

# FREEDOM FROM RELIGION *foundation*

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October 17, 2024

**SENT VIA EMAIL & U.S. MAIL: KBarfield1@threeivers.edu**

Kem Barfield, Ed. D.  
Campus Dean of Students and Faculty  
Three Rivers Community College  
574 New London Turnpike  
Norwich, CT 06360

Re: Unlawful denial of formation of student group

Dear Dr. Barfield:

I am writing on behalf of the Freedom From Religion Foundation (FFRF) regarding a constitutional violation reported at Three Rivers Community College. FFRF is a national nonprofit organization with about 40,000 members across the country, including more than 400 members in Connecticut. Our purposes are to protect the constitutional principle of separation between state and church, and to educate the public on matters relating to nontheism.

It is our understanding that a student attempted to form a local chapter of the Secular Student Alliance (SSA) on the Three Rivers campus. We are informed that despite fulfilling each of the Student Government Association's (SGA) requirements for student organization recognition, SGA denied the group's application. We understand that Three Rivers recognizes a Christian student organization, the Alpha Omega Christian Club.

No explicit reason was given for the denial of the SSA's student organization application. Given that the SSA club met all of the requirements for recognition and the SGA recognizes other clubs, such as the Alpha Omega Christian Club, the denial appears to be based upon the viewpoint of the SSA club.

We write to ensure the constitutional rights of those involved with the SSA group are upheld.

The First Amendment provides protection from discrimination based on a student group's non-religious viewpoint. Discrimination against speech based on viewpoint "is presumed impermissible when directed at speech otherwise within the forum's limitations." *Rosenberger v. Rector and Visitors of University of Virginia*, 515 U.S. 819, 830 (1995) (internal citation omitted). "The government must abstain from regulating speech when the specific motivating ideology or the opinion or perspective of the speaker is the rationale for the restriction." *Id.* at 829. See also *Lamb's Chapel v. Center Moriches Union Free School Dist.*, 508 U.S. 384, 392-93 (1993); *Perry Ed. Assn. v. Perry Local Educators' Assn.*, 460 U.S. 37, 46 (1983).

“Government discrimination among viewpoints—or the regulation of speech based on ‘the specific motivating ideology or the opinion or perspective of the speaker’—is a ‘more blatant’ and ‘egregious form of content discrimination.’” *Reed v. Town of Gilbert*, 576 U.S. 155, 168 (2015) (citing *Rosenberger*, 515 U.S. at 829). Three Rivers cannot deny our complainant’s club the same treatment as other student clubs.

Preventing our complainant’s group from forming not only violates the law, it is also bad policy. Students seeking to make their college a better place for themselves and their classmates by building a community and forming a student club shouldn’t be subject to the whims of their classmates for club approval. Too often, students who identify as nonreligious or as a member of a religious minority encounter resistance, harassment, and hate. Allowing this group to form will allow these students to connect with like-minded students and work to dispel the prejudice, born out of ignorance, that some harbor against atheists, agnostics, and other freethinkers.

By denying the SSA recognition as an official student organization, Three Rivers further marginalizes the community members who belong to the 37 percent of the American population who are non-Christian, including the almost 30 percent<sup>1</sup> who are nonreligious.

We request an immediate reconsideration of the club’s denial and Three Rivers’ recognition of the SSA chapter as soon as possible. Please inform us in writing of the steps you are taking to resolve this issue. Thank you for your time and attention to this matter.

Sincerely,



Patrick Elliott  
*Legal Director*  
*Freedom From Religion Foundation*

PCE:kjs

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<sup>1</sup> Gregory A. Smith, *Religious ‘Nones’ in America: Who They Are and What They Believe*, Pew Research Center, Jan. 24, 2024, <https://www.pewresearch.org/religion/2024/01/24/religious-nones-in-america-who-they-are-and-what-they-believe/>.