



JOHN PAUL THE GREAT

CATHOLIC UNIVERSITY

June 15, 2016

The Honorable Jose Medina
Higher Education Committee, Chairman
California State Assembly
1020 N Street, Room 173
Sacramento, CA 95814

Re: SB 1146 (Lara)
Position: Oppose

Dear Mr. Medina,

I write to express John Paul the Great Catholic University's opposition to SB 1146, as the bill would severely limit the University's ability to faithfully live out its religious mission. SB 1146 amends the Equity in Higher Education Act (EHEA).¹ The EHEA prohibits discrimination based on several categories, including gender, gender identity and expression, sexual orientation, and religion.² The EHEA also exempts schools controlled by a religious organization to the extent that they have conflicting religious tenets.³ SB 1146 shrinks the religious exemption so that it excludes religious liberal arts colleges and threatens religious schools' ability to participate in the Cal Grant Program.

John Paul the Great Catholic University ("JPCatholic" or "the University") is a nonprofit institution of higher education with its main campus in Escondido, California. Founded in 2003, JPCatholic is a visionary teaching institution with an educational philosophy grounded in Scripture and the Catholic Church's teachings, focused on molding students into future media innovators and leaders who have a deep, personal knowledge of Jesus Christ.⁴

The University's Catholic identity is rooted in proclaiming the Gospel of Jesus, overcoming every separation between faith and life, and being a witness to the world on the Church's teaching on marriage, family, and the right ordering of public life.⁵ JPCatholic's mission is "[t]o impact culture for Christ by forming students as creators and innovators, leaders and entrepreneurs at the intersections of media, business and

¹ See http://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201520160SB1146.

² CAL. EDUC. CODE § 66270.

³ CAL. EDUC. CODE § 66271.

⁴ See <http://www.jp catholic.com/about/about.php>; <http://www.jp catholic.com/about/fidelity.php>.

⁵ See <http://www.jp catholic.com/about/cathu.php>.

theology, guided by the teachings of Jesus Christ as preserved by His Catholic Church.”⁶ JPCatholic requires its faculty to commit to harmony with Catholic Church teachings in speech and action and its students to take general education courses that include Catholic theology.⁷

JPCatholic believes that all people are made in the image of God, and treats all applicants, students, and employees with dignity and respect, regardless of religion, sexual orientation, or experience with gender dysphoria. JP Catholic expects its students and staff to affirm and live by Catholic teachings on human sexuality, as articulated in University policy, which is applicable to all institutional decisions, including housing, hiring, and admissions.⁸ JPCatholic fully informs prospective and current students and employees of its beliefs and practices.

JPCatholic opposes SB 1146 for two primary reasons. First, SB 1146 is unnecessary. JPCatholic does not treat LGBT people unjustly. In fact, the bill’s supporters have identified only a single concrete instance in which they believe a faith-based school unjustly treated an LGBT individual.⁹ Moreover, the ability of religious communities to organize around shared religious commitments (both doctrinal and ethical) is not a problem to be solved, but a freedom that contributes to genuine diversity and reflects principled pluralism. For example, the government can have no interest in coercing monasteries to drop their religious membership criteria, or in forbidding Jewish temples from requiring their rabbis to be Jewish.

Second, SB 1146 will unjustly punish Cal Grant recipients. JPCatholic is subject to the EHEA because it participates in the Cal Grant Program, which provides state-funded grants to students for college. Of the JPCatholic students participating in the Cal Grant program, 70% are Latino or Black. If SB 1146 excludes schools like JPCatholic from the EHEA religious exemption, JPCatholic’s religious beliefs and practices could be considered sexual orientation or gender identity discrimination.

SB 1146 might therefore jeopardize JPCatholic’s ability to sign the institutional participation agreement (IPA), which requires schools participating in the Cal Grant Program to verify that they do not discriminate based on the protected classes listed in the EHEA.¹⁰ Additionally, SB 1146 would expose JPCatholic to litigation and liability under the EHEA, pressuring the University to drop out of the Cal Grant Program. Thus, SB 1146 would effectively deprive low-income students of the education of their choice, specifically where that choice would reflect students’ own religious values.

⁶ See <http://www.jp catholic.com/about/vision.php>.

⁷ See <http://www.jp catholic.com/about/fidelity.php>;
<http://www.jp catholic.com/academics/degree/coreed.php>.

⁸ See John Paul the Great Catholic University Policy on Human Sexuality at 1-2.

⁹ Senate Judiciary Committee, Comment on SB 1146 (Lara), April 19, 2016, page 6, *available at* http://leginfo.legislature.ca.gov/faces/billAnalysisClient.xhtml?bill_id=201520160SB1146#.

¹⁰ See CAL. EDUC. CODE § 66290 and

http://www.csac.ca.gov/pubs/forms/grnt_frm/institutional_participation_agreement.pdf.

JPCatholic is committed to maintaining a safe and positive learning environment for all students, being accessible to low-income students, and remaining faithful to its Catholic mission. Accordingly, JPCatholic respectfully urges you to vote “no” on SB 1146.

Very truly yours,

A handwritten signature in black ink that reads "Derry Connolly". The signature is written in a cursive style with a large initial 'D' and a long, sweeping underline.

Derry Connolly PhD
President
John Paul the Great Catholic University

cc: Higher Education Committee Members: Catharine B. Baker, Richard Bloom, Rocky J. Chávez, Jacqui Irwin, Reginald Byron Jones-Sawyer, Marc Levine, Eric Linder, Evan Low, Kristin Olsen, Miguel Santiago, Shirley N. Weber, and Das Williams.
Assembly Member Marie Waldron
Senator Ricardo Lara
Laura Metune, Amy Rutschow, and Karen Teel