon as I got Chancellor Zeppo's email, I was so alarmed that I met with a high-level administrator over at the medical school and was told that Vanderbilt was subject to the loss of its federal funding if it did not enact its non-discrimination policy in this way.

[03:07:57]

For me, as a medical student that's an incredibly important issue because I know how important our federal funds, NIH, is to furthering the research mission of the university. Could you provide me with one or maybe two examples of our peer research institutions, where this has actually happened?

[03:08:10]

McCarty: That's not a correct statement.

Male Student: Then why was that shared at the Board of Trustees meeting?

McCarty: It wasn't.

Male Student: Okay.

McCarty: It's a mis-statement of what was said. David can fill you in.

[03:08:22]

Williams: A clarification would be what I believe was shared at the Board of Trust was, if we didn't comply with our non-discrimination policy, which is mandated by the federal government that portion of it that's the portion of the non-discrimination policy that says the university will not discriminate based on race, gender, things like that. There is nothing, as we said before – the fact that we've adopted an all-comers policy is not required by the federal government.

[03:08:54]

A lot of schools have not done that, they've accepted it out. So what was said at the board member, as I remember it is if we do not uphold our non-discrimination policy that portion of it which is dictated by the federal government, we could lose.

[03:09:13]

Male Student: Okay, so just to be clear, we're referring to two non-discrimination policies, one within the **[inaudible]** of federal law and that is what's important for our federal funding, but this addition to the non-discrimination policy, which my understanding, as a student, shared t me, was implied that this non-discrimination policy would threaten our federal funding, in particularly, NIH funding.

[03:09:39]

So there are two **[audio cuts out]**.

Williams: - that you're talking about that would jeopardize our federal funding. Make no mistake of it, **[audio cuts out]** doesn't have to have an all-comers policy. And that would not impede our federal funding at all. We don't have to have it. I think what that individual was talking about was that portion of the non-discrimination policy that goes to what the federal government mandates.

[03:10:16]

Female Student: Hi again. It's Christie from Graduate Christian Fellowship. One of the things that you've talked about tonight is that an organization is made up of all of its members and that represents

who this organization is and also that you [audio cuts out] of criteria [audio cuts out] would that be okay?

[03:11:14]

Williams: -- that runs for leadership, right?

Female Student: Yes.

Williams: No, then that would be a violation.

Female Student: Or that that would be a criteria once they're selected.

[03:11:24]

Williams: I'm not sure what you mean by --

McCarty: I think we addressed this with the question earlier that related to Baptist Fellowship. There is a way that faith could be a component of several, but as long as a candidate could be elected, who did not hold to that faith belief.

[03:11:47]

If you insist on having the faith requirement, you're going to bump up against our non-discrimination policy. I think we've said that quite a few times tonight. I still think there are ways for your organization to continue to flourish, if you're willing to work with Dean of Students a little bit more.

Dean: One last question.

[03:12:23]

Male Speaker: **[Inaudible].**

McCarty: Asian Christian Fellowship? We maintain that you can still have that tremendous sense of belonging and your organization can still be in compliance. It may take a little bit of change on your part [audio cuts out] my position. I firmly believe there's a way forward, if the members of your group will sit down with Dean Bandas and his staff and let's work through this.

[03:12:58]

But I've think we've gotten a little bit of light shed this evening, not so much heat. We've had a lot of heat in the past and very little light. We want to make this work for your group.

[03:13:24]

But we're not backing off [audio cuts out].

Female Student: - Vanderbilt Scholar and Peabody [audio cuts out]. I just want to say thank you so much for your office [audio cuts out] likes the color red, [audio cuts out] from Nigeria. And I don't feel like my religious beliefs in any way hinder that. In some ways, they encourage that. Vanderbilt has done an awesome job of teaching me the value of different perspective through courses that I've taken that I never would have enrolled in, through groups, Vanderbilt Advocates for the Immigrant Community, just different perspectives.

[03:14:08]

I just want to thank you for doing that. But I just wanted to point out that though you've done an amazing job, I don't necessarily think that decreasing the identity of one group is conflicting with diversity. I really think that, to some degree, certain personal identities encourage diversity. I don't think I would go to a cultural festival if everyone was like, we're kind of everything.

[03:14:32]

You know, I love to see the Malaysian Student Organization have their festivals and I love to go to them. And I really appreciate that they do have that solid identity and I would advocate that, in this case, religion is a similar situation that a strong identity in some ways, is beneficial to open up that dialogue, so thank you very much.

[03:14:49]

McCarty: I agree with what you said and if you've been to [inaudible], there are a lot of people who are not South Asian, who are involved in the program. If you go to the [inaudible] Celebration at the end of Ramadan, it's not limited to students who are Muslim. They welcome a very large community. I think we had 500 people at the [inaudible] Celebration in September.

[03:15:18]

That's what I'm talking about. Our keynote speaker for Martin Luther King Day, Congressman John [inaudible], talked about the beloved community. That's what we're trying to achieve here, a beloved community. And I think there are ways to achieve that, without sacrificing the things that many of you hold dear.

[03:15:40]

But if you're not willing to talk about it a little bit more, you know, it may take some time to germinate. We're not giving up. We want to continue the dialogue.

Dean: So that was a great last question. I guess I would also want to say, on behalf [audio cuts out] answer is, who is your Lord and Savior. Jesus Christ is my Lord and Savior. I have that kind of identity, too and I sense ill-at-ease-ness about what this means for your religious groups. All I guess I would say, parenthetically, as a pastoral word is let your purpose be the purpose and attract people whom it will. Stand strong for your purpose, your diverse purposes, all these multiple groups that you belong to and let Vanderbilt flourish.

[03:17:04]

Those of you who came out for a strong non-discrimination policy, for an all-comers policy, for your religious groups, [audio cuts out] with the community, both gathered here and watching this on the stream. A special thanks to all the people from the [audio cuts out] and we'll continue to work with your groups as we go forward. Thank you for coming out and having a good Vanderbilt dialogue. Thank you and goodnight.

[End of Audio]

Duration: 199 minutes