

# GOVERNMENT RELATIONS

The CCCU's advocacy work promotes and protects our constituency's unique contribution as Christ-centered, nonprofit institutions of higher education. CCCU institutions find themselves in the crosshairs of issues affecting higher education or nonprofit organizations generally, as well as challenges because of their religious character and convictions. Through our connections in Congress, the Department of Education, the Treasury Department, the White House, and the courts, the CCCU utilizes all the levers within the three branches of government to preserve, protect, and advance the Christ-centered mission of Christian colleges and universities.

## In 2019-20, we sent:



**80+ Letters** to Congress, the White House, the Treasury, or the Department of Education



**10 Amicus Briefs** to the Supreme Court and other federal courts

## COVID-19 Response

The 2020 pandemic has brought Christian higher education into uncharted territory. In the midst of this disruption, the CCCU worked around the clock to respond to the needs of its members.



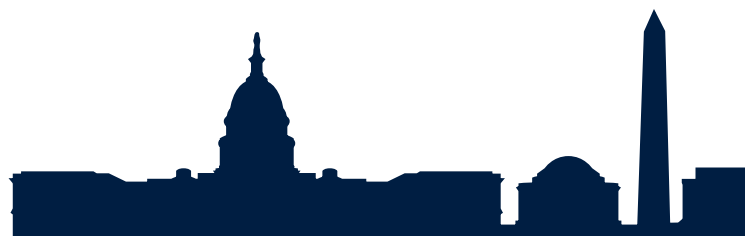
**\$237 Million** in pandemic relief funding secured for U.S. institutions (not including funds that institutions may have received under the Paycheck Protection Program).



**65 CCCU institutions received funds** under the Paycheck Protection Program.

**Increased Access to Relief Funding:** Thanks to the work of the CCCU and the higher education community, a change was made to the Paycheck Protection Program that excludes federal work-study and other work-study students from the employee count — making it possible for more CCCU institutions in the U.S. to fall under the PPP's 500-employee cap. The CCCU continues to work tirelessly to make sure Christian higher education has a seat at the table in the development of current and future economic relief packages so students and institutions can get the financial relief they need.

**A Seat at the Table:** From February through June, the CCCU sent 63 letters to the government alongside other associations. These letters advocated for clarity in relief allocation requirements, changes in regulations making it difficult for campuses to care for students, and financial resources for CCCU institutions' future sustainability. The CCCU continues to keep its seat at the table alongside the higher education community so that when important decisions are made, Christian higher education's future is at the forefront.



## Protecting Religious Mission and Conviction

**Executive Branch:** The CCCU makes sure that the voices of Christian colleges and universities are heard at the White House and in important executive agencies like the Department of Education, the Treasury Department, and the Department of Labor.

- The Department of Education has released **new Title IX regulations**. To help its institutions prepare for the implementation of these new regulations by the Aug. 14, 2020 deadline, the CCCU secured five hours of legal and policy training for all of its U.S. campus leaders.
- When the Department of Labor proposed a rule allowing **federal contracting with religious organizations who hire based on their mission**, the CCCU sent a letter affirming the proposed rule. The draft rule would not directly affect many institutions, but the CCCU believes the precedent to protect religious hiring is important.
- The Department of Education proposed an update to its regulations for **accessing federal grants and programs** that would eliminate discrimination against students and faith-based entities based on religious beliefs and practices. The CCCU joined several other religious organizations to commend the Department and reaffirm that the regulations did not violate the Establishment Clause.
- The Department of Education published new regulations in November 2019 **governing the accreditation of agencies and institutional eligibility**. These regulations defined religious mission and stated that accreditors cannot use an institution's religious mission-based policies, decisions, and practices as a negative factor in their review (as long as the institution's curricula also includes all core components required by the accreditor). This is a major accomplishment for Christian higher education and was made possible in part through the hard work of many individuals from CCCU institutions who were part of the negotiated rule-making team.

**The Courts:** The CCCU brought the voice of Christian higher education to the judicial square through filing 10 amicus briefs throughout the last year. Four cases before the Supreme Court were of particular importance for the mission of Christian higher education:

- ***Bostock v Clayton County*:** The CCCU filed a brief emphasizing that the law should protect the biblical understanding of sex. The Supreme Court issued a decision that extends federal protections to LGBT employees. The CCCU believes it is essential that any protections for LGBT persons should be paired with essential religious freedoms. The ruling leaves important questions unanswered for religious employers, and we continue to advocate that Congress address these uncertainties through legislation that makes explicit the religious protections important to a rich and vibrant civil society.
- ***Espinoza v. Montana Department of Revenue*:** The Supreme Court upheld the principal that a religious organization should not be excluded from a generally available public benefit because of religion. The CCCU filed a brief that denying these benefits would be a violation of the First Amendment; the decision is an important win for religious liberty.
- **DACA Cases:** The Supreme Court ruled that the Deferred Action for Childhood Arrivals (DACA) could remain in place for now. The CCCU signed onto two amicus briefs that, among other arguments, reminded the Court of the importance of Dreamers to our nation's colleges and universities and therefore to our country.
- ***Our Lady of Guadalupe School v. Morrissey-Berru*:** In its brief, the CCCU sought to preserve and protect the ability to hire for mission by advocating for a rightful understanding of the ministerial exception. The Court agreed that the exception applied to teachers at a Catholic elementary school as well because of the role they play in teaching religion to students.

- ***Fulton v. City of Philadelphia***: The CCCU argued that government should not be allowed to create laws designed to limit religious freedom protection under the guise of neutrality. This decision will be handed down later this year.

**Congress:** When it comes to important legislative initiatives — some of which are years in the making — the CCCU utilizes our connections to engage and advise congressional leaders on items of relevance to Christian higher education and to raise awareness of the important role that Christian colleges and universities have in American life.

- **Higher Education Act Reauthorization:** While no version of a bill that reauthorizes the Higher Education Act has been voted on this year, several drafts were released or were in the works in committees in the House and Senate. The CCCU has engaged key members of the Senate and the House whenever drafts have been released in order to make sure Christian higher education has a seat at the table in the legislative process.

- **Fairness for All:** On Dec. 6, 2019, Congressman Chris Stewart (R-Utah) introduced Fairness for All, a solution-based approach that addresses the cultural tension surrounding religious freedom and LGBT rights. We believe the bill is both principled, a clear and demonstrable way for people of faith to “love our neighbor” in the civic context, and pragmatic, in that the bill makes explicit many religious protections important to a rich and vibrant civil society. Orthodox Christian convictions are central to Christian colleges



and universities, and there must be freedom to practice, teach, and uphold those without penalty. In pairing LGBT civil rights and religious freedom, Fairness for All underscores that all persons are created in the image of God, implying dignity, value, and worth. This approach represents civic pluralism at its best, in a society where people with deep differences can live alongside each other with respect and understanding.

## Protecting the Financial Health of Our Institutions

**Successful Repeal of the “Parking Lot” Tax:** The CCCU was a key member in the coalition of organizations that helped secure the repeal of the provision in the 2017 Tax Cuts and Jobs Act that placed a 21% tax on parking and transportation benefits. The repeal was retroactive, meaning that any CCCU institutions that had paid the tax were eligible for a refund.

**Advocating for Charitable Deduction Increase:** In an effort to encourage more charitable giving to CCCU institutions, particularly from young alumni, we have continued to support an increase to the charitable deduction amount. Congress added a \$300 charitable giving deduction as part of the pandemic recovery aid, but we continue to advocate for a higher deduction to encourage giving to nonprofits.



**Working to Repeal the “Silo-ing” Provision:** Along with the “parking lot tax,” the 2017 Tax Cut and Jobs Act imposed another new tax on tax-exempt organizations. The “silo-ing” provision requires nonprofits to break down their revenues and expenses for every trade or business separately, not giving room for different areas of a nonprofit to balance out losses/gains in another area. For-profit businesses are not required to do this. The CCCU is working alongside other higher education groups like NACUBO, ACE, and NAICU to get this provision repealed.

## Protecting Our Students



among our members in this area. There are currently 20 CCCU institutions that offer educational and/or professional opportunities to incarcerated or formerly incarcerated individuals.



**Supporting Education for Incarcerated Persons:** Since the passage of the 2018 First Step Act, the CCCU has worked alongside Prison Fellowship to capitalize on the momentum for prison reform. Three CCCU institutions (Calvin University, Eastern University, and the University of the Southwest) were included in the April 2020 expansion of the **Second Chance Pell Experiment**, which provides federal funding for students enrolling in a prison education program. The CCCU also launched a Coalition for Prison Education Leaders to help facilitate collaboration

**Immigration:** In June 2020, the Supreme Court handed down a decision that enabled the **Deferred Action for Childhood Arrivals (DACA)** program to continue for now. While the decision came as both a relief and encouragement that many students on our campuses will be protected from immediate deportation, these young people still face an uncertain future. We advocate for policies that recognize the dignity with which God has endowed all people, regardless of their ethnicity, race, or place of origin. We be-

lieve a bipartisan, permanent legislative solution for Dreamers from Congress is the best means to provide a long-term solution for these young people and their communities.

As part of our immigration work, **the CCCU received a grant** to host regional meetings on member campuses to equip CCCU leaders to engage a complicated, divisive issue and advocate for immigration policies that are in line with biblical principles. Speakers shared the importance of having a biblical understanding of immigration, and students gave vulnerable, impactful testimony about their own experiences with the current system.