



DISCRIMINATION AGAINST CHRISTIAN STUDENTS ON CAMPUS

USCCB Fact Sheet

Fall 2012

RELIGIOUS LIBERTY UNDER ATTACK A Concrete Example

In its over-100-year history, the University of California Hastings College of Law (UC Hastings) had never denied student organization status to any group. That is, until the law school decided in 2004 to strip the campus chapter of the Christian Legal Society (CLS) of recognition.

The UC Hastings student CLS chapter welcomed all members of the university community to participate in its activities but required its officers and voting members—who spoke on its behalf, voted on its policies and programs, and led its Bible studies—to share and abide by the group’s core beliefs. These beliefs included being Christian and abstaining from sexual activity outside of marriage. UC Hastings decided at the beginning of the 2004 school year that CLS’s voting membership and office-holder requirements violated the religion and “sexual orientation” provisions of its Policy on Nondiscrimination. UC Hastings then denied CLS “Registered Student Organization” (RSO) status.

That same year, approximately sixty RSOs—organized around diverse interests in politics, religion, culture, race, ethnicity, and human sexuality—existed on campus. However, **the CLS student chapter became the only group ever denied RSO status at UC Hastings.**

CLS then sued, claiming that UC Hastings violated its constitutionally protected rights of free speech, expressive association, free exercise of religion, and equal protection of the laws. Unfortunately, CLS was denied relief by the

federal courts, including the U.S. Supreme Court, because of the specific nature of the policy at UC Hastings, which allegedly required student groups to accept all students, regardless of their status or beliefs. The Court concluded that public universities may override a religious student group’s right to determine its leadership only if it denies that right to all student groups.

The decision in *CLS v. Martinez*, 561 U.S. ___ (2010) could have a damaging effect on the religious liberty of all students attending public colleges and universities. The decision puts many other student groups across the country at risk and leaves room for absurd scenarios, such as **requiring CLS to allow atheists to lead its Bible studies.** Recently, a similar policy at private Vanderbilt University forced the school’s Catholic student group off campus because Vanderbilt Catholic requires that its leaders be Catholic (although it allows anyone to be a member of the group).

Is our most cherished freedom truly under threat?

Among many current challenges, such extreme “nondiscrimination” policies deprive students of the right to exercise freely and fully their religious beliefs. Religious liberty is not only about our ability to go to Mass on Sunday or pray the Rosary at home. It includes our ability to gather with other members of our faith outside of church and reinforce our beliefs within a group setting. Without religious liberty properly understood, all Americans, including students on campus, suffer.

What can you do to ensure the protection of religious freedom?

Text the word “Freedom” to 377377 for updates from the bishops on current threats to religious liberty. Also, please visit www.usccb.org/freedom for more information on how you can take action to protect religious liberty!