

# **Alliance of Lesbian, Gay, Bisexual, Transgendered, and Straight Students**

## **Law Students Challenge Federal Intrusion**

Embargoed until Thursday, January 28

**A press conference will be held at the federal district court in Burlington, 10 a.m. and on the quadrangle at Vermont Law School, South Royalton at 1 p.m., Thursday, Jan. 28. Copies of the complaint will be available.**

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Students at Vermont Law School today filed a complaint in federal court challenging the constitutionality of a federal statute, the "Solomon-Pombo Amendment," that subjects them to discrimination. The filing of the suit is timed to coincide with a visit of United States Army, Judge Advocate General Corps ("JAG") recruiters to Vermont Law School today.

The statute is an obscure rider to a federal appropriations bill that has attracted little attention. It directs the federal Department of Education to withhold education aid from institutions of higher education who refuse to act as employment agents for the Defense Department, which discriminates against homosexuals. Federal courts have upheld the military's power to discriminate within their own ranks, but discrimination by employment agencies is illegal under Vermont law, and the students claim that compelling Vermont schools to act as unwilling agents of discrimination is unconstitutional.

Since passage of the Solomon-Pombo Amendment, JAG has demanded access to the law school campus and law-school assistance in recruiting, although it is barred by Vermont law and the school's own policies because of JAG's admitted policies of discrimination. In past years military recruiters have interviewed and hired Vermont students at other locations, and not once in the ten years preceding enactment of the Solomon-Pombo Amendment have they requested access to the law school campus. The students who filed the complaint contend that JAG recruiters are visiting to enforce a Congressional ideology, rather than to meet any supposed military need for Vermont law students.

More than ninety percent of Vermont Law School students receive financial aid through various programs; sixty percent of the students receive aid through work-study and Perkins Loan programs administered by the law school, about \$420,000 this year, which would be cut off if the school were to bar military recruiters. Because of the threatened loss of student aid, the students contend, Vermont Law School has bowed to coercion and will give the military recruiters access. The students who filed suit today believe that their civil rights, guaranteed by state law and protected by the federal constitution, are violated as a result.

"Many of us came to Vermont because of the promise of tolerance," said Michael Mercer, a student member of the Alliance, the lead plaintiff; "the law school policy of welcoming students regardless of sexual orientation was important to us. Some of us were terribly distressed when the Dean announced that the policy had been suspended to avoid risking student aid funds."

Student groups challenging the statute are the Alliance of Lesbian, Gay, Bisexual, Transgendered and Straight Students; the Women's Law Group; and the Equal Justice Foundation; all acting on behalf of their student members. They are represented by Eileen M. Blackwood, Esq., Blackwood Associates, P.C., 90 Main Street, Burlington VT 05402, tel. 802-863-2517; e-mail vtlawbk@aol.com.

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