

FREEDOM FROM RELIGION *foundation*

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February 22, 2016

SENT VIA EMAIL AND U.S. MAIL:

jwillis@nwaedd.org

Mr. Joe Willis
Executive Director
NWAEDD Plaza
P.O. Box 190
Harrison, AR 72602-0190

Re: Unconstitutional grants to religious college

Dear Mr. Willis:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding unconstitutional grants given by the Northwest Arkansas Economic Development District. FFRF is a national nonprofit organization with more than 23,000 members across the country, including many members in Arkansas. FFRF's purpose is to protect the separation between state and church.

It is our understanding that the NWAEDD has awarded several grants to Ecclesia College in Springdale, Arkansas, totaling nearly \$600,000 in 2013–2014.

Ecclesia is a Christian religious college that offers primarily religious degrees—of the seven majors offered at the school, five are specifically religious.¹ Of the fourteen emphases available at Ecclesia, nine are religious.² Even secular classes at Ecclesia are taught from a “Biblical perspective,” in a “Biblical-Based Classroom,” and students are told that the school “will work with your parents and home pastor to help you find your place and purpose in God’s Kingdom.”³

Further, students are required to agree to an honor code that includes a promise to “endeavor to exemplify Christ-like character through my daily personal prayer life, study of the Word of God, through faithful attendance at assembly and a local church,” and to “grow in my spirit in developing my own relationship with Jesus Christ.”⁴

The NWAEDD grants to Ecclesia College violate both the Arkansas State Constitution and the U.S. Constitution. We are writing to request assurances that the NWAEDD will not award any grants to Ecclesia, or otherwise fund religious ministries, in the future. Additionally, any grant money that has not yet been disbursed should be rescinded.

¹ <http://ecollege.edu/majors/> (Majors offered in Biblical Studies, Christian Counseling, Christian Leadership Communication, Ministries, and Music Ministries).

² <https://ecollege.edu/emphases/> (Emphases offered in Biblical Studies, Children’s Ministry, Christian Counseling, Communications Ministry, Cross-Cultural Missions, Music Ministries, Pastoral Ministry, Worship Leadership, and Youth Ministry).

³ <https://ecollege.edu/reasons-chooseec/>.

⁴ <http://ecollege.edu/pdf/students/Ecclesia%20College%20Student%20Code%20of%20Honor.pdf>.

First, the Arkansas Constitution clearly prohibits funding religious ministries: “no man can, of right, be compelled to attend, erect, or support any place of worship; or to maintain any ministry against his consent . . . and no preference shall ever be given, by law, to any religious establishment, denomination or mode of worship, above any other.” Ark. Const. art. 2, § 24. Supporting a ministry, and showing preference for Christianity above other religions, is exactly what the NWAEDD does by giving hundreds of thousands of taxpayer dollars to Ecclesia College. Arkansas’ constitution erects a high wall of separation between state and church, and giving money directly to a religious college violates both the letter and the spirit of this provision.

Second, the Establishment Clause strictly prohibits the government from advancing religion. This means that the government may not “aid any or all religious faiths or sects in the dissemination of their doctrines.” *McCullum v. Bd. of Educ.*, 333 U.S. 203 (1948). Aiding a particular religious faith is exactly what NWAEDD does when it gives Ecclesia College taxpayer funds.

The Supreme Court has struck down grants to parochial schools when there is a possibility that the funds will be used to advance religion. See *Comm. for Pub. Educ. v. Nyquist*, 413 U.S. 756, 777 (1973) (striking down repair grants meant to renovate parochial schools because the buildings were used for sectarian purposes); *Lemon v. Kurtzman*, 403 U.S. 602, 625 (1971) (holding that government aid to nonpublic education impermissibly entangled the government with religion, even when limited to secular subjects).

Unlike rental of government property or private displays on public property, direct government grants do not involve free speech considerations. See *Locke v. Davey*, 540 U.S. 712, 720 n.3 (2004) (rejecting a student’s argument that state scholarships that were unavailable to majors in “pastoral ministries” were “an unconstitutional viewpoint restriction on speech” because “the Scholarship Program is not a forum for speech . . . cases dealing with speech forums are simply inapplicable”). In *Locke*, the Supreme Court upheld a state statute prohibiting state aid to students pursuing degrees in theology. *Id.* at 725.

FFRF requests written assurances that NWAEDD funds will not be given to Ecclesia College or other religious ministries in the future. Please respond in writing with the steps taken to resolve this matter so that we may notify our complainant.

Sincerely,



Ryan D. Jayne, Esq.
Diane Uhl Legal Fellow
Freedom From Religion Foundation