



FOR IMMEDIATE RELEASE: DECEMBER 3, 2018

HEATHER KIRK, HEATHER.KIRK@NICFRATERNITY.ORG

CHIEF COMMUNICATION OFFICER, NORTH AMERICAN INTERFRATERNITY CONFERENCE

Sororities, Fraternities, Students File Federal and State Suits that Challenge Harvard’s Ban on Single-Sex Organizations

CAMBRIDGE, MASS.— Today, sororities, fraternities and students filed a pair of lawsuits challenging a Harvard sanctions policy that punishes students who join off-campus, single-sex social organizations. The lawsuits describe how Harvard used a campaign of threats and intimidation to scare students into abandoning their fundamental rights to free association and to live free of sex discrimination.

[Read the federal and Massachusetts complaints here.](#)

In the federal suit, a broad coalition of students and women’s and men’s organizations impacted by Harvard’s sanctions—two international sororities, two international fraternities, a Cambridge fraternity chapter, and three current Harvard students—assert that through the sanctions policy, the President and Fellows of Harvard College have interfered with students’ right to be free of sex discrimination, as guaranteed by Title IX and the U.S. Constitution.

In the suit filed in Massachusetts court, three women’s organizations—an international sorority, one of its chapters, and a sorority housing corporation—assert that Harvard has interfered with student’s rights to free association and equal treatment based on sex, both of which are protected by the Massachusetts Constitution. Alleging violations of the Massachusetts Civil Rights Act, the suit seeks to bring a stop to Harvard’s sanctions by calling for an injunction prohibiting the University from continuing to unlawfully punish students.

“As a result of this policy, almost all of the once vibrant sororities and women’s final clubs open to Harvard women have either closed or had to renounce their proud status as women’s social organizations,” said Renee Zainer, International President of Alpha Phi, a plaintiff organization in the state case. “Together, we are standing up to Harvard on behalf of all students, because they have the right to shape their own leadership and social paths. Harvard simply can’t erase the spaces students value for support and opportunity.”

Title IX has long recognized the important role single-sex organizations can play in student development, which is why it includes special protections for fraternities and sororities. Yet Harvard’s sanctions policy discriminates on the basis of sex and restricts the sex of people with whom students may associate, dictating punishments based on gender stereotypes.

“Sororities, fraternities and students sued Harvard today because its sanctions policy is discriminatory and unlawful,” said R. Stanton Jones of Arnold & Porter, a lawyer for the plaintiffs in the federal case.

“The disregard of students’ basic freedoms and the destruction of the women’s groups is indefensible. Harvard should get out of the business of trying to dictate who students spend their time with off campus.”

Both complaints recount Harvard’s campaign of threats and coercion in unveiling and implementing the sanctions policy and document the particular devastation the policy has wrought on all-women’s social organizations despite their proven value. Harvard undergraduates have been deterred from joining sororities, and the private, off-campus spaces sororities used for their communities sit empty.

“Harvard has eliminated the range of opportunities available to female students—and with it, spaces that were empowering for women,” said Emma Quinn-Judge of Zalkind Duncan & Bernstein LLP, a lawyer for the plaintiffs in the Massachusetts case. “Harvard’s sanctions policy discriminates on the basis of sex and punishes students because they associate with people of their own sex.”

The plaintiffs and lawsuits have a breadth of support from nearly 100 single-sex organizations, including the 26 sororities of the National Panhellenic Conference (NPC), the 66 fraternities of the North American Interfraternity Conference (NIC), and the organizations in the Cambridge Coalition. Learn more at standuptoharvard.org.

“It is baffling that Harvard boasts that its students are among the brightest minds in the world, yet administrators won’t trust them to make decisions about how they choose to associate with one another,” said Judson Horras, the President and CEO of the North American Interfraternity Conference, which works with 66 international men’s fraternities, including the fraternity plaintiffs. “Harvard ignores the proven value of single-sex experiences, despite the fact that Drew Faust, the Harvard President who put the sanctions into place, benefitted from attending an all-women’s academy and college, and current President Lawrence Bacow has publicly praised the value of his own fraternity experience.”

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The plaintiffs in the Massachusetts suit are women’s organizations whose missions are to create opportunities, resources and sustainable networks for women:

- Alpha Phi, an international sorority headquartered in Evanston, Illinois, with 171 chapters and more than 250,000 members throughout its existence;
- Alpha Phi - Iota Tau, the local chapter of Alpha Phi in Cambridge;
- Delta Gamma Fraternity Management Corporation, an Ohio non-for-profit corporation that supports the chapters of Delta Gamma international sorority.

The plaintiffs in the federal suit are representative of those negatively impacted by Harvard’s sanctions:

- Kappa Alpha Theta, an international sorority headquartered in Indianapolis, Indiana, with 147 chapters and over 250,000 members;
- Kappa Kappa Gamma, an international sorority headquartered in Dublin, Ohio, with 144 chapters and more than 280,000 members;
- Sigma Chi, an international men’s fraternity headquartered in Evanston, Illinois, with 236 chapters and more than 340,000 members;
- Sigma Alpha Epsilon, an international men’s fraternity headquartered in Evanston, Illinois, with 221 chapters and over 340,000 members;
- Sigma Alpha Epsilon - Massachusetts Gamma, the local chapter of Sigma Alpha Epsilon in Cambridge;
- Three current Harvard students who are members of men’s organizations.