Mar 27, 2023

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Florida Attorney General's Office News Release

AG Stands Up For 1st Amendment



TALLAHASSEE, Fla.—Attorney General Ashley Moody is pushing back against the Biden administration attempting to rescind protections for student religious groups. Attorney General Moody, along with 21 other state attorneys general, sent a comment letter to the U.S. Department of Education, demanding DOE retain a provision that compels public universities to comply with the First Amendment or lose grant funding. The Biden administration is threatening to rescind this provision originally put in place to protect religious groups on campuses nationwide.

Attorney General Ashley Moody said, “Public universities should not be able to pick and choose who has First Amendment protection under our U.S. Constitution. These fundamental rights must be vigorously defended. We demand the Biden administration halt efforts by the U.S. Department of Education to remove protections put in place to ensure student religious groups can practice their faith at our public universities.”

The existing rule, established in 2020 to implement U.S. Supreme Court precedent, prohibits public universities from denying student religious groups “any right, benefit or privilege that is otherwise afforded to other student organizations at the public institution” because of a group’s “beliefs, practices, policies, speech, membership standards or leadership standards, which are informed by sincerely held religious beliefs.”

The Biden administration says the existing policy is too confusing and burdensome, but the attorneys general argue that student religious organizations are worthy of protection.

The letter states: “The religious practice of student groups and individuals is under immense fire

at universities…Religious students have greatly enriched campus communities, through charity, service, temperance, and commitment to learning. They are owed the right to freely exercise their religion, however out of fashion with an increasingly anti-religious bureaucratic regime that might be."

The attorneys general argue that removing the rule would conflict with U.S. Supreme Court rulings forbidding the government from weaponization against religion.

The letter also states: "The department is blessing the targeting of religious groups…That is wrong."

The attorneys general also argue the rule change would impose "irreparable harm to students for no federal benefit."

To read the full letter, click here.

Attorney General Moody is joined by the attorneys general of the following states in signing the letter sent Friday: Alabama, Alaska, Arkansas, Georgia, Idaho, Indiana, Iowa, Kentucky, Louisiana, Mississippi, Missouri, Montana, Nebraska, North Dakota, Ohio, Oklahoma, South Carolina, Texas, Utah, Virginia and West Virginia.