

**Congress of the United States**  
**House of Representatives**  
**Washington, DC 20515**

December 15, 2014

Dr. Timothy P. White  
Chancellor, The California State University  
401 Golden Shore  
Long Beach, CA 90802

Dear Chancellor White:

We write to express our deep concern about the de-recognition of religious student organizations on California State University campuses that require their student leaders to affirm the core religious beliefs of the organization. As Members of Congress dedicated to protecting constitutional freedoms in America, we are troubled that these student groups, some of which have been a part of student organization life on Cal State campuses for decades, are being forced to choose between preserving their religious identity through their student leadership and the benefits of being a fully recognized student organization. By choosing to preserve their religious identity, they are effectively relegated to be second class student organizations.

Among the most basic rights that Americans enjoy are the free exercise of religion, free speech, and the freedom of association. As the Supreme Court has reinforced, “[T]he constitutional shelter afforded such relationships reflects the realization that individuals draw much of their emotional enrichment from close ties with others. Protecting these relationships from unwarranted state interference therefore safeguards the ability independently to define one’s identity that is central to any concept of liberty.” *Roberts v. United States Jaycees*, 468 U.S. 609, 619 (1984).

Your own campuses acknowledge the vital role that student organizations play in the academic and social communities of student life on campus. For example, the San Diego State University Student Organizations Handbook states that student organizations “provide a valuable service to the San Diego State University community by providing leadership development, spirit, activism, public service, and social and cultural interaction.” *Student Organizations Handbook*, SAN DIEGO STATE UNIVERSITY, <http://studentaffairs.sdsu.edu/SLL/studentorgs/documents/2014-15RSOHandbookAugust252014.pdf> (last visited October 9, 2014). That same handbook further notes that religious-based organizations “Serve as a support for students of a particular faith or denomination.” *Id.* (emphasis added).

We understand that the de-recognized student groups may still operate on campus. This is little consolation, however, when stripping them of their official status effectively makes them second-class student organizations. Without official recognition, these groups may not avail themselves of many

advantages that are reserved solely for official student groups, such as the active support of student life and leadership staff on each campus that are employed to help student groups succeed and thrive, including leadership training opportunities. They are not eligible to apply for office space or to participate in informational tabling to promote their organization. They are excluded from avenues of communication offered exclusively to student organizations, including posting signs in reserved areas, maintaining an organizational mailbox, and participating in student organization fairs. They are not eligible to receive student organization funding such as program grants and travel funds. They must pay a fee in order to use campus facilities and they may use these rooms only after first priority is given to recognized student groups.

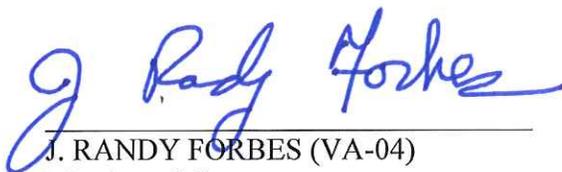
Since 1961, the regulations governing the university system have made religious identification a protected class by prohibiting recognized student organizations from discriminating in their membership on the basis of religion. CAL. CODE REGS. tit. 5, § 41500 (2014). However, interpreting this requirement to mean that student groups are prohibited from asking their leadership to affirm the core religious beliefs and mission of the organization does not make sense for two reasons. First, some of the affected student organizations have been present and active on California State University Campuses for years, but it was not until recently that their status as student organizations was called into question for their leadership requirements. For example, InterVarsity has been present on California State campuses since at least 1950 without incident, until now.

Second, applicable federal and state laws must be interpreted in context and with common sense. Section 41500 must be read in light of, not in spite of, the hierarchy of legal authority. The ability of Americans to freely associate with likeminded individuals is one of the most basic and crucial freedoms on which our Nation was founded. Furthermore, the California State Constitution guarantees the “[f]ree exercise and enjoyment of religion without discrimination.” CA. CONST. art. 1, § 4. The purpose of the administrative regulation is not thwarted by religious organizations requiring their leadership to affirm the core principles and beliefs of the organization. By interpreting an administrative regulation to *prevent* religious organizations from maintaining integrity to their mission in their leadership, you are discriminating against the very protected class which the law defends.

Allowing student groups to select leaders that best represent a student organization’s mission is not discrimination—it is common sense. Student organizations should be free to choose leaders who affirm the core purpose of their organization.

We urge you to ensure that Cal State’s nondiscrimination policy is not interpreted in a manner that discriminates against religious student organizations. Colleges and universities should be safe places for the free exchange and debate of ideas, and these groups should be free to choose student leaders that best represent the core beliefs that are their very purpose for existing on campus without fear of being marginalized. We look forward to hearing from you regarding this matter.

Sincerely,



---

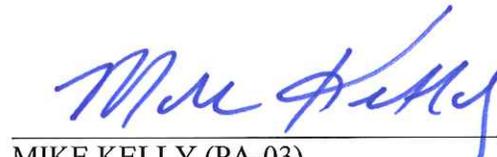
J. RANDY FORBES (VA-04)  
Member of Congress



---

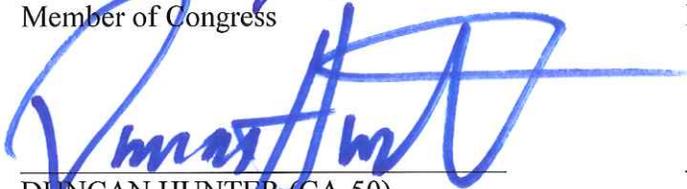
MIKE MCINTYRE (NC-07)  
Member of Congress

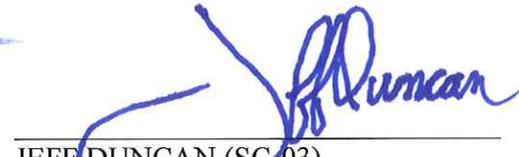
  
DOUG LAMALFA (CA-01)  
Member of Congress

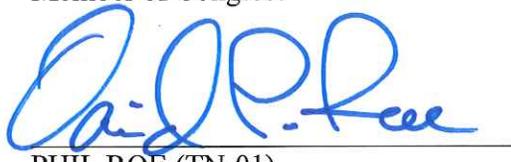
  
MIKE KELLY (PA-03)  
Member of Congress

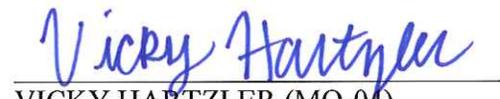
  
TIM WALBERG (MI-07)  
Member of Congress

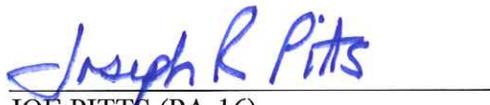
  
RANDY HULTGREN (IL-14)  
Member of Congress

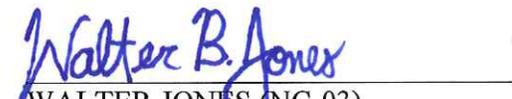
  
DUNCAN HUNTER (CA-50)  
Member of Congress

  
JEFF DUNCAN (SC-03)  
Member of Congress

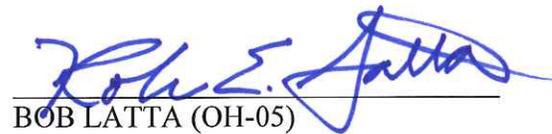
  
PHIL ROE (TN-01)  
Member of Congress

  
VICKY HARTZLER (MO-04)  
Member of Congress

  
JOE PITTS (PA-16)  
Member of Congress

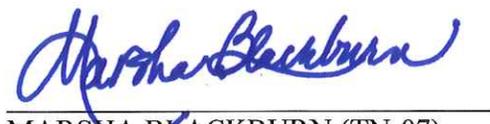
  
WALTER JONES (NC-03)  
Member of Congress

  
TIM HUELSKAMP (KS-01)  
Member of Congress

  
BOB LATTA (OH-05)  
Member of Congress

  
DOUG LAMBORN (CO-05)  
Member of Congress

  
STEVE PEARCE (NM-02)  
Member of Congress

  
MARSHA BLACKBURN (TN-07)  
Member of Congress

  
ANDY HARRIS (MD-01)  
Member of Congress

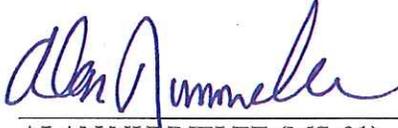
  
LOUIE GOHMERT (TX-01)  
Member of Congress



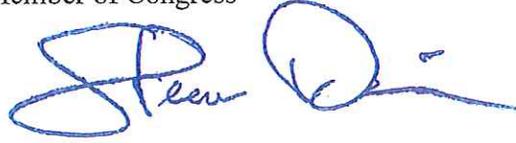
BOB GOODLATTE (VA-06)  
Member of Congress



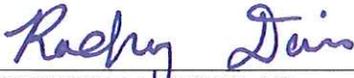
ROBERT ADERHOLT (AL-04)  
Member of Congress



ALAN NUNNELEE (MS-01)  
Member of Congress



STEVE DAINES (MT-AL)  
Member of Congress



RODNEY DAVIS (IL-13)  
Member of Congress



JOHN FLEMING (LA-04)  
Member of Congress



DOUG COLLINS (GA-09)  
Member of Congress