

## **Vote **NO** on Extreme House Republicans' Bill to Rollback Students' Rights and Undermine Quality Education**

### **Background on College Students' First Amendment Rights**

As Americans, the First Amendment protects some of our most deeply cherished rights. Any student currently who believes their First Amendment rights are being violated can bring a federal case against their public college or university. In doing so, they have over 200 years of precedent and case law that carefully define and determine how the First Amendment should be interpreted and enforced in that situation. That includes precedents that *specifically address the unique nature of colleges and universities* as public entities that both must uphold constitutional rights and provide students with safe learning environments.

**The *End Woke Higher Education Act* (H.R. 3724) is an extreme Republican messaging bill that combines two measures and serves as a thinly veiled attack on diversity and academic freedom in college curricula.**

Specifically, it includes:

- The *Accreditation for College Excellence Act of 2023* (H.R. 3724) injects culture wars into the college accreditation process, undermining the quality of education a college provides. Under this bill, accreditors may not assess a school's commitment to any 'ideology, belief, or viewpoint.'
- The *Respecting the First Amendment on Campus Act* (H.R. 7683) attempts to circumvent the First Amendment to establish a whole new scheme to regulate speech and association rights on campus outside of established precedents and practices while also creating a license for religious student groups to discriminate against LGBTQI+ and other students when using student activity fees

### **H.R. 3724 is dangerous for students and colleges.**

First, under this bill, if public colleges and universities have legitimate concerns about the safety of students and staff on their campuses and limit what type of speech can be used, that school could now be subject to large fines and potential loss of Title IV aid. In doing so, the Majority, who purport to favor limited government, is micromanaging how colleges and institutions handle their internal governance processes.

Second, this bill creates a "Prohibition on Litmus Tests" during a school's accreditation process. Extreme Republicans fear that colleges are losing accreditation because they do not have a DEI program. There is no evidence of this happening.

Conversely, there are several examples of state officials pressuring schools not to teach certain classes or whole subjects that they believe cross the line between academic pursuit and ideological beliefs. For example, this means the Department of Education could potentially revoke an accreditor's recognition over a claim that its standards for biology programs require the teaching of evolution, suggesting such standards attempt to force a university to commit to a "specific partisan, political or ideological viewpoint or belief."

Lastly, one of the many harmful and misguided policies contained in H.R. 3724 is the so-called *Equal Campus Access* provision, which would allow religious student clubs to skirt nondiscrimination requirements that apply to *all* other student clubs funded by student activity fees. Student groups are an essential part of the college experience. If this bill became law, minority students would be forced to subsidize student groups that discriminate against them.