

## **Court Dismisses Constitutional Challenge to UC's "A-G" Course Evaluation Policies in ACSI v. Stearns**

On March 28, 2008, U.S. District Court Judge S. James Otero dismissed constitutional challenges to the University of California's policies for determining whether high school courses teach academic content and skills in a manner sufficient to meet the University's a-g college preparation requirements. The lawsuit, *Association of Christian Schools International v. Stearns*, was filed in 2005 by the Association of Christian Schools International, Calvary Chapel Christian School in Murrieta, California, and several Calvary Chapel students. The suit claims that UC's high school course evaluation policies violate the free speech and religious freedom rights of some Christian schools and students. The suit also challenged University position statements to the effect that it would not approve courses that use certain textbooks as their primary text because those books do not provide adequate instruction in academic content and skills.

UC moved for partial summary judgment on the basis that that its review policies and the position statements are constitutional exercises of the University's right to evaluate the qualifications of applicants for admission. The Court agreed, holding that the University has a legitimate interest in evaluating the adequacy of high school courses to prepare students for study at UC; that its process for doing so is reasonable; that the University's academic standards are also reasonable and do not discriminate against religion; that the position statements are a reasonable application of those academic standards; and that the University accommodates religious school students in various ways. The University did not move for summary judgment on plaintiffs' challenges to several specific course approval decisions. The Court did, however, reject plaintiffs' motion seeking judgment on those "as applied" claims, which remain for trial. The decision is important because it affirms the University's ability to set reasonable admissions standards that apply equally to all applicants and all schools. UC remains committed to ensuring that all qualified high school students have an equal opportunity to gain admission to the University.

Court's ruling:

[http://www.universityofcalifornia.edu/news/acsi-stearns/msjruling\\_033108.pdf](http://www.universityofcalifornia.edu/news/acsi-stearns/msjruling_033108.pdf)