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# Court Upholds College Military Recruiting

By JUSTIN POPE  
AP Education Writer

A scattered handful of independent law schools can afford to take a stand. But for most, tied to universities that depend heavily on federal research dollars, protesting the Pentagon's "don't ask, don't tell" policy on gays by refusing to cooperate with military recruiters is no longer an option.

If schools do, in the wake of Monday's 8-0 Supreme Court ruling, they could give up federal money that in some cases amounts to hundreds of millions of dollars per year.

Those who opposed the policy acknowledge they will have to take their fight against "don't ask, don't tell" to other fronts.

"No law school is going to continue to deny the military access if it means putting the medical schools and science departments out of business," said Larry Kramer, dean of Stanford Law School, where a faculty group joined in the case challenging the 1994 recruiting law known as the Solomon Amendment.

Opponents of the law said the only possible silver lining is that it could help them better focus on their real goal - persuading Congress to abolish "don't ask, don't tell" in favor of allowing openly gay men and women in the military.

"Now that the Supreme Court has handed down its decision, I really hope universities,

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not just Harvard, will be more aggressive

(contesting the policy)," said Jeffrey Paik, co-

president of the Harvard Law School

chapter of Lambda, a gay rights group. "Now that this strategy has fallen down, I hope they'll work to come with new strategies."

The ruling was expected on college campuses. Some universities, though opposed to the Solomon Amendment, declined to sign on to the case, correctly predicting it wouldn't hold up in court.

Others took a different legal approach, arguing they hadn't discriminated against the military but had treated it like any other employer with such policies. But the Court rejected that argument, too.

Jay Sekulow, chief counsel for the American Center for Law and Justice, called the decision "an important victory for the military and ultimately for our national security." And Anne Neal, president of the American Council of Trustees and Alumni, said the decision ends "the blatant hypocrisy of institutions which deny military recruiters while accepting billions in federal funds."

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"It's a sorry statement when it takes a Supreme Court decision to show why our colleges and universities need to give students basic information about possible careers and the defense of our country," she said.

Most schools already were allowing military recruiters full campus access as they awaited the Supreme Court decision. At Stanford, for instance, Kramer said the military must demonstrate like any other recruiter that at least a few students are interested to be invited on campus, but after that has been given full access.

A handful of law schools independent of larger universities - Vermont Law School, New York Law School and William Mitchell College of Law in Minnesota - previously had said they would forfeit access to federal funding.

William Mitchell's president and dean, Allen Easley, said Monday the policy would continue. Rick Matasar of New York Law, said the faculty there would likely consider whether - in light of the decision - that was still the best way to register opposition to "don't ask, don't tell."

At Golden Gate University School of Law, another member of the core group of 36 institutions and faculties that challenged the Solomon Amendment, dean Frederic White said there is no option



now but to openly welcome the military, though he said there will continue to be protest and debate.

The ruling noted students and institutions remain free to exercise their rights to protest the military's policies.

"We'll probably continue to talk about it, but at the same time, we are a law school, so we'll respect the decision of the supreme court of the land," he said.

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