



1 March 2016

Via U.S. Mail & Electronic Mail
at Chancellor@colorado.edu

Dr. Philip P. DiStefano
Office of the Chancellor
University of Colorado, Boulder
University Administrative Center
914 Broadway
Boulder, Colorado 80309

Via U.S. Mail & Electronic Mail
at studentaffairs@colorado.edu

Dr. Christina Gonzales
Vice Chancellor for Student Affairs
University of Colorado, Boulder
Regent Administrative Building, Ste. 206
31 UCB
Boulder, Colorado 80309

Via U.S. Mail & Electronic Mail
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Dr. Russell Moore
Provost & Executive Vice President for
Academic Affairs
University of Colorado, Boulder
40 UCB
Boulder, Colorado 80309

Via U.S. Mail & Electronic Mail
at deanofstudents@colorado.edu

Dr. Lisa Severy
Dean of Students & Associate Vice
Chancellor for Student Affairs
University of Colorado, Boulder
Center for Community S430
10 UCB
Boulder, Colorado 80309

Re: Unconstitutional Funding Denial for Students for Life at CU-Boulder

Dear Drs. DiStefano, Moore, Gonzales, and Severy,

Students for Life (“SFL”) at the University of Colorado, Boulder (“CU-Boulder”) recently contacted Alliance Defending Freedom after the Cultural Events Board (“Board”) refused to fund its effort to bring Ms. Abby Johnson to campus in April. In so doing, it appears that the Cultural Events Board engaged in viewpoint discrimination and that SFL has no way of appealing to a neutral arbiter to set matters aright. We are writing to inform you of this situation, to urge you to correct this violation of our client’s First Amendment rights, and to ascertain whether SFL can appeal the Board’s decision to an impartial entity or official at CU-Boulder.

By way of introduction, Alliance Defending Freedom is an alliance-building, non-profit legal organization that advocates for the right of people to live out their faith freely. And the ADF Center for Academic Freedom is dedicated to ensuring that religious students and faculty enjoy rights to speak, associate, and learn on an equal basis as students and faculty of different faiths or no faith at all.

FACTUAL BACKGROUND

Students for Life at CU-Boulder is a recognized student organization that works to promote a culture of life by supporting pro-life college activism. On January 19,

2016, SFL submitted a timely request to the Cultural Events Board for funding to help bring Ms. Abby Johnson to lecture on campus on April 11, 2016. Ms. Johnson provides a unique perspective on the issue of abortion because she was once a clinic director for Planned Parenthood before becoming pro-life.¹

As required by the Board's bylaws,² SFL's president, Ms. Kayla Kuhn, met with the Board on January 25, 2016 for the first reading of its funding request. But on February 17, 2016, SFL was informed that its request was denied because:

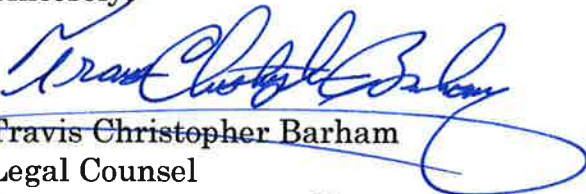
[The Board] is unable to provide an allocation for your event. The Board's main reason for declining funding is a concern for a lack of educational dialogue being created around the topic of pro-life at the event. The speaker as presented will talk about Planned Parenthood abortion practices but will not provide an unbiased view on pro-life issues.³

SFL then asked if it could appeal the Board's decision because the Board's bylaws do not outline an appeal procedure. After initially saying that an appeal would be futile, the chair of the Cultural Events Board informed SFL that it could "appeal to the Board,"⁴ the entity that made the decision in the first place.

DEMAND

While we are very concerned that the Cultural Events Board engaged in viewpoint discrimination by denying SFL's funding request, we would like to resolve this matter amicably. If you share that desire, please let us know (1) whether any policies apply to this situation and which ones, (2) whether a student organization has any meaningful appeal options (*i.e.*, to a neutral, independent entity or official) once the Board has denied its request (and to whom that appeal should be made), and (3) whether you will intervene to correct the Board's viewpoint-based denial of SFL's request. As Ms. Johnson's lecture is scheduled for April 11, 2016, please respond to me in writing by the close of business on Tuesday, March 8, 2016.

Sincerely,



Travis Christopher Barham
Legal Counsel
ALLIANCE DEFENDING FREEDOM

Cc: Mr. Mike Norton, THOMAS N. SCHEFFEL & ASSOCIATES, P.C. (local counsel)

¹ See, e.g., Abby Johnson, *About Me*, available at <http://www.abbyjohnson.org/thanks-for-stopping-by-1> (last visited Mar. 1, 2016).

² See Cultural Events Board, *Bylaws & Funding Guide* at 11, available at http://www.colorado.edu/ceb/new_CEB_Bylaws_2015.pdf (last visited Mar. 1, 2016).

³ E-mail from Ms. Natalia Marroquin, Chair of the Cultural Events Board, to Ms. Kayla Kuhn, President of Students for Life of CU-Boulder, Feb. 17, 2016.

⁴ E-mail from Ms. Natalia Marroquin, Chair of the Cultural Events Board, to Ms. Kayla Kuhn, President of Students for Life of CU-Boulder, Feb. 20, 2016.