

**UC issued the following statement on the heels of the Court’s decision in The Association of Christian Schools International v. Stearns lawsuit**

On Friday, August 8, U.S. District Court Judge S. James Otero upheld the University of California’s decision that four high school courses from Calvary Chapel Christian School in Murrieta, California and one course from Calvary Baptist School in La Verne did not meet UC preparatory standards. Earlier, Judge Otero had ruled that UC’s practice of evaluating high school courses to determine whether they satisfy its entrance requirements is nondiscriminatory and does not violate religious high schools’ freedom of speech or religion.

Taken together, these two decisions reject legal claims brought against UC by the Association of Christian Schools International, Calvary Chapel Christian School, and six Calvary Chapel Students in their entirety.

“We are very pleased with Judge Otero’s decision,” said Wyatt R. Hume, UC provost and executive vice president for academic and health affairs. “The University welcomes students of all religious faiths and recognizes that a diversity of educational backgrounds among our students, including religious education, enriches the UC community and the academic experience. As we have said all along, the question the University addresses in reviewing courses is not whether they have religious content, but whether they provide adequate instruction in the subject matter. We also evaluate whether or not they promote the analytical and critical thinking skills necessary to succeed at the University. Our decisions are made based on the academic merits of the courses regardless of the kind of school from which they are submitted. There is essentially no difference between the course approval rate for religious and secular schools.”

The lawsuit, Association of Christian Schools International v. Stearns, was filed in August 2005. The plaintiffs challenged the process through which UC reviews courses that high schools submit for approval as meeting the University’s college preparatory course requirements – known as the a-g requirements. The suit claimed that UC violated the freedom of speech and religion rights of Christian schools when it concluded that some of their courses did not meet UC’s requirements for college preparation. It also alleged that the University’s decision to disapprove some courses discriminated against students who attend those schools.

In March, Judge Otero issued his first ruling in which he upheld the constitutionality of the University’s high school course review process. The Court ruled that UC can exercise discretion in setting academic standards, such as the sufficiency of high school preparatory courses, and has a right to evaluate the qualifications of applicants for admission. It also found that the “a-g” course approval guidelines did not violate the freedom of speech and religion of Christian high schools.

“Judge Otero’s decision confirms that UC may apply the same admissions standards to all students and to all high schools without regard to their religious affiliations,” said Charles Robinson UC’s General Counsel and Vice President for Legal Affairs. “Thousands of students from religious schools have demonstrated that they are fully able to meet UC’s regular admissions requirements. The University believes that those students do not need and would not be well served by they type of religious exemption from regular admissions standards that the plaintiffs sought in this case.”

Following the Court’s first ruling in March, the University moved for summary judgment on the plaintiffs’ remaining claims which challenged the application of UC’s course review policies to specific courses. With regard to those courses (in the subjects of English, History, Government, World Religions, and Biology), the Court ruled that the University’s decision to reject them was not motivated by animus towards religious viewpoints. Instead, the Court found that the University had a rational basis for rejecting the courses based on their academic merit, and agreed with the analyses of experts who found them academically inadequate. The Court also found that the plaintiffs’ experts did not provide sufficient evidence to contradict the conclusions of UC’s experts.

The plaintiffs have filed an appeal.

To read the Court’s ruling is in its entirety, visit:

<http://www.universityofcalifornia.edu/news/acsi-stearns/ruling0808.pdf>