



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

January 2, 2018

Carol A. Taylor, Ph.D.  
President  
Evangel University  
1111 N. Glenstone  
Springfield, MO 65802-2811

Dear President Taylor:

I write in response to your March 20, 2017, letter to the U.S. Department of Education's Office for Civil Rights (OCR), in which you requested a religious exemption for Evangel University (University) of Springfield, Missouri, from Title IX of the Educational Amendments of 1972 (Title IX), 20 U.S.C. § 1681.

Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Title IX and its implementing regulation at 34 C.F.R. § 106.12 provide that Title IX does not apply to an educational institution that is controlled by a religious organization to the extent that the application of Title IX would be inconsistent with the controlling organization's religious tenets. Therefore, such educational institutions may request an exemption from Title IX by identifying the provisions of Title IX that conflict with a specific tenet of the religious organization. The request must identify the religious organization that controls the educational institution and specify the tenets of that organization and the provisions of the law or regulation that conflict with those tenets. An institution may be considered controlled by a religious organization if it is a school or department of divinity.

Your request letter states that the University, which was formerly Evangel College, is "the national university of the Assemblies of God" and "a comprehensive Christian University committed to excellence in educating and equipping students to become Spirit empowered servants of God who impact the church and society globally." Your letter explains that the University is controlled by the General Council of the Assemblies of God, which can appoint membership to the University's board of trustees. Your letter further explains that an alliance established by the General Council developed "endorsement criteria that are intended to facilitate the development of educational institutions that are committed to the Assemblies of God's mission, to the integration of faith and learning in the Pentecostal tradition and to academic excellence ('Endorsement Criteria')." Your letter states that "the Endorsement Criteria shape how the Evangel University selects its leadership, faculty, administrators, and students." For example, your letter states that "the University asks all student applicants for on campus programs to affirm that they... agree with the accepted essentials of the Christian faith as held by the Assemblies of God" and that "[a]ny individual who violates [the University's] community covenant for biblical living is subject to discipline, including expulsion. Your letter also notes

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that “[s]ince the University’s founding, the General Council has contributed over \$44,000,000 to support the University and its theological seminary.”

Your letter requests exemption from certain provisions of Title IX and its implementing regulations to the extent that application of those provisions would not be consistent with the General Council’s interpretation of Scripture with respect to human dignity, abortion, marriage, sexual conduct, sexual orientation, sexual identity, and sexual equality. In support of this request, your letter cites beliefs of the Assemblies of God, including that “God created humankind in His image, and that people receive their essential dignity from the fact that they are created in God’s image and are loved by Him,” that “abortion is the killing of innocent human life and is therefore prohibited by the Ten Commandments,” that marriage is “the permanent, exclusive, comprehensive, and conjugal union of one man and one woman, intrinsically ordered to procreation and biological families,” that “God has designed sexual intimacy for marriage, and that sexual acts outside of marriage between one man and one woman are sinful,” that “same-sex sexual attractions are temptations to sin and should therefore be resisted,” that God created humankind in His image, male and female, sexually different but with equal personal dignity” and “any and all attempts to physically change, alter, or disagree with [one’s] biological sex” are discouraged,” and that “men and women have equal dignity before God” and “God gifts both sexes for ministry in His Church.”

Your letter states that, for the above reasons, the College is requesting an exemption from the following regulatory provisions to the extent that application of those provisions would not be consistent with the General Council’s interpretation of Scripture with respect to human dignity, abortion, marriage, sexual conduct, sexual orientation, sexual identity, and sexual equality:

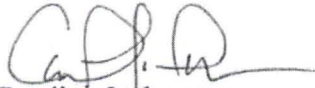
- 34 C.F.R. § 106.21 (governing admission);
- 34 C.F.R. § 106.22 (governing preference in admission);
- 34 C.F.R. § 106.23 (governing recruitment of students);
- 34 C.F.R. § 106.31(b)(4) (governing different rules of behavior or sanctions);
- 34 C.F.R. § 106.31(b)(7) (governing other limitations);
- 34 C.F.R. § 106.32 (governing housing);
- 34 C.F.R. § 106.33 (governing comparable facilities);
- 34 C.F.R. § 106.37 (governing financial assistance);
- 34 C.F.R. § 106.40 (governing marital or parental status);
- 34 C.F.R. § 106.41 (governing athletics);
- 34 C.F.R. § 106.43 (governing standards for measuring skill or progress in physical education classes);
- 34 C.F.R. § 106.51 (governing employment);
- 34 C.F.R. § 106.52 (governing employment criteria);
- 34 C.F.R. § 106.53 (governing recruitment);
- 34 C.F.R. § 106.57 (governing marital or parental status); and
- 34 C.F.R. § 106.60 (governing pre-employment inquiries).

The College is exempt from these provisions to the extent that compliance would conflict with the controlling organization’s religious tenets.

Please note that this letter should not be construed to grant exemption from the requirements of Title IX and the regulation other than as stated above. In the event that OCR receives a complaint against your institution, we are obligated to determine initially whether the allegations fall within the exemption here recognized.

I hope this letter fully responds to your request. If you have any further questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'C. Jackson', with a long horizontal flourish extending to the right.

Candice Jackson  
Acting Assistant Secretary for Civil Rights