

The Association of Christian Schools International ("ACSI") is a Christian nonprofit association providing support services to 24,000 Christian schools that educate 5.5 million children in over 100 countries. ACSI serves 2,000 Christian pre-schools, elementary, and secondary schools and 90 post-secondary institutions in the United States. ACSI represents the interest of 49 Christian schools in Oregon and submit this letter of opposition on their behalf and our own.

ACSI asserts this bill represents government intrusion and entanglement in the management of private, faith-based, educational organizations and therefore a violation of First Amendment religious liberty principles. The bill targets all forms of early childhood educational efforts regardless of their formation or status. To remedy this concern, the bill should include an exemption for religious, educational institutions to pass Constitutional standards.

As drafted, the bill creates state interference with private education, and unless an exemption for religious organizations is added, this certainly represents a serious infringement on the 1st Amendment religious liberties and the autonomy of faith-based organizations that the U.S. Constitution protects. Specifically, the U.S. Supreme Court in *Kedroff v. St. Nicholas Cathedral of Russian Orthodox Church in N. Am.*, 344 U.S. 94 (1952), and *Serbian E. Orthodox Diocese for U. S. of Am. & Canada v. Milivojevich*, 426 U.S. 696 (1976), upheld the prohibition on courts from reviewing internal functions of religious organizations involving matters of faith, doctrine, or governance. This "Ecclesiastical Abstention Doctrine" was further applied to religious educational institutions in *Hosanna-Tabor Evangelical Lutheran Church & Sch. v. EEOC*, 565 U.S. 171, 185-86 (2012). Additionally, last year the Supreme Court again strengthened these principles by reaffirming *Hosanna-Tabor in Our Lady of Guadalupe School v. Morrissey-Berru*, 591 U.S. ____ (2020). Admissions and attendance in such religious programs strikes at the heart of the court's concern that civil government oversteps when it interferes in matters pertaining to internal discipline and operation of religious programs. This bill would entangle the state in the operations and admissions of faith-based educational providers throughout the state and without proper religious exemptions it, unfortunately, invites unnecessary litigation. Therefore, a religious exemption must be included in this legislation to avoid the infringement of religious freedom and autonomy as required by the U.S. Constitution.

Respectfully Submitted,

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