

May 24, 2018

The Honorable Paul Ryan
Speaker of the House of Representatives
H-232, United States Capitol
Washington, DC 20515

Dear Speaker Ryan:

We write in support of the religious freedom protections provided in H.R. 4508, the PROSPER Act, and are grateful for the leadership of Chairwoman Virginia Foxx on this legislation. We believe religious institutions of higher education, faith-based student organizations, and, most importantly, individual students are in need of clear protection from discrimination on account of their faith. We urge the House to support the important protections for religious freedom included in this legislation.

The PROSPER Act addresses two important religious freedom issues. First, the legislation seeks to protect the religious freedom rights of student groups on public college campuses. Second, it protects students at faith-based institutions from discrimination by accreditors or the government simply because they attend an institution that abides by religious tenets.

First, students do not surrender their constitutional rights when they arrive on public college campuses. Religious freedom is America's first freedom, enshrined as a constitutional right in the First Amendment. The First Amendment guarantee of free exercise of religion is paired with the freedoms of speech and assembly for an important reason. The right to assemble together based on religiously informed beliefs is foundational to a free society. In deciding *NAACP v. Alabama*, 357 U.S. 449 (1958), the United States Supreme Court declared, "It is beyond debate that freedom to engage in association for the advancement of beliefs and ideas is an inseparable aspect of the 'liberty' assured by the Due Process Clause of the Fourteenth Amendment, which embraces freedom of speech."

However, in spite of these rights and constitutional protections, student groups on some college and university campuses are denied the right to require that their leadership affirm the religious convictions of the organizations. They are put at risk of losing their official standing as a campus organization because they want the officers who lead them in studying their respective sacred texts and prayers to agree with their religious beliefs. Often, registration as an official campus organization is required for these groups to use university rooms for meetings and hold campus events. Preventing groups from recognition because of their organizations' sincerely held religious beliefs is wrong.

Faith-based groups regularly invest in the flourishing of the university community through community service. These groups also positively contribute to the growth and development of their members as students navigate the complexities of university life and the transition into adulthood.

Second, students of faith also ought to have the freedom to choose to pursue their education in a faith-based college or university, confident that the government will not discriminate against them simply

because of the religious teachings of the school they attend. Threatening the accreditation backing their degrees, their ability to use federal loans, or their professional licensure simply because they attend institutions that operate according to their sincerely held religious beliefs harms the educational and career prospects of both current students and alumni. This also harms the workforce and their communities, and it ultimately reduces the diversity of options in higher education.

Discrimination against faith-based institutions also has the potential to disproportionately affect minority, low-income, and first-generation college students. For example, in California, 25% of students in religious colleges and universities come from low-income households, many of those from minority families. A wide array of options adds crucial value for prospective students considering educational opportunities. Students who qualify for government assistance to pursue higher education should not be forced to forfeit it if they wish to attend a college or university that consistently integrates its religious beliefs throughout the institution. Students deserve the opportunity to choose such schools without fearing the loss of accreditation or funding.

Every level of government ought to recognize the liberties guaranteed for all Americans in the First Amendment. Students deserve the freedom to form communities based on their faith convictions without discrimination by the government institutions they entrust with their education. Students also ought to have a diversity of education options, including religious institutions that educate consistent with their religious beliefs. Government must respect the right of faith-based institutions to operate in accordance with their faith-based mission and convictions.

The legal protections for individual students, religious student organizations on public college campuses, and religious colleges and universities in the PROSPER Act would go a long way to ensure these constitutional protections. We urge your support for these religious liberty measures.

Sincerely,

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Religious Liberty Commission

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