



**S. 1168, Equal Campus Access Act,  
Protecting Religious Students on Public University Campuses**

**S. 1168, Equal Campus Access Act**, was introduced by Senator Roy Blunt with original co-sponsors, Senator Tim Scott and Senator James Lankford, on April 11, 2019.

**S. 1168 solves the national problem of the ongoing exclusion of religious student groups on public college campuses.** For forty years, religious student groups have been threatened with exclusion from college campuses because they are religious. Often religious groups are threatened with exclusion because they require their leaders to be religious. Incredibly, some colleges tell religious student groups they cannot require that their leaders agree with the group's religious beliefs. But it is only common sense that a religious group should be able to require its leaders to agree with its religious message and mission. The students who lead the group's scripture study, prayer, and worship should agree with the group's religious beliefs.

**S. 1168 is a reasonable, one-sentence solution that does not require a college to adopt any particular policy.** Colleges continue to have the right to choose whatever policies work best for their campuses. S. 1168 simply prohibits a college from using its policy, whatever it is, to exclude religious student groups from campus because of their religious speech or religious leadership standards.

**S. 1168 is needed to ensure the continued existence of religious student groups on public university campuses.** If excluded, a religious group loses free meeting space that is available to other groups. It loses access to campus channels of communication to let new students know it exists. This ability to meet and communicate with other students is essential for a campus organization to exist. Religious student organizations are often the only contact most college students will have with people of faith and spiritual values during their college years.

**Religious groups are positive and vibrant contributors to campus diversity.** One study found that not only is participation in religious groups positively associated with social integration, emotional well-being, and academic success, but religious groups also promote greater awareness of people from different races and cultures.

**Religious student groups typically are among the most diverse groups on campus in terms of racial, ethnic, and socio-economic backgrounds of their students.** Religious student groups welcome all students to explore religious values and ideas, to participate in their activities, and to experience authentic community. Religious student groups create welcoming, safe environments for students away from home for the first time. They are crucial to helping first-generation college students find a nurturing place in an unfamiliar environment.

**Religious student groups contribute not only to the well-being of other students, but also to their campuses and their communities.** Religious student organizations routinely perform service projects on their campuses and in their communities that minister to those in need. Many

religious student groups spend spring break serving under-resourced communities in America and overseas.

**S. 1168 follows the well-marked path of previous federal laws that Congress has enacted to protect religious student groups' right to be religious in the public square.** Congress protected religious *high school* students' right to meet when it passed the Equal Access Act, 20 U.S.C. §§ 4071-4074, in 1984. The Act has a remarkable track record of success and was upheld by the Supreme Court, by a vote of 8-1, in the landmark case of *Mergens v. Board of Education* (1990). Now Congress needs to protect *college* students.

**S. 1168 protects religious organizations' leadership requirements in the same way that the 115th Congress protected similar requirements for houses of worship and religious schools in its bipartisan spending bill.** The 115th Congress codified, as part of a bipartisan spending bill, language that protects houses of worship, religious schools, and other nonprofits from exclusion from disaster relief assistance because they require their leaders or members to share their religious faith and practices.

**S. 1168 ensures equal treatment for religious groups on public university campuses.** S. 1168 assures that religious groups have an equal place at the table with other student groups. No organization—whether religious or secular—can exist without leaders who share and promote its mission and message (whether the group is the college Sierra Club, the College Democrats or College Republicans, or a religious group). S. 1168 ensures that federal dollars do not fund public colleges' discrimination against religious students.

**S. 1168 addresses a problem that is national in scope and, therefore, needs a national solution.** 25% of the Nation's college students live under a Ninth Circuit ruling that allows religious student organizations to be discriminated against because they require their leaders to share the groups' religious beliefs. Only Congress can restore nationwide protection for students.

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#### **S. 1168, Equal Campus Access Act**

Part B of title I of the Higher Education Act of 1965 (20 U.S.C. 1011 et seq.) is amended by adding at the end the following:

**Sec. 124. Campus Access for Religious Groups.** None of the funds made available under this Act may be provided to any public institution of higher education that denies to a religious student organization any right, benefit, or privilege that is otherwise afforded to other student organizations at the institution (including full access to the facilities of the institution and official recognition of the organization by the institution) because of the religious beliefs, practices, speech, leadership standards, or standards of conduct of the religious student organization.

**To co-sponsor,** please contact Alexandra McPhee ([Alexandra\\_McPhee@blunt.senate.gov](mailto:Alexandra_McPhee@blunt.senate.gov)); Conor Sheehy ([Conor\\_Sheehy@scott.senate.gov](mailto:Conor_Sheehy@scott.senate.gov)); or Kelley McLean ([Kelley\\_McLean@lankford.senate.gov](mailto:Kelley_McLean@lankford.senate.gov)).