

## **SUMMARY OF MAJOR EVENTS AFFECTING MILITARY RECRUITMENT AT THE UNIVERSITY OF IOWA COLLEGE OF LAW**

In the fall of 1988, the faculty approved a Policy on Equality of Opportunity in Recruiting and Employment Practices prohibiting use of College of Law facilities or services by employers who make recruitment or hiring decisions "on any basis contrary to law or unrelated to the legitimate requirements of prospective employment." The following year, the Placement Committee determined that policies of the federal armed services excluding persons from consideration for employment on the basis of sexual orientation were not legitimately related to job requirements. On the basis of that determination, military recruiters were not allowed to use College of Law facilities and services.

In 1990, the American Association of Law School independently adopted its own standards prohibiting discrimination in placement functions which also restrict the use of College of Law facilities and services by military recruiters.

In 1996, Congress enacted provisions (the "Solomon Amendment") requiring the termination of various funds provided to educational entities (including certain forms of student financial aid) that do not allow access to placement services by military recruiters. The American Association of Law Schools subsequently concluded that the Solomon Amendment's potentially serious financial consequences might excuse the provision of placement services to military recruiters by member schools if the adverse effects of such access were ameliorated by an express public disapproval of the military's discrimination against gays and lesbians and the existence of an otherwise safe and protective atmosphere for gay and lesbian students.

In the fall of 1997, the Dean accepted and implemented a Placement Committee recommendation that military recruiters be allowed access to College of Law facilities and services to forestall the possibility of adverse financial effects estimated at between \$60,000 and \$500,000 per year.\* In conjunction with this action, the following resolution was adopted by the faculty:

The faculty of the College of Law reaffirms its commitment to the College's nondiscrimination policy and to the University of Iowa's Policy on Human Rights. Because the military services discriminate on the basis of sexual orientation, permitting recruiters from the military services to conduct interviews in the law building violates our policy, contravenes the principles of the University of Iowa's human rights policy, and places the College in violation of Membership Bylaw 6-4 of the Association of American Law Schools.

Due to recent changes in federal law affecting receipt of federal funds, however, the dean of the College feels compelled to permit military recruiters access to the law building for the purpose of interviewing law students. In accordance with the College's nondiscrimination policy, the law faculty wishes to state publicly that discrimination on the basis of sexual orientation is not justified on the basis of the legitimate requirements of employment by the military as a lawyer. We strongly encourage Congress to repeal the Solomon Amendment and to legislate affirmatively against discrimination on the basis of sexual orientation by the military.

This resolution shall be prominently displayed in the law building, circulated immediately to the entire student body of the College and communicated to students on a regular basis thereafter.

Full copies of all documents mentioned in this summary and other relevant materials are available for inspection in a binder shelved in the library alcove of the Office of Career Services.

---

\* Because of changes in both the scope of the Solomon Amendment and the types and amounts of federal funds received by the College of Law and the University of Iowa, by 2004 total estimated adverse financial effects had increased to approximately \$10,000,000