



Catherine E. Lhamon  
Assistant Secretary for Civil Rights  
U.S. Department of Education  
400 Maryland Ave. SW  
Washington D.C. 20202

Re: Request for Religious Exemption from Certain Applications of Title IX

Dear Ms. Lhamon:

I hereby request, under 20 U.S.C. § 1681(a)(3) and 34 C.F.R § 106.12, that the Department of Education's Office for Civil Rights acknowledge that Grace Bible College (GBC) is exempt from Title IX of the Education Amendments of 1972 and its accompanying regulations to the extent that they are interpreted to curtail the College's freedom to respond to gender dysphoria and homosexual behavior in accordance with its religious convictions. As President of GBC, I am the highest ranking official of the institution and thus qualified to seek these exemptions.

In 1985, the Office for Civil Rights, Department of Education granted GBC exemption from Title IX specifically related to Admissions (106.21), Marital or Parental Status (106.40) and Pre-Employment Inquiries (106.60). The exemption letter acknowledges that GBC is controlled by a religious organization identified as the Grace Gospel Fellowship. The relationship between GBC and the Grace Gospel Fellowship has not changed during the intervening time. While GBC and The Grace Gospel Fellowship have historically maintained matching doctrinal statements, recent action by the GBC Board of Directors has adopted the Grace Gospel Fellowship doctrinal statement as the GBC doctrinal statement<sup>1</sup>. The ramification of this action is that any changes to the doctrinal statement of The Grace Gospel Fellowship are de facto changes to the GBC doctrinal statement.

Two recent actions clarify the belief of the controlling religious organization and GBC. The Grace Gospel Fellowship passed a motion which states the organization's position on human sexuality<sup>2</sup>. Additionally, GBC's Board of Directors have adopted a Human Sexuality Policy specific to the institution<sup>3</sup>. This policy states:

*We will treat all individuals with love and respect as bearers of the image of God. Out of love for the individual and our desire to see individuals flourish, we expect members of the Grace community to maintain behavior that follows the teachings of Scripture. In light of this, we do not support or affirm:*

- *marriage of any kind other than marriage between one man and one woman;*
- *sexual relations of any kind outside the confines of marriage between one man and one woman;*
- *resolution or attempted resolution of tension between one's biological birth sex and one's expression of gender by the adoption of a psychological identity discordant with one's biological birth sex;*

<sup>1</sup> Grace Bible College Board of Directors Meeting, October 14, 2016.

<sup>2</sup> Grace Gospel Fellowship Annual Meeting, July 8, 2016.

<sup>3</sup> Grace Bible College Board of Directors Meeting, October 15, 2015.

- *changes or attempts to change one's given biological birth sex via medical intervention in favor of the identity of the opposite sex or of an indeterminate identity.*

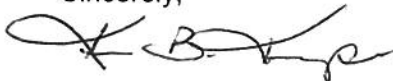
*As a Christian institution of higher learning, we will respect those whose moral views diverge from ours, and seek to embody the gentle and patient love of Christ for all. We will, however, make institutional decisions in light of this policy regarding housing, student admission and retention, employment hiring and retention, employment benefits and other matters. Without doing so, we are unable to maintain the integrity of our institutional mission and reason for existence as a serious biblical institution committed to Scriptural authority in all matters of life (Romans 1:18-32; Leviticus 18:22; 20:13; 1 Timothy 1:8-10; Ephesians 4:15).<sup>4</sup>*

With the evidence stated above, Grace Bible College meets the criteria for exemption from Title IX and requests that your office acknowledge that Grace Bible College is exempt from Title IX and the following implementing regulation to the extent that they are interpreted to encompass gender identity or sexual orientation discrimination:

- 34 C.F.R § 106.21 (admission)
- 34 C.F.R § 106.22 (preference in admission)
- 34 C.F.R § 106.23 (recruitment)
- 34 C.F.R § 106.31 (education programs or activities)
- 34 C.F.R § 106.32 (housing)
- 34 C.F.R § 106.33 (comparable facilities)
- 34 C.F.R § 106.34 (access to classes and schools)
- 34 C.F.R § 106.36 (counseling)
- 34 C.F.R § 106.37 (financial assistance)
- 34 C.F.R § 106.38 (employment assistance to students)
- 34 C.F.R § 106.39 (health and insurance benefits and services)
- 34 C.F.R § 106.40 (marital or parental status)
- 34 C.F.R § 106.41 (athletics)
- 34 C.F.R § 106.43 (standards for measuring skill or progress in physical education classes)
- 34 C.F.R § 106.51-61 (relating to employment)

Thank you in advance for your consideration. Please do not hesitate to contact me if you require further documentation or clarification.

Sincerely,



Ken B. Kemper, President

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<sup>4</sup> Grace Bible College policy regarding human sexuality.