December 18, 2015

By Certified Mail, Return Receipt Requested
Suffolk County Community College
Ammerman Campus
533 College Road
Selden, NY 11784
(979) 458-6150

By Electronic Mail

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Dear Suffolk County Community College Administrators:

I am writing on behalf of People for the Ethical treatment of Animals (PETA) and its more than three million members and supporters to respectfully request that you provide Suffolk County Community College (SCCC) Ammerman Campus student Danielle Parpounas with a waiver from the $100 campus dining requirement.

Ms. Parpounas is a practicing ethical vegan, and as such, she does not consume animal products of any kind, including meat, fish, eggs, dairy, or honey.

Ms. Parpounas informs me that SCCC is a commuter school with no students living on the campus. She further informs me that the $100 campus dining plan only recently became mandatory for students taking nine credits or more and that the plan functions essentially as a $100 gift card that can be used at the campus food vendors. According to Ms. Parpounas, the vegan options presented by the campus food vendors are slim (including mostly potato chips, nuts, and occasionally some fruit). Ms. Parpounas also has concerns regarding the possibility of cross-contamination of animal products and vegan options served by the campus food vendors.

PEOPLE FOR THE ETHICAL TREATMENT OF ANIMALS FOUNDATION

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Oakland, CA 94610
510-763-PETA

SCCC appears to allow meal waivers for students with medical diets prescribed by a physician and for students with religious diets, provided the student present "[a] detailed description of [the] dietary restriction from a recognized religious leader." *See* Meal Plan Waiver Request Form, http://www.sunysuffolk.edu/aramark/meal_waiver.pdf.

On November 8, 2015, Ms. Parpounas sent an email to the mealwaivers@sunysuffolk.edu account seeking a waiver from the meal plan, stating a) that she is an ethical vegan, b) that the campus vendors lacked adequate vegan options, and c) that her belief in ethical veganism is akin to a religious belief.

One week later, having received no response to her request, Ms. Parpounas sent another email to the mealwaivers@sunysuffolk.edu account asking for an update on her November 8 request.

Having received no response yet again, Ms. Parpounas sent an email to each of you on November 25, 2015, that included a copy of her failed attempts to communicate with the account designated to deal with meal waiver accounts. Still, to date she has received *no response* from anyone at SCCC on her repeated requests. Ms. Parpounas is entitled to a response as a matter of courtesy. She is entitled to exemption from the meal plan as a matter of law.

For 50 years, it has been settled law that one need not belong to an orthodox religious sect to be entitled to religious accommodations. *United States v. Seeger*, 380 U.S. 163, 192-93 (1965). Put differently, a person's beliefs need not be validated by a "recognized religious leader" in order to be entitled to protection. Instead, any "sincere and meaningful belief which occupies in the life of its possessor a place parallel to that filled by the orthodox belief in God" qualifies as a protected religious belief. *Id*. at 176. "[I]n resolving these exemption problems one deals with the beliefs of different individuals who will articulate them in a multitude of ways. . . . The[] task is to decide whether the beliefs professed . . . are sincerely held and whether they are, in [her] own scheme of things, religious." *Id*. at 184-85 (emphasis added).

Seeger involved three conscientious objectors to the selective service whose applications for objector status were denied on the basis that their objections to war were not centered on a "Supreme Being." *Id*. at 166-68. The Court described Seeger himself as one who held a "belief in and devotion to goodness and virtue for their own sakes, and a religious faith in a purely ethical creed" and an "ethical belief in intellectual and moral integrity 'without belief in God, except in the remotest sense.'" *Id*. at 167. Explicitly recognizing the lack of divinity undergirding Seeger's objections, the Court applied the test, which it called "simple of application" and "essentially . . . objective" and found the challengers stated a religious objection, finding religious beliefs include those concepts that "speak to the depths of your life, of the course of your being, or your ultimate concern, of what you take seriously without any reservation." *Id*. at 187 (quoting Dr. Paul Tillich, The Shaking of the Foundations 57 (1948)). The Court cautioned future government officials in applying this test that "[p]erhaps, in order to do so, you must forget everything traditional that you have learned about God." *Id*.

Five years later, the Court went a step further, extending *Seeger* to cover an objector who "struck the word 'religious' entirely [from his application] and later characterized his beliefs as having been formed 'by reading in the fields of history and sociology.'" *Welsh v. United States*, 389 U.S. 333, 341 (1970). In extending its definition of "religion" to Welsh, the Court stressed its belief that the plaintiffs in *Seeger* and *Welsh* were not meaningfully different in their

'religious' opposition to war. *Id*. at 337. *Welsh* noted that the test articulated in *Seeger* "was intended to indicate that the central consideration in determining whether the registrant's beliefs are religious is whether these beliefs play the role of a religion and function as a religion in the registrant's life." *Id*. at 339. The Court again emphasized that beliefs that are "purely ethical or moral in source and content" are "religious" if they "impose upon him a duty of conscience . . . 'parallel to that filled by. . . God' in traditionally religious persons. [When one's] beliefs function as a religion in his life, such an individual is as much entitled to a 'religious' [protections] . . . as is someone who derives his [objections] from traditional religious convictions." *Id*. at 340. *See also Torasco v. Watkins*, 367 U.S. 488, 495 (1961) (recognizing Ethical Culture and Secular Humanism as religious beliefs, despite the fact that neither requires a belief in any superior being or beings); *Kaufman v. McCaughtry*, 419 F.3d 678, 682 (7th Cir. 2005) ("The Supreme Court has recognized atheism as equivalent to a 'religion' on numerous occasions . . . Atheism is . . . a school of thought that takes a position on religion, the existence and importance of a supreme being, and a code of ethics. As such, we are satisfied that it qualifies as Kaufman's religion for the purposes of the First Amendment claims he is attempting to raise."); *Theriault v. Silber*, 547 F.2d 1279, 1280-81 (5th Cir. 1977) (vacating district court holding that "the Eclatarian faith, also known as the Church of the New Song" was not a religion" and stating that any standard of what is religion that would "exclude[], for example, agnosticism or conscientious atheism, from the Free Exercise and Establishment shields . . . is too narrow").

As Seeger and Welsh's nontheistic moral codes were entitled to religious protection, so too with Ms. Parpounas' ethical veganism. Ms. Parpounas' ethical veganism affects every virtually every aspect of her life, from the foods and drinks that she consumes, to the materials of the clothing that she wears, and from the products she purchases and uses, to her choices in entertainment. Ms. Parpounas views her moral obligation not to cause the killing of animals as an ethical obligation on par with the moral obligation of the plaintiffs in *Welsh* and *Seeger* not to kill other human beings. As in *Welsh*, Ms. Parpounas has a similar "duty of conscience" that guides her and that is "parallel to that filled by God in traditionally religious persons." 398 U.S. at 340.

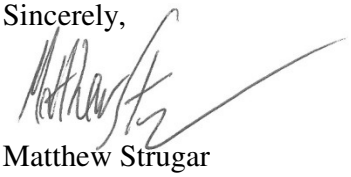
Refusal to provide an accommodation for Ms. Parpounas' ethical veganism—contrasted with willingness to provide an accommodation for theistic religious objections—violates the Free Exercise Clause of the First Amendment, *see Sherbert v. Verner*, 374 U.S. 398 (1963), as well as the Equal Protection Clause of the Fourteenth Amendment, *see Ctr. for Inquiry, Inc. v. Marion Circuit Court Clerk*, 758 F.3d 869 (7th Cir. 2014).

To remedy the college's unconstitutional action, we insist that you promptly provide Ms. Parpounas with a waiver from the Suffolk Community College meal plan without requiring a "detailed description of dietary restriction from a recognized religious leader." Exempting Ms. Parpounas from the meal plan requirement for the duration of her educational career at Suffolk Community College will not impose an undue burden on the school.

If you wish to discuss this matter further, I can be reached at 323-210-2263 or by electronic mail at matthew-s@petaf.org. Should you maintain your refusal to accommodate Ms. Parpounas, we will be forced to consider alternative means of protecting Ms. Parpounas' constitutional rights. Ms. Parpounas expressly reserves all of her rights in this regard.

Please preserve all evidence related to this matter, including but not limited to any electronic communication between and among university staff and administrators.

Sincerely,



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