



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

THE ASSISTANT SECRETARY

December 21, 2017

Dr. Jim J. Adams
President
Life Pacific College
1100 W. Covina Boulevard
San Dimas, CA 91773

Dear President Adams:

I write in response to your November 2, 2016, letter to the U.S. Department of Education's Office for Civil Rights (OCR), in which you requested a religious exemption for Life Pacific College (College) of San Dimas, California, 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 College "is a Christ-centered learning community that exists for the transformational development of students into leaders prepared to serve God in the Church, the workplace, and the world" and is "affiliated with and supported by the International Church of the Foursquare Gospel." The College's website indicates that its "historic and continuing mission is the preparation and education of leaders entering ministry, including pastoral, missional, bi-vocational, non-traditional, and marketplace ministry."

Your letter explains that the College believes "in the inspiration and truth of Scripture as presented in the Holy Bible," that the Bible "provides guidelines for the conduct of our community members," and that "any individual who violates our community standards has traditionally been subject to disciplinary action."

Your letter requests exemption from certain provisions of Title IX and its implementing regulations to the extent that "they are interpreted to reach gender identity or sexual orientation discrimination, and to the extent they restrict the College's freedom to apply and enforce its Sanctity of Life Policy Statement." In support of this request, your letter explains that "the

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The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

College and its sponsoring denomination believe that human beings were created in the image of God as gendered beings, both male and female,” that “sexual practices that are divorced from loving, covenantal relationships between men and women, as expressed through the permanent and exclusive bond of marriage, are inconsistent with God’s intentions for humanity and result in what Scripture identifies as sinful behavior that distorts relationships between men and women, and erodes the relationship between human beings and their Creator.” Your letter cites to the College’s Statement on Sexual Orientation and Gender Identity, which provides that the College affirms that “only sexual intimacy inside a marriage between a man and woman is deemed appropriate.” Your letter further states that the International Church of the Foursquare Gospel supports the “God-given right of each child to live out his or her full life from conception to natural death,” and cites to the College’s employment and student handbooks, stating that “all members of the [College] community, including students, faculty, and staff, will not participate in or support practices that may end life prematurely, such as abortion at any stage of life, except when tragically unavoidable and necessary to prevent the imminent death of another human being, the use of abortifacient drugs, the destruction of pre-born life in medical research of procedures, suicide or euthanasia.”

Your letter states that, for the above reasons, the College is requesting an exemption from the following regulatory provisions to the extent that “they are interpreted to reach gender identity or sexual orientation discrimination, and to the extent they restrict the College’s freedom to apply and enforce its Sanctity of Life Policy Statement”:

- 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 (governing education programs or activities);
- 34 C.F.R. § 106.32 (governing housing);
- 34 C.F.R. § 106.33 (governing comparable facilities);
- 34 C.F.R. § 106.34 (governing access to classes and schools);
- 34 C.F.R. § 106.36 (governing counseling);
- 34 C.F.R. § 106.37 (governing financial assistance);
- 34 C.F.R. § 106.38 (governing employment assistance to students);
- 34 C.F.R. § 106.39 (governing health and insurance benefits and services);
- 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); and
- 34 C.F.R. §§ 106.51-61 (governing employment).

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.

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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', written in a cursive style.

Candice Jackson
Acting Assistant Secretary for Civil Rights