

June 1, 2021

The Honorable Miguel A. Cardona
Secretary of Education
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202

Dear Secretary Cardona:

We write to ask you to preserve two regulations, 34 C.F.R. §§ 75.500(d) and 76.500(d), that provide protections for faith-based student organizations and their contributions to religious diversity on public college campuses. These regulations provide commonsense protections for faith-based student organizations who have faced discrimination on some college campuses for nearly four decades. These regulations protect students of all faiths, including student organizations represented by many of the undersigned organizations.

We respectfully ask you to preserve 34 C.F.R. §§ 75.500(d) and 76.500(d) as adopted.

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 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 prayer and in studying their respective sacred texts to agree with their religious beliefs. Often, registering as an official campus organization is required for these groups to use university rooms for meetings and hold campus events. Denying recognition to these groups because of their sincerely held religious beliefs is wrong.

Faith-based groups regularly invest in the flourishing of their college 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.

We urge you to preserve the legal protections provided in 34 C.F.R. §§ 75.500(d) and 76.500(d) for individual students and religious student organizations so that students of all faiths will continue to feel welcome on their public college campuses.

Respectfully submitted,

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