

# UNI pro-life group saved thanks to TFL-backed law

On Oct. 25, University of Northern Iowa President Mark Nook overturned a campus ban on UNI Students for Life, citing a free speech and religious liberty law that The FAMiLY Leader and allies championed through the 2019 Iowa Legislature.

“As of this moment,” Nook wrote in his formal decision, “UNI Students for Life is a fully recognized student organization at the University of Northern Iowa, with all rights and responsibilities afforded any and all registered student organizations.”

TFL Vice President and Chief Legal Counsel Chuck Hurley praised Nook’s decision as a win for life and liberty.

“We’ve seen multiple cases in recent years of Iowa public universities encroaching on the First Amendment rights of free speech and association,” Hurley said. “But the law we helped pass in 2019 stood strong in this case, convincing President Nook that UNI cannot ban a pro-life group from campus simply because of their views.

“I can’t help but be thankful for the legislators and allies that our TFL team worked with to see this law passed and grateful to TFL’s supporters for making a difference in these students’ lives,” Hurley said.

Iowa State Rep. Skyler Wheeler, R-Orange City, also highlighted how elections impact which policies are made into law and how, in this case, the law protected pro-life students.

“Elections matter,” Wheeler commented on Facebook. “Today, we have proof on just how important the work we have done is. ... In 2019 we passed a bill requiring full protections for the

First Amendment on our public college campuses, [and] I am happy to know that what we passed in 2019 has already seen fruit.”

The case stemmed from a Northern Iowa Student Government (or NISG) Senate decision to deny the pro-life group recognition as an official campus organization. The NISG Senate cited the group’s pro-life views as “hate speech,” and the student body Supreme Court upheld the Senate’s ruling upon appeal.

“The [Student Senate] never gave a reason for why they denied us,” Sophia Schuster of Dyersville, Iowa, president of UNI Students for Life, told TFL. “They didn’t have any grounds to deny our application, and if you look at what they said during their deliberations, it seemed they misunderstood what the pro-life movement stands for.”

Indeed, transcripts of the Senate’s public debate include opponents likening UNI Students for Life to the KKK and accusing pro-lifers of spouting a “very fringe position” deemed “hurtful and hateful.”

“This is a hate group,” asserted one student senator. “This is hate speech. This is hateful rhetoric that is infringing on basic human rights of health care, and we cannot, we cannot support diversity and be complicit in its destruction at the same time.”

“Not all opinions are equal,” concurred another. “There really is no middle ground here.”

University President Nook, however, has appellate jurisdiction over the student Supreme Court, which upheld the Senate’s decision. Nook chose to overrule the court, citing Chapter 261H of the Iowa code, a section that was created by law in 2019 (SF 274) in response to campus violations of free speech and religious liberty at Iowa universities.

Among other provisions, the 2019 law mandated the state Board

of Regents adopt a policy protecting the free speech of student organizations from various violations, including refusal of recognition, the very predicament UNI Students for Life faced.

In his ruling Nook referenced not only the statute created by the 2019 law, but also the free speech policy the law mandated.

“This decision, if allowed to stand, would deny the student organization with access to University facilities and University and NISG services due to the viewpoint of the student organization,” Nook wrote, “and would thereby violate UNI Policy 3.10, Board of Regents – State of Iowa Policy 4.2(F), Iowa Code – 2020, Title VII, Chapter 261 H.3(3), and the First Amendment of the Constitution of the United States of America.”

The FAMiLY Leader and key allies – including Americans For Prosperity, the Iowa Catholic Conference, 1st Amendment Partnership, and Alliance Defending Freedom – worked in partnership to lobby the 2019 law through the Iowa Legislature. Iowa Sen. Amy Sinclair and Rep. Dustin Hite championed it on the floors of their respective chambers, and Iowa Gov. Kim Reynolds signed SF 274 into law on March 27, 2019.

“Having this law on the books helped these students in several ways, including saving them from a years-long court battle,” Hurley commented. “The law provided a clear and codified reason for President Nook to protect free speech, and now these students can organize their club and advance their mission of saving lives – this year, rather than waiting until after they’ve graduated for a judge to hopefully decide in their favor.”

As for UNI Students for Life, Schuster said the group is glad to have the controversy behind them.

“It’s a nice burden to have off our shoulders,” Schuster told TFL. “But now we have to focus on what the group is supposed to be doing – advocating, outreach, and education. We have important work to do, changing hearts and minds on campus.”